



**GRAND COUNTY  
COMMISSION REGULAR MEETING**

**Grand County Commission Chambers  
Held virtually on Zoom  
Moab, Utah**

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**MINUTES  
20 July, 2021**

The Grand County Commission met in a regular meeting on 20 July, 2021. The meeting was streamed/attended electronically. It was also broadcast and saved on YouTube. Commissioners in attendance were Evan Clapper, Jacques Hadler, Trish Hedin, Mary McGann, Sarah Stock, Kevin Walker, and Gabriel Woytek. Also present were County Commission Administrator Chris Baird, County Commission Associate Administrator Mallory Nassau, County Attorney Christina Sloan, Planning and Zoning administrator John Guenther, and Clerk/Auditor Quinn Hall.

**1:30 p.m. Workshop on Grand County Strategic Plan update**

Commissioners in attendance for the workshop were Clapper, Hadler, McGann, Stock, Walker, Woytek. Also in attendance were Planning and zoning department head John Guenther, Chris Baird, and Quinn Hall. Trish Hedin was unable to attend.

Vice Chair Gabriel Woytek started the workshop at 1:41 pm.

Gabriel turned the time over to John Guenther, and John introduced the idea of a larger strategic plan. John discussed the ideas, concepts, and goals of the Strategic Plan. John shared some similar communities' plans and ideas, and discussed the potential of incorporating analogous ideas into a Grand County Strategic Plan. John discussed realistic timelines, broad goals, and planning steps.

John discussed different types of planning, zoning, and different streetscapes.

John and the Commission collaborated on a planning exercise, noting the strengths, weaknesses, opportunities, and threats. Commissioners offered input on all, noting strengths like accessibility, natural beauty, community safety, and recreational opportunities.

Commissioners weighed in on negative aspects like traffic, housing shortages, lack of water, crowding, homelessness, and lack of professional job positions.

Commissioners noted potential opportunities like shaping downtown, increasing pedestrian access/enjoyment, economic development and remote work opportunities, designating and creating more green space, expanding and diversifying the economy, enhancing education, and leading the way toward more racial diversity.

Commissioners identified several potential threats the community faces such as environmental degradation, overcrowding, interference from State Legislature, drought, lack of usable space, unrestrained growth, divisiveness and polarization, social media, uneducated visitors, and other large scale threats.

Chair McGann suggested circling back around and meeting again in two weeks.

Chair McGann dismissed the meeting for a 30-minute break at 3:30pm.

**4:00 p.m. Thompson Springs Special Service Fire District Board Meeting (see separate agenda/minutes)**

**4:05 p.m. Call to Order**

**Chair McGann called the meeting to order at 4:06 pm – all commissioners present (County Attorney Christina Sloan arrived at 5:15pm)**

**Citizens to Be Heard** (and again at approximately 6:00 pm)

Marc Horowitz expressed optimism for the future and support for community engagement. Marc asked that the general plan offer a better plan for and a comprehensive review of Old Spanish Trail Arena (OSTA). Marc would prefer that the County didn't operate a jail facility.

**Approval of Minutes** (Quinn Hall, Clerk/Auditor)

- A. June 21, 2021 (County Commission Special Meeting)
- B. June 22, 2021 (Joint County - City Workshop)
- C. July 6, 2021 (Regular County Commission Meeting)

**Motion by** Jacques Hadler to approve the minutes from 21 June, 2021, 22 June 2021, and 6 July 2021.

**Motion Seconded by** Evan Clapper

**Discussion** (none at this time)

**Motion passes 7-0**

**Ratification of Payment of Bills**

**Motion by** Gabriel Woytek ratify payment of bills in the amount of \$417,848.74 and payroll in the amount of \$249,807.99 for a combined total of \$667,656.73.

**Motion Seconded by** Jacques Hadler

**Discussion** (none at this time)

**Motion Passes 7-0**

**Commission Member Disclosures** (none at this time)

**General Commission Reports and Future Considerations**

Kevin Walker

- Attended roads board meeting
- Potential flooding in Pack Creek may need to be addressed
- With regard to state redistricting we should ask to not have Grand County split again

Trish Hedin

- Attended planning commission meeting
- Met with Town Councils in Rangely and Dinosaur
- Met with Grand Water and Sewer
- Attended Grand County homeless coordinating committee meeting

Gabriel Woytek

- Attended Economic Diversity Meeting

Evan Clapper

- Met with Cemetery Board
- Met with Arches Special Service District
- Attended a tour of the new Emergency Medical Services (EMS) building
- Emergency manager position will be filled

Sarah Stock

- Attended renewable energy board meeting
- Mosquito Abatement District (MMAD) hasn't found any West Nile

Jacques Hadler

- Attended Trail Mix meeting
- Attended OSTA meeting

Mary McGann

- Met with Canyonlands Solid Waste
- Met with Housing Authority
- Shirley and Greg Nicely are donating a home for a local/public servant
- Judy Powers offered a presentation on Crested Butte and affordable housing
- Toured new EMS building
- John Curtis will be here on 11 August.

**Elected Official Reports**

Quinn briefly discussed property tax valuation notices

**Commission Administrator Report**

Chris discussed the Jones and DeMille study for organizational structure.

Mallory discussed internal policies and procedures and roles and responsibilities. Mallory discussed the fee schedule amendments on the agenda. Mallory discussed the pending hybrid meetings.

**Department Reports**

D. Report on Old Spanish Trail Arena (Angie Book, OSTA Director)

Angie Book discussed operations at OSTA. Angie discussed varied uses of OSTA and offered a review of 2020 operations. Angie discussed the mitigation efforts during the pandemic, and noted success with events that proceeded. Angie discussed other projects that took place at OSTA last year. Angie noted the grass is returning slowly after the fire fighter encampment.

## Agency Reports

### E. Report from Public Defender (Aaron Wise, Public Defender)

Aaron Wise discussed 2020 caseloads, noting they stayed steady throughout the year. Aaron shared some statistics from the last year.

### F. Report on Emergency Medical Services (Andy Smith, EMS Director)

Andy discussed EMS 2020 operations and shared relevant statistics for the year. Andy discussed the new building and improvements to procedures and personnel.

## Presentations

### G. Presentation and discussion with Rural Matters Advisor Curtis Wells (Curtis Wells)

Curtis discussed his position with the rural policy team and explained some of the actions and goals of the team and the Utah One Roadmap. Curtis discussed some the pressures on the local community and ways the State is poised to help. Curtis discussed the potential water pipeline from Lake Powell and the water needs of the state. Curtis discussed some of the initiatives at the state level, and discussed some he thinks would be well suited for Grand County.

## General Business- Action Items- Discussion and Consideration of:

- H. Approving temporary, part-time Public Engagement Specialist in the Planning & Zoning Department (John Guenther, Planning & Zoning Director, and Renee Baker, Personnel Services Director)

### Presentation

John discussed the proposed position, noting the position would be mostly public engagement.

**Motion by** Kevin Walker to approve the recruitment of a temporary planning technician to work in the Planning and Zoning Department and not to exceed a term of 9 months.

**Motion Seconded by** Jacques Hadler

**Discussion** (none at this time)

### Motion Passes 7-0

- I. Adopting the Resolution Approving Final Plat, Puesta del Sol PUD, Phase #2, Amendment 1; Phase IV, Amendment 2; Phase XI, Amendment 1 (Mary Hofhine and Elissa Martin, Planning & Zoning Department)

### Presentation

Mary discussed the plat and the associated amendments. Chris noted this had been noticed it as a public hearing, and suggested accepting public comments.

Chair McGann opened the public hearing for verbal comments.

**Motion by** Evan Clapper to suspend Section R of the Grand County Commission Policies and Procedures and adopt the resolution approving the Final Plat for Puesta del Sol PUD, Phase #2, Amendment 1; Phase IV, Amendment 2; Phase XI, Amendment 1.

## **Motion to suspend rules passes 7-0**

### **Motion passes 7-0**

- J. Approving Option and Ground Lease Agreement with Infra Towers, LLC and revoking approval of the Option and Ground Lease Agreement with Insite Development 2, LLC (Angie Book, OSTA Director, and Christina Sloan, County Attorney)

### **Presentation**

Angie discussed the cell tower at OSTA, noting this is similar to a prior lease that was previously approved. Angie noted the cell tower is ~130' tall and revenue would be ~\$1500/mo. Angie noted the pros and cons of the cell tower. Angie noted the lease length and potential liability. Christina noted the potential liability of the fall zone, and the inability to seek increases in fees charged. Tierney Rowe (Infra proponent) spoke about the lease and described the transition to Infra Towers.

**Motion by** Sarah Stock to postpone until after public comments.

**Motion seconded by** Trish Hedin

**Motion passes 6-0-1** Walker abstains

### **6:00 Citizens to be Heard**

Zacharia Levine expressed support for changes to Article 9. Zacharia encouraged the commission to prioritize child care services. Zacharia suggested continued support for affordable housing. Zacharia expressed support for coworking spaces and more business development.

Charles Fischer opposes the rezone to highway commercial.

Theresa King commented about "Item 2." Thanked everyone for the efforts to prevent fireworks. Noted the desire to be involved in budget discussions. Suggested the Special Event Committee have a special seat for citizen.

Mallory discussed engaging private citizens with the special events committee and answered some of Theresa's questions.

**Motion by** Kevin Walker to revoke the Commission's October 15, 2019 approval of the Option and Ground Lease Agreement with Insite Development 2, LLC.

**Motion Seconded by** Trish Hedin

### **Discussion**

Kevin suggested a cell tower would likely violate the existing dark skies ordinance already in place. Kevin suggested further study would be needed to evaluate the possible lighting on any tower.

Trish suggested her cell service in Spanish Valley is adequate and agreed with Kevin.

Matt commented that cell coverage in area, including that of emergency services and Grand County staff, is severely lacking in the south end of the valley. Matt described the lack of service during large events.

Kevin noted he agrees cell coverage in the valley is lacking, but there may be better options.

Matt noted that any ongoing emergency in the south end of the valley will require enhanced cell coverage.

**Motion passes 6-0-1** McGann abstaining

- K. Approving wage change for Southeastern Utah Association of Local Government Cooks at the Grand Center (Renee Baker, Personnel Services Director and Austin Preston, SEUALG Fiscal Manager)

**Presentation**

Renee discussed the resolution and described the position.

**Motion by** Sarah Stock to approve the SEUALG Grand Center Cook position wage change from a \$15.00 per hour to \$18.00 per hour effective 7/21/2021.

**Motion Seconded by** Gabriel Woytek

**Discussion**

Evan asked about match portion and Renee discussed the Grand County portion.

**Motion Passes 7-0**

- L. Approving pay grade change for the Grand Center Kitchen Manager position from a Grade 2 to a Grade 5 (Renee Baker, Personnel Services Director)

**Presentation**

Renee discussed the pay grade change.

**Motion by** Evan Clapper to approve the Grand Center Kitchen Manager Grade Change from a Grade 2 to a Grade 5, effective 7/21/2021.

**Motion Seconded by** Jacques Hadler

**Discussion** (none at this time)

**Motion Passes 7-0**

- M. Approving Trail Ambassador job description, pay grade and recruitment (Renee Baker, Personnel Services Director)

**Presentation**

Renee described the position and the pay grade.

**Motion by** Evan Clapper to approve the Trail Ambassador job description and placement of a Grade 4 on the Grand County Grade and Step Chart, and authorize recruitment and hiring effective 7/21/2021.

**Motion Seconded by** Gabriel Woytek

**Discussion** (none at this time)

**Motion Passes 7-0**

- N. Approving termination of a Public Road Easement Entry No.399818 (Chris Baird, Commission Administrator and Christina Sloan, County Attorney)

**Presentation**

Chris discussed vacating the easement. This will allow improvements to the Loop Road.

**Motion by** Evan Clapper to approve the termination of the Public Road Easement, terminating Grand County's interest in approximately five miles of the Loop Road (Grand CR 73) located in San Juan County, Utah.

**Motion Seconded by** Kevin Walker

**Discussion** (none at this time)

**Motion Passes 7-0**

- O. Adopting Resolution approving the 2021 Budget Amendment (Chris Baird, Commission Administrator)

**Presentation**

Chris discussed the budget, noting this is follow-up to the public hearing, and this essentially brings money into the budget. Chris described some of the upcoming projects, noting the potential revenue and potential shortfalls.

**Motion by** Jacques Hadler to adopt the resolution approving the 2021 mid-year amended Grand County budget.

**Motion Seconded by** Evan Clapper

**Discussion**

Chris noted there have not been any changes since the last meeting.

**Motion Passes 7-0**

- P. Adopting Ordinance establishing the Grand County Consolidated Fee Schedule and repealing and replacing Ordinance 618 (Mallory Nassau, Associate Commission Administrator)

**Presentation**

Mallory discussed the changes to the fee schedule. Mallory Evan asked about fees for Star Hall. Mallory and Chris discussed some insurance requirements and Christina noted that even with insurance the County could be held liable. Mallory noted the highest priority adjustments are the removal of COVID-related language. Mallory noted this cleans up the airport fee schedule as well.

**Motion by** Evan Clapper to approve the Ordinance establishing the Grand County Consolidated Fee Schedule, repealing and replacing Ordinance 618.

**Motion Seconded by** Sarah Stock

**Discussion** (none at this time)

**Motion Passes 7-0**

- Q. Adopting Ordinance repealing and replacing Chapter 8.16 (Special Events) of the Grand County General Ordinances and related Ordinance No. 627 (Christina Sloan, County Attorney and Mallory Nassau, Associate Commission Administrator)

**Presentation**

Christina noted the change of the composition of the committee. Mallory discussed the changes and the rationale behind the changes.

**Motion by** Kevin Walker to repeal Chapter 8.16 (Special Events) of the Grand County General Ordinances and related Ordinance No. 627 and adopt new Chapter 8.16 (Special Events), as set forth in the attached Ordinance and its Exhibit A.

**Motion Seconded by** Trish Hedin

**Discussion**

Kevin noted this is moving in the right direction. Kevin suggested some potential future changes. Christina discussed some changes to the membership and duties of members.

**Motion Passes 7-0**

- R. Adopting Ordinance amending Section 11.04.010 of Title 11, Grand County General Ordinances and related Ordinance No. 602 (Christina Sloan, County Attorney)

**Presentation**

Christina discussed the amendment and clarified the technical changes. Christina discussed some agricultural exemptions.

**Motion by** Evan Clapper to adopt the proposed Ordinance amending Section 11.04.010 of Title 11 of the Grand County General Ordinances and related Ordinance No. 633.

**Motion Seconded by** Jacques Hadler

**Discussion** (none at this time)

**Motion Passes 7-0**

**Motion by Sarah Stock to remove item “U” from the Consent Agenda to be discussed now**

- (U) . Approving Advertising Agreement with Emery Telcom to air video segments on sustainable trail practices, chosen by the Sustainable Trails Promotion Committee, in the amount of \$6,150

Sarah discussed the potential problems with showing or further glamourizing off-road use in promotional videos. Sarah suggested better promotional materials that encourage more responsible recreation.

**Motion by** Sarah Stock... to approve the Emery Telcom advertisement agreement for 4 videos segments on Channel 6 and authorize the Chair to sign all associated documents with the understanding that the 4 authorized videos would be Do It Like a Local music video, Mountain Biking in Moab, Hiking in Moab, and Moab Search and Rescue – How Not to Get Rescued.

**Motion seconded by** Kevin Walker

**Motion passes** 5-0-2 Clapper, Hadler abstaining



**Consent Agenda- Action Items**

- S. Approving contract agreements with Southeastern Utah Association of Local Governments (SEUALG) Area Agency on Aging and Grand County for FY 2021-2022
  - i. Interagency Coordination and Sub-Recipient Contract Agreement with SEUALG for Human Services Programs for the Grand Center
  - ii. Contract Agreement with SEUALG for Medicare Counseling through the Senior Service Program for the Grand Center
  - iii. Contract Agreement with SEUALG for Long-Term Care Ombudsman services for the Grand Center
- T. Ratifying Chair’s signature on an Airport Improvement Grant Agreement and associated Cooperative Agreement for Canyonlands Regional Airport
- ~~U. Approving Advertising Agreement with Emery Telcom to air video segments on sustainable trail practices, chosen by the Sustainable Trails Promotion Committee, in the amount of \$6,150~~
- V. Approving Local Consent for a temporary beer permit for Outerbike
- W. Approving the fiscal year 2022 agreement between the Children’s Justice Center and the Utah Attorney General’s Office
- X. Ratifying the Chair’s signature Coronavirus State and Local Recovery Funds award terms, financial assistance agreement and Title VI assurance

**Motion by** Evan Clapper to adopt the consent agenda as presented.

**Motion Seconded by** Kevin Walker

**Discussion** (none at this time)

**Motion Passes 7-0**

**Discussion Items**

- Y. Calendar items and special events (Mallory Nassau, Associate Commission Administrator)

Mallory noted the County will be closed Friday, July 23<sup>rd</sup>, for Pioneer Day. Mallory discussed some potential upcoming special events – Music Festival, Outerbike, and Barrel Racing at OSTA. Confirming workshop 3<sup>rd</sup> of August and set a time – 1:30 pm.

**Public Hearings- Possible Action Items**

- Z. Public hearing to receive public comment regarding repealing and replacing Article 9 (Administration and Procedures) and amending Article 10 (Definitions) of the Grand County Land Use Code (LUC) (John Guenther, Planning & Zoning Director and Mallory Nassau, Associate Commission Administrator)

John described the changes to Articles 9 and 10. John noted the main focus is to better delegate and streamline processes. John described some technical changes and process changes. Mallory discussed some of the noticing changes. Mallory discussed the timeline and potential for expirations on applications.

Mary opened the public hearing at 7:56 pm.

Theresa King commented she's got no affiliation with the Times Independent, but supports the operation of a local newspaper. Theresa would suggest changing "or" to "and" in 9.1.8 so that publishing on the County website is required vs optional. Christina noted the current code is onerous to the County and staff.

Kevin asked about approval of conditional use permits, and Chris and Christina discussed conditional use permits.

Chris discussed some common issues with planning and zoning, attorney, and County Commission approvals with regard to land use codes.

The public hearing will remain open for written comments until 28 July, 2021 at 5:00 pm.

AA. Public hearing to receive public comment on the Dalton Byrd Commercial Rezone application, a proposed rezone of Parcel No. 02-0007-0003 from Rural Residential and Highway Commercial to Highway Commercial (John Guenther, Planning & Zoning Director)

Mary discussed the rezone application. Mary discussed some of history behind the land the way it's currently zoned, and the surrounding spit zones. Mary discussed the merits and land use code directing rezoning.

Mary opened the public hearing at 8:25 pm.

Ben Byrd (proponent) shared some maps and images of the property.

Charles Fischer noted he's against the rezone, suggesting it may degrade the quality of life in the surrounding neighborhoods.

Chris noted that hotels are prohibited as a by right use.

Matt Cenicerros commented they're against the rezone, noting residential neighborhoods keep getting smaller and smaller. Matt suggested dealing with all the split zone at once to solve future headaches.

Kevin commented that if it's rezoned and the property changes hands, then anything that is allowed could potentially happen.

The public hearing will remain open for written comments until 28 July, 2021 at 5:00 pm.

**General Business- Action Item- Discussion and Consideration of:**

BB. Adopting Ordinance Amending Section 9.1.9 (Required Public Hearings) of the Grand County Land Use Code and related Ordinance Nos. 546 and 608 (Christina Sloan, County Attorney)

Christina discussed the public hearing requirements, and the proposed changes.

**Motion by** Gabriel Woytek to suspend Section R of the Grand County Commission Policies and Procedures and adopt the proposed Ordinance amending Section 9.1.9 of the Grand County Land Use Code and related Ordinance Nos. 546 and 608.

**Motion seconded by** Evan Clapper

**Motion to suspend the rules passes 7-0**

Christina explained the law regarding public clamor and technical issues. Christina noted the Conditional Use Permit process is administrative only.

**Motion to adopt the proposed Ordinance amending Section 9.1.9 of the Grand County Land Use Code and related Ordinance Nos. 546 and 608 passes 7-0**

**Closed Session**

**Motion by** Kevin Walker to enter a closed session to discuss character, professional competence or physical or mental health of an individual.

**Motion seconded by** Gabriel Woytek

**Motion Passes 7-0**

**Commission entered closed session at 8:40.**

**Commission exited closed session at 9:07.**

**Chair McGann adjourned the meeting at 9:08.**

**Adjourn**

ATTEST:

*Mary McGann*

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Mary McGann, Chair  
Grand County Commission

*QHall*

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Quinn Hall, Clerk / Auditor