



**GRAND COUNTY
COMMISSION REGULAR MEETING**

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

WATCH ON YOUTUBE - search for: "GRAND COUNTY UTAH GOVERNMENT"

**MINUTES
3 Aug, 2021**

The Grand County Commission met in a regular meeting on 03 August, 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, Planning and Zoning administrator John Guenther, and Clerk/Auditor Quinn Hall.

1:30 p.m. Workshop #2 on Grand County Strategic Plan update

Commissioners present for the workshop were Hadler, Hedin, McGann, Stock, Walker, Woytek. Commissioner Clapper arrived at 2:33 pm. John Guenther introduced the exercises for the workshop and reviewed the ideas shared in the last workshop. John began by engaging the commissioners and asking them to identify Political, Economic, Social, and Technological issues the County faces. Commissioners noted political impacts like the State Legislature and National Politics that affect local regulations, the town rapidly changing, and lack of political will to make bold changes. Commissioners identified potential economic issues like COVID impact and other international tourism trends, limited economic resources, and lack of affordable housing. Commissioners identified social impacts such as social media influences, cultural differences, and geographic and social isolation. Commissioners identified technological challenges like the rural nature of the County and lack of broadband internet, and increased ease of access to, and overuse of, public lands.

Commissioners collaborated on creating a vision statement, with commissioners offering input on wording and focused priorities like landscape and wildland preservation, economic diversity, community character and sustainability, and a well-developed and well-rounded community.

John shared a list of appropriate goals and values and suggested the commission weigh in and share thoughts and clarifications. Commissioners shared ideas on appropriate goals and offered suggestions about ways to make Grand County more inclusive and better for both residents and visitors.

John shared some comparable plans from other communities and noted the indicators to gauge progress. John suggested commissioners do some homework to clean up and fine tune the ideas and revise the vision statement.

Mary gauged interest in a retreat vs. continued online meetings. The commission offered opinions and shared input for future scheduling. There was general consensus to continue with online workshops for the foreseeable future.

Chair McGann recessed the meeting until 4:00 pm at 3:23 pm.

Call to Order

Chair McGann called the meeting to order at 4:02 pm. All commissioners were present.

Presentation

A. Update from Southeastern Utah Health Department and Moab Regional Hospital on COVID-19

Jen Sadoff and Brady Bradford discussed the COVID-19 pandemic and vaccination rates. Brady shared statistics that demonstrated the effectiveness of vaccines and the diminished case rates among the vaccinated. Brady noted room for improvement for staff vaccinations among care providers. Brady noted residents of care facilities are largely vaccinated at this point. Brady discussed the shared goals of getting kids back to school. Brady discussed the increased transmission of new COVID-19 variants.

Jen discussed ICU utilization, noting it is near 100% and transfers are difficult at this time. Jen discussed current staffing challenges at Moab Regional Hospital. Jen noted the increase in severe disease among young people. Jen noted the CDC has recommended a return to mask wearing in high-use or crowded places.

Brady discussed different statistics and mapping methods. Jen discussed masks, and noted anyone with COVID, vaccinated or not, can still spread the illness, and masks are an appropriate preventative measure. Jen discussed locations that offer vaccines locally. Brady noted the local health department can only enact a mask mandate for 30 days. Brady noted the health department is willing to accommodate businesses that want to sponsor a vaccination event. Brady discussed transmission and disease spread. Jen noted 100% of staff at Moab Regional Hospital have been vaccinated.

Citizens to Be Heard

(none at this time)

Approval of Minutes (Quinn Hall, Clerk/Auditor)

B. July 20, 2021 (Regular County Commission Meeting)

Motion by Jacques Hadler to approve the minutes of 20 July, 2021.

Motion seconded by Evan Clapper

Motion passes 7-0

Ratification of Payment of Bills

Motion by Gabriel Woytek to ratify payment of bills in the amount of \$1,212,121.96 and payroll in the amount of \$251,279.87 for a combined total of \$1,463,401.83.

Motion seconded by Kevin Walker

Motion passes 7-0

Commission Member Disclosures

Jacques Hadler disclosed he owns a small van/camper rental business

General Commission Reports and Future Considerations

Trish Hedin

- Attended a Thompson Springs Water Board meeting

Jacques Hadler

- Attended Chamber of Commerce meeting
- Attended a Sustainable Trails Committee meeting

Kevin Walker

- Attended Planning Committee meeting
- Attended Sustainable Trails Committee meeting

Sarah Stock

- Attended meeting with Utah State University (USU) horticulture faculty
- Attended a Moab Area Watershed Partnership meeting
- City will partner with organization to deliver rain barrels – perhaps the County could partner

Evan Clapper

- (nothing at this time)

Gabriel Woytek

- Attended Southeast Utah Health Department meeting
- Met with Christina Young (from USU)

Mary McGann

- Attended Uranium Mill Tailings Remedial Action (UMTRA) Meeting
- Attended General Plan update meeting
- Attended several other various meeting with local partners

Elected Official Reports

(none at this time)

Commission Administrator Report

Mallory discussed forms, templates, and checklists for the special events committee. Mallory noted she, Matt and Chris have been testing the hybrid meeting system, and will provide further updates as it progresses.

Chris discussed the recent local flooding. Local officials are working with the Federal Emergency Management Agency (FEMA) for cleanup and infrastructure improvement for long term improvements. Chris discussed the budget, noting the American Rescue Plan Act (ARPA) money will come in 2 payments over the course of year. Chris noted sales and use taxes have dropped slightly from earlier estimates. Chris discussed the upcoming budget season.

Department Reports

C. Report on Code Enforcement in the Planning & Zoning Department (Josh Green, Code Enforcement and John Guenther, Planning & Zoning Director)

John Guenther introduced Josh Green – the Grand County code compliance manager.

Josh Green discussed code compliance in the County. Josh noted the amount of illegal camping on private property has been a problem. Josh discussed the enforcement process flowchart and discussed some recent changes. Josh described some of the most common complaints – noting often the complaints are easily solved by contacting the violator. Josh offered the commission some insight about enforcement methods.

Agency Reports

D. Report on Solid Waste Special Service District #1 (Evan Tyrrell, District Manager) Presentations

Evan Tyrrell shared updates from the Solid Waste Special Service district (SWSSD). Evan discussed the history of the Solid Waste Special Service and the different funding streams that allow the district to keep functioning. Evan noted some of the recent accomplishments of the SWSSD and the various recycling programs. Evan discussed current practices and policies, and shared plans for the future of the landfill. Evan discussed the acquisition of Monument Waste.

E. Presentation on the Utah Department of Transportation (UDOT) Economic Impact Study for Canyonlands Regional Airport (Andy Solsvig, Airport Director)

Andy discussed airport operations and shared figures and financial impacts and benefits provided by the airport. Andy shared some flight statistics regarding arrivals and departures and most common travel origins.

F. Presentation by the Transportation Master Plan consultant Kimley-Horn (John Guenther, Director of Planning & Zoning, Bill Jackson, Road Department Supervisor, and Brent Crowther (Kimley Horn))

Bill discussed the Request for Proposals (RFP) and the nature of the unified plan with the City and introduced Brent Crowther with Kimley Horn.

Brent discussed the master plan and shared some of the strategies. Brent shared the 9 work tasks that will comprise the plan and discussed the points of the plan that will focus on community engagement. Brent discussed different types of community engagement and projected timelines. Brent discussed the desire to include diverse segments of the community.

6:00 pm Citizens to be Heard

Cliff Koontz (Ride with Respect) discussed the public lands bill. Cliff acknowledged the bill could be a good thing if it's inclusive. Cliff expressed hope the Motorized Trail Committee would be invited to participate. Cliff suggested starting with the older Public Lands Initiative from the past and proceed from there. Cliff suggested some consolidation of proposed conservation areas and wilderness areas.

Kalen Jones commented on updating the masking policy, pointing out that the current policy is based on the assumption that the unvaccinated will wear masks. Kalen pointed out most unvaccinated citizens will not wear masks. Kalen suggested considering erring on the side of caution and using CDC metrics instead of State metrics.

General Business- Action Items- Discussion and Consideration of:

G. Approving Moab Uranium Mill Tailings Remedial Action Project's 2021 Annual Statement of Continued Compliance (Chair McGann and Russell McCallister, Moab UMTRA Project Director)

Presentation

Chair McGann discussed the compliance statement briefly.

Motion by Trish Hedin to approve the Grand County Annual Statement of Continued Compliance with the Uranium Mill Tailings Removal Action Project (UMTRA) for July 19, 2020 – July 18, 2021

Motion seconded by Jacques Hadler

Motion passes 7-0

- H. Approving the Road Maintenance Agreement with the Moab Area Community Land Trust for Phase 1, Arroyo Crossing (Christina Sloan, County Attorney, & Bill Jackson, Roads Supervisor)**

Presentation

Christina discussed the agreement – noting the sources of funding has created some issues that need addressing.

Motion by Jacques Hadler to approve the Road Maintenance with MACLT for Phase 1, Arroyo Crossing, subject to final approval by the County Attorney and Road Supervisor.

Motion seconded by Kevin Walker

Motion passes 7-0

- I. Revising approval of the PGP Auto Show at Old Spanish Trail Arena (Angie Book, OSTA Director and Special Event Applicant)**

Presentation

Angie discussed the pending auto show and the proposed changes to the event caps and limitations. Brenner Parriott discussed spectators and potential event attendees.

Mary McGann disclosed that she has family that work with the Parriott's.

Motion by Trish Hedin to approve the revised 2021 Parriott's Garage Performance Auto Show Special Event Permit, excluding vehicle owners and event staff from the 1,000 participant limit.

Motion seconded by Jacques Hadler

Discussion

Trish noted she's supportive of locals and interested in local support. Gabriel suggested the request seems reasonable. Kevin offered thanks to the organizers for acknowledging local concerns about noise. Sarah noted she'd voted against the event not out of any spite, but simply based on the concerns surrounding noise and motorized events.

Motion passes 5-2 Stock and Clapper opposed

- J. Approving Airport Water Feasibility Study with Armstrong Consultants (Andy Solsvig, Airport Director)**

Presentation

Andy discussed the water needs of the airport and the aging well and noted the future growth needs and water requirements. Andy noted federal funding would cover the cost of the project. Andy noted the desire to conserve water and improve operations.

Motion by Kevin Walker to approve a Professional Services Agreement for Task Order O in an amount of \$24,200.00 to Armstrong Consultants for the purpose of a Water/Wastewater Feasibility Study.

Motion seconded by Evan Clapper

Motion passes 7-0

K. Approving 2-year lease with Moab Express for kiosk placement in the Airport terminal, for taxi and shuttle services (Andy Solsvig, Airport Director)

Presentation

Andy discussed the agreement with Moab Express, explaining the terms.

Motion by Kevin Walker to approve a two-year terminal lease agreement with Moab Express at the Canyonlands Regional Airport and authorize the Chair to sign all associated documents.

Motion seconded by Jacques Hadler

Motion passes 7-0

L. 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 (Commissioner Hadler and Andrea Brand, Sand Flats Recreation Area Director)

Presentation

Jacques discussed the agreement and the prior discussion and Andrea discussed the reach of the videos and noted the videos offer appropriate messaging. Elaine discussed the UTV related video, noting the video was created to serve a specific need and educate users. Andrea stressed the need to educate the OHV users before they visit the area.

Motion by Evan Clapper to approve the Emery Telcom Advertisement Agreement for six video segments on ETV CHANNEL 6 and authorize the Chair to sign the Contract Agreement. The terms of this agreement include:

- \$750 for five video segments on ETV CHANNEL 6 for the term of 1 month to run July and August 2021.
- \$900 per month for six video segments on ETV CHANNEL 6 for the term of 5 months to run August 2021 through December 2021.

Motion seconded by Jacques Hadler

Discussion

Evan suggested support, noting the importance of educating users. Sarah suggested any advertisement could likely impact the Moab brand, and expressed reluctance to support any initiative that would further promote motorized tourism. Kevin suggested any messaging that promotes motorized recreation should be very limited. Jacques noted the videos could perhaps use more balance, but stressed the importance of educating the motorized users. Mary suggested modern OHV's create new and easier access to the backcountry.

Motion passes 6-1 Stock opposed

M. Approving 2-year contract renewal with CrowdRiff for the Travel Council in the amount of \$36,855 (Elaine Gizler, Travel Council Director)

Presentation

Elaine discussed the agreement and purpose of the contract with CrowdRiff. Elaine discussed other local spending of tourism dollars.

Motion by Jacques Hadler to approve the Two -Year Contract Renewal for CrowdRiff.

Motion seconded by Evan Clapper

Discussion

Gabriel asked about a potential staff position that could provide the photos – solving the need for photos and employing a local.

Motion passes 5-2 Woytek and Hedin opposed

N. Appointing three new volunteer board members to serve on the Travel Council Advisory Board (Elaine Gizler, Travel Council Director)

Presentation

Elaine discussed the board replacements. Gabriel asked about one of the applicants – Trish responded he worked at the School District. Elaine explained the requirements associated with TRT funding.

Motion by Jacques Hadler to approve the appointment of:

Shannell Marinuzzi – GM Homewood Suites to the Moab Area Travel Council term expiring December 31, 2021.

Daniel Loveridge – GM Hoodoo Hotel to the Moab Area Travel Council term expiring December 31, 2022.

Jenny Gleason- Director of Sales and Marketing, Red Tail Aviation to the Moab Area Travel Council term expiring December 31, 2022

Motion seconded by Trish Hedin

Motion passes 7-0

O. Adopting Ordinance 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)

Presentation

Motion by Trish Hedin to postpone item “O” until the second meeting in August.

Motion seconded by Gabriel Woytek

Motion to postpone passes 7-0

P. Adopting Ordinance approving 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)

Presentation

John discussed the rezone and described the comments and noted staff findings.

Motion by Kevin Walker to deny the proposed rezone of Parcel No. 02-0007-0003 from Rural Residential and Highway Commercial to Highway Commercial.

Motion seconded by Trish Hedin

Discussion

Kevin noted the increase in split zone/rezone applications and discussed the way the County could or should approach the issue as a whole vs. piecemeal. Trish suggested supporting the planning commission vote to not approve the rezone. Trish suggested turning residential property into highway commercial is not in accord with the larger goals of the County. Evan suggested he's generally opposed to highway commercial, but that this area is appropriate for commercial zoning. Mary agreed with Evan. Chris noted the need for better delineation between highway commercial and residential or rural residential zones. Mary agreed small businesses have a hard time finding affordable property in Moab or Grand County.

Motion passes 7-0

Q. Adopting Resolution approving of Final Plat of Puesta del Sol PUD Phase XIII (John Guenther, Director of Planning & Zoning, and Christina Sloan, County Attorney)

Presentation

Mary Hofine discussed the final plat, noting this has been in the works since 1996. This phase is the final plat. Mary noted compliance with County regulations.

Motion by Gabriel Woytek to adopt the Resolution approving the Final Plat of Phase XIII of the Puesta del Sol PUD and the related Subdivision Improvements Agreement, Infrastructure Improvement Bond, and Deed Restriction affecting Lots 22, 23, and 24.

Motion seconded by Jacques Hadler

Motion passes 7-0

R. Adopting an Ordinance initiating a Temporary Land Use Regulation within the Boundaries of the Thompson Special Service District (John Guenther, Planning & Zoning Director and Chris Baird, Commission Administrator)

Presentation

Chris discussed the water use and capacity in Thompson Springs. Trish asked about dormant connections, and Chris responded that the County needs some clarity on how to proceed with unused connections.

Motion by Trish Hedin to adopt the proposed Ordinance enacting a Temporary Land Use Regulation prohibiting subdivision approval, certain construction, and other development within the Thompson Special Service District Boundary.

Motion seconded by Jacques Hadler

Motion passes 7-0

- S. Adopting Ordinance amending Ordinance 286 and Ordinance 570 to impose tourism, recreation, cultural, convention and airport facilities taxes and collection (Chris Baird, Commission Administrator)**

Presentation

Chris discussed the amendment to motor vehicle and rental taxes. If we adopt this, then all motorized vehicles are subject to the tax for short term vehicle rentals. Kevin asked about the definition of OHV, and Chris responded that we may see a slight tax increase, but it would likely be small. Kevin asked about tour operators and whether those are rented vehicles or not – and Chris discussed the response from the State.

Motion by Kevin Walker to adopt the Ordinance amending Ordinance 286 and Ordinance 570 to impose tourism, recreation, cultural, convention and airport facilities taxes on off-highway and recreational vehicles at a rate of 7%.

Motion seconded by Evan Clapper

Kevin noted this would likely not make a big difference in Grand County's tax revenue.

Motion passes 7-0

- T. Approving updates to the Grand County Face Covering Policy (Chair McGann and Chris Baird, Commission Administrator)**

Presentation

Mary suggested revisiting the face covering policy in accordance with the new Centers for Disease Control (CDC) suggestions. Chris noted the difference in CDC numbers vs Utah State numbers and the methods used to arrive at those numbers. Mary suggested support for masks, but noted enforcement could be difficult. Christina noted the State Courts are requiring masks during periods of moderate and high transmission levels.

Motion by Kevin Walker to approve repealing and replacing the Grand County Face Covering Policy effective August 4, 2021 with the following amendment: all occurrences of "moderate" be replaced by "high."

Motion seconded by Trish Hedin

Discussion

Sarah suggested that the library develop and maintain policies that make kids and staff feel safe. Trish agreed with the importance of keeping the library open and safe.

Motion passes 7-0

- U. Approving letter to Community Renewable Energy Program regarding board members and appointing alternate board member to the Community Renewable Energy Board (Commissioner Stock)**

Presentation

Sarah noted John had offered to fill the other spot.

Motion by Kevin Walker to approve the letter to Community Renewable Energy Program regarding board members and appointing alternate board member to the Community Renewable Energy Board.

Motion seconded by Trish Hedin

Motion passes 7-0

V. Approving letter of appreciation to state legislators for support during the 2021 legislative session (Chair McGann and Chris Baird, Commission Administrator)

Motion by Kevin Walker to approve letter of appreciation to state legislators

Motion seconded by Jacques Hadler

Motion passes 7-0

Chris offered thanks to our legislators for their work on TRT reform and Utahraptor State Park.

W. Adopting Ordinance changing the name of Johnston Drive in the Peak View Subdivision to Johnston Peak Drive (Christina Sloan, County Attorney)

Presentation

Christina discussed the resolution, noting there are two Johnston Drives within close proximity. County policy has been updated to avoid this in the future. Christina noted the owners have been slow to respond.

Motion by Trish Hedin to change the name of Johnston Drive in the Peak View Subdivision to Johnston Peak Drive.

Motion seconded by Sarah Stock

Discussion

Gabriel suggested the lack of response from developers is possibly due to pending litigation. Gabriel suggested waiting to hear back from the developers before proceeding. Christina suggested any pending litigation could take a few months to a few years. Kevin suggested we could change the name again if needed.

Motion passes 7-0

Consent Agenda- Action Items

- X. Ratifying the Chair's signature on an Independent Contractor Agreement with Eckles Paving for Hell's Revenge, Slickrock and Transit Hub parking lot and bike path crack repairs and sealing**
- Y. Approving Independent Contractor Agreement with Taylor Fence Company for the Airport Drive Through Gate Operator upgrade, in the amount of \$13,600**
- Z. Pre- Approving Enterprise lease schedules for 2022 Factory Ordering of Vehicles**
- AA. Approving local consent for temporary beer permit for event: Rexy, Queen of the Desert Gravel Ride (conditional upon the event receiving a special event permit)**

BB. Ratifying the Chair’s signature on letter to State Emergency Management/NRCS requesting flood mitigation assistance (Chris Baird, Commission Administrator)

Motion by Jacques Hadler to adopt the consent agenda as presented.

Motion seconded by Evan Clapper

Motion 7-0

Discussion Items

CC. Discussion on Public Lands Bill (Commissioners Walker, Stock, & Hadler)

Kevin discussed the potential public lands bill, describing some of the possibilities and proposals. Kevin discussed the difference between a National Conservation Area and normal Bureau of Land Management (BLM) land. Kevin shared some maps and discussed some alternative plans. Jacques offered thanks to Kevin for all his work on the issue. Chris asked about potential Wilderness Areas, and Kevin responded that National Conservation Areas are likely a better solution in the short term. Mary suggested public engagement similar to what was done with the Hwy 191/313 small area plan, with online questions and comments from the public. Kevin discussed various potential land trades and National Park expansions.

DD. Discussion on state redistricting strategy (Commissioner Walker)

Kevin discussed the upcoming redistricting. Mary discussed the importance of keeping the County in the same district. Mary suggested that Grand County and San Juan County may be well-served by being together. Kevin agreed with being grouped with San Juan County, and perhaps Carbon and Emery Counties. Gabriel thanked Chair McGann for her efforts and dedication to Grand County.

**EE. Calendar items and special events (Mallory Nassau, Associate Commission Administrator)
Public Hearings- Possible Action Items**

Mallory discussed the next meeting. Mallory noted some special events that are in the works.

Closed Session

Motion by Kevin Walker to enter closed session to discuss pending or reasonably imminent litigation and character, professional competence or physical or mental health of an individual.

Motion seconded by Jacques Hadler

Motion passes 7-0

**Commission entered closed session at 8:59 pm.
Commission exited closed session at 9:50 pm.
Chair McGann adjourned the meeting at 9:50 pm.**

ATTEST:

DocuSigned by:
Mary McGann
Mary McGann, Chair

DocuSigned by:
Quinn Hall
Quinn Hall, Clerk / Auditor