The Grand County Council met in a regular session on the above date in the Grand County Council Chambers of the Courthouse located at 125 East Center Street, Moab, Utah. The meeting was called to order by Council Vice-Chair Terry Morse at 2:04 p.m. In attendance were Council Members Mary McGann, Jaylyn Hawks, Greg Halliday, Terry Morse, Rory Paxman, Curtis Wells (4:00 p.m.), Evan Clapper (4:00 p.m.), Council Administrator Ruth Dillon, County Attorney Christina Sloan (4:15 p.m.), and Clerk-Auditor Chris Baird.

**Call to Order**

Vice-Chair Morse called the workshop meeting to order at 2:04 p.m.

**Workshop on Allocating Mineral Lease, State PILT (Payment in Lieu of Taxes), Forest Service SRS (Secure Rural School), Rural Health Care Sales Tax, and Transient Room Tax Mitigation Funds to Eligible Entities**

**Action items:**

A. Adopting proposed resolution allocating mineral lease funds and state PILT received by the State of Utah during calendar year 2020 to eligible special service districts and/or to the school district (Chris Baird, Budget Officer)

**Motion** by Council Member Hawks to adopt the resolution "A RESOLUTION OF THE GRAND COUNTY COUNCIL ALLOCATING MINERAL LEASE FUNDS AND STATE PILT RECEIVED DURING CALENDAR YEAR 2020 TO BE APPROPRIATED BY THE STATE OF UTAH DURING FISCAL YEARS 2020 AND 2021 " as drafted per this workshop and authorize the Chair to sign all associated documents. Motion seconded by Council Member Halliday carries 4-1 with Council Member Paxman opposed.

**UDOF:**

23% Recreation Special Services District  
67% Transportation Special Service District  
10% Solid Waste Special Service District

**DWS:**

65% Recreation Special Service District  
35% Solid Waste Special Service District

**State PILT:**

50% EMS Special Service District  
40% Recreation Special Service District  
10% Transportation Special Service District

B. Approving proposed letter and “State Payment” option to receive U.S. Forest Service Secure Rural Schools (SRS) funds, and approving proposed allocation to eligible entities of 100% to Title I Projects earmarked for schools and county roads (Ruth Dillon, Council Administrator)

**Motion** by Council Member Hawks to approve the proposed letter to the Governor’s Office with the "State Payment" formula for receiving Forest Service Secure Rural School funds, and to approve 100%
allocation of such funds to Title I projects earmarked for schools and county roads with a 50%/50% split between the Grand County School District and the Transportation Special Service District, and to authorize the Chair to sign all associated documents. Motion seconded by Council Member Halliday carries 5-0.

C. Adopting proposed resolution allocating health care facilities sales and use tax revenues received during calendar year 2020 to eligible entities (Representatives from Canyonlands Health Care Special Service District and Grand County Emergency Medical Services Special Service District)

Motion by Council Member Hawks to postpone until the next meeting. Motion seconded by Council Member Halliday carries 5-0.

D. Approving allocations of Transient Room Tax mitigation funds for calendar year 2020 (Chris Baird, Budget Officer)

Motion by Council Member McGann to direct the Budget Advisory Board to draft for inclusion in the 2020 Transient Room Tax budget allocations as below:

$ 235,750 Solid Waste Special Service District

Motion seconded by Council Member Hawks carries 4-1 with Council Member Paxman opposed.

Vice-Chair Morse recessed the meeting at 3:06 p.m.

Call to Order

Chair Clapper called the meeting back to order at 4:06 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Jeff Whitney

Approval of Minutes (Chris Baird, Clerk/Auditor)

E. June 4, 2019 (County Council Meeting), Postponed from June 18, 2019

F. June 10 (Joint County Council Meeting with San Juan County Commissions and SITLA), Postponed from June 18, 2019

G. July 2, 2019 (County Council Meeting), Postponed from July 16, 2019

H. July 9, 2019 (Special Meeting with Grand County Elected Officials), Postponed from July 16, 2019

I. July 16, 2019 (County Council Meeting), Postponed from August 6, 2019

J. July 18, 2019 (County Council Special Meeting), Postponed from August 6, 2019

K. August 6, 2019 (County Council Meeting), Postponed from August 20, 2019

L. August 20, 2019 (County Council Meeting), Postponed from September 3, 2019

M. September 3, 2019 (County Council Meeting)

Motion by Council Member McGann to approve items E, G-M and authorize the Chair to sign all associated documents. Motion seconded by Council Member Halliday.

Substitute Motion Hawks E, G, H; Second Rory 7-0

Motion by Council Member Hawks to postpone agenda items F, I-M. Motion seconded by Council Member Paxman carries 7-0.

Ratification of Payment of Bills
Motion by Council Member Paxman to ratify the payment of the bills totaling $1,901,559.05 ($238,516.98 Payroll - $1,663,042.07 Bills). Motion seconded by Council Member Hawks carries 7-0 by roll-call vote.

Council Member Disclosures (none)

General Council Reports and Future Considerations

Greg Halliday: Attended a Transportation Special Service District meeting, a Thompson Springs Water Special Service District, and a Historic Preservation Committee meeting.

Jaylyn Hawks: Attended a Canyonlands Healthcare Special Service District meeting, and a Budget Advisory Board Meeting.

Mary McGann: Attended the CIB priority meeting, Rep. John Curtis’s Business Summit, and a phone conference concerning uranium mill tailings.

Curtis Wells: Attended a workshop meeting concerning EMS’s location for improvements, reported on discussions regarding potential legislation regarding Transient Room Tax, received a phone call from our Tourism Director and would like to schedule a joint meeting with the Travel Council.

Terry Morse: Attended a Planning Commission meeting, a Travel Council meeting, a Soil Conservation District meeting, discussed a well in San Juan County, a Grand Water and Sewer Service Agency meeting, and a Moab Mosquito Abatement District meeting.

Rory Paxman: Attended a Weed Board meeting.

Evan Clapper: Attended an EMS Special Service District meeting, a Trail Mix meeting, a Cemetery District meeting, a Library Board meeting, and the Slickrock 50th anniversary celebration.

Elected Official Reports

Chris Baird reported on Budget Advisory Board meetings and the General Municipal Election.

N. County Attorney’s written report regarding Optional Plan Review (Christina Sloan, County Attorney)

Christina Sloan reported on her statutory and constitutional review of the Grand County Change in Form of Government Study Committee’s optional plan and report. Sloan found 4 violations, and so the optional plan can not be put on the 2019 ballot, and must be amended for the 2020 General election. Sloan reviewed the 4 violations.

Bob Greenberg expressed that the committee has little interest in reopening the plan in general and would like to work specifically on fixing the violations.

A discussion was had regarding the Council establishing the districts outlined within the optional plan.

Council Administrator Report

Ruth Dillon read a letter from the Utah Office of the Courts relating to a late application for the nominating commission.

Stephen Byers spoke indicating that he applied late for the Justice Court Judge’s position. Would like the Council to re-open the application process to allow him to submit his application. Byers indicated that he was not notified of the application time frame.

Motion by Council Member Paxman to move Presentations forward on the agenda. Motion seconded by Council Member Halliday carries 7-0.
P. Presentation of Retirement Plaque to Jeff Whitney, Chief Building Official/County Floodplain Administrator (Ruth Dillon, Council Administrator)

Ruth Dillon presented Jeff Whitney with a retirement plaque and presented on Jeff's long and distinguished history with Grand County.

Department Reports

Jeff Whitney reported that Cole Cloward was appointed to the Emerging Leaders Membership Council and was featured in Building Safety Journal.

O. 2018 Report on Old Spanish Trail Arena Recreation Complex (Steve Swift, Director)


Agency Reports (none)

Citizens to Be Heard

Charlotte Mates: Spoke of a letter of intent from a transportation representative and a deadline for such. Funds would be available, and Verleen Striblen will take the lead on applying. Proposed that the County Council and City Council coordinate on maximizing transportation dollars for seniors and public transportation.

Presentations

P. Presentation of Retirement Plaque to Jeff Whitney, Chief Building Official/County Floodplain Administrator (Ruth Dillon, Council Administrator)

Previously disposed.

General Business- Action Items- Discussion and Consideration of:

Q. Approving proposed facility improvements at the Solid Waste District administrative office and Community Recycle Center (Evan Tyrrell, District Manager)

Evan Tyrrell presented.

Motion by Council Member McGann to approve the placement of two modular units donated from the Grand County School District to the Solid Waste Special Service District #1 for the purposes of serving as an upgraded administrative office for the Solid Waste Special Service District #1 and a recycling and reuse storage location at the Community Recycle Center, and authorize the Chair to sign all associated documents. . Motion seconded by Council Member Paxman carries 7-0.

R. Approving 2020 Insurance Rate Increases (Renee Baker, Human Resources Director)

Renee Baker gave a presentation on the proposed renewal rates recently negotiated with CIGNA.

Motion by Council Member McGann to approve the proposed 2020 Insurance Rate Increase and authorize the chair to sign all associated documents. Motion seconded by Council Member Morse carries 7-0.

S. Approving proposed grant agreements with FAA (Federal Aviation Administration) for: 1) airport construction on taxiway A, in the amount of $4,750,000, 2) construction of terminal apron, in the estimated amount of $4,550,000 at Canyonlands Field Airport (Judd Hill, Airport Director)

Judd Hill presented.
Motion by Council Member Hawks to approve the proposed grant agreements with FAA (Federal Aviation Administration) for: 1) airport construction on taxiway A, in the amount of $4,750,000, 2) construction of terminal apron, in the estimated amount of $4,550,000 at Canyonlands Field Airport, and authorize the Chair to sign associated documents. Motion seconded by Council Member McGann carries 7-0.

T. Adopting proposed Ordinance approving the Hines Rezone from Large Lot Residential (LLR) to Small Lot Residential (SLR) located at 2550 Spanish Valley Drive (Zacharia Levine, Community & Economic Development Director)

Motion by Council Member Hawks to adopt the proposed Ordinance approving the Hines Rezone from Large Lot Residential to Small Lot Residential located at 2550 Spanish Valley Drive, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Wells.

McGann: supports the zone change, however concerned this opens up the precedent for providing favor.

Wells: Not everything is black and white. Feels it is ok to approve a local to subdivide to provide housing for his family.

Motion carries 6-1 with Council Member Clapper opposed.

U. Adopting proposed Ordinance approving the Namaste Rock Rezone from Range and Grazing (RG) to Highway Commercial (HC), located at 13714 North Highway 191 (Zacharia Levine, Community & Economic Development Director)

Fails for lack of a motion.

V. Adopting proposed Ordinance approving the Buzzards Belly Rezone from Ranging & Grazing (RG) to Neighborhood Commercial (NC) located at 73 S. Cisco Boat Ramp Road, Cisco (Zacharia Levine, Community & Economic Development Director)

Motion by Council Member Halliday to adopt proposed ordinance approving the Buzzards Belly Rezone of 73 S. Cisco Boat Ramp Road from Range Grazing (RG) to Neighborhood Commercial (NC), and authorize the Chair to sign all associated documents. Motion seconded by Council Member Morse carries 7-0.

W. Adopting proposed Ordinance approving application of Murphy Flats High Density Housing Overlay District 15 (HDHO-15) to 1187 & 1189 Murphy Lane (Zacharia Levine, Community & Economic Development Director)

Motion by Council Member McGann to adopt proposed Ordinance approving application of the High Density housing Overlay District 15 (HDHO-15) to 1187 and 1189 Murphy Lane (Murphy Flats HDHO Development), and authorize the Chair to sign all associated documents. Motion seconded by Council Member Wells.

Morse: If we approve HDHO with Master Plan is that the end of the conversation with regard to parking and other concerns?. Levine responds that general layout will be established, but some details pertaining to parking can be worked out as a part of a variance consideration.

Morse: Is reticent of the project due to a density that seems too high for fire control and safety.

Levine replied that parking and fire safety are unrelated. All buildings will be fire sprinklered, and may require a hydrant at each tier.

Halliday – Neighbor voiced concerns about storm water, has this been addressed? Levine responded that final storm drainage design hasn’t been approved but will need to be.

Substitute Motion by Council Member McGann to the adopt proposed Ordinance, re-titled Master Plan, and Development Agreement approving application of the High Density Housing Overlay District 15 (HDHO-15) to 1187 and 1189 Murphy Lane (Murphy Flats HDHO Development), and authorize the Chair to sign all associated documents. Motion seconded by Council Member Halliday carries 6-1 with Council Member Morse opposed.
X. Approving the Subdivision Improvements Agreement for Wingate Village Subdivision (Zacharia Levine, Community & Economic Development Director)

Motion by Council Member Morse to approve the Wingate Village PUD SI&A and authorize the Chair to sign all associated documents. Motion seconded by Council Member Wells.

Substitute Motion by Council Member Morse to approve the Wingate Village PUD SI&A with typo edits and authorize the Chair to sign all associated documents. Motion seconded by Council Member Hawks carries 5-1 with Council Member Paxman opposed and Council Member McGann temporarily out of the room.

Y. Approving proposed bid award to Henderson Builders for infrastructure improvements at Wingate Village Subdivision through the Community Development Block Grant (CDBG) Program, postponed from September 3, 2019 (Zacharia Levine, Community & Economic Development Director)

Motion by Council Member Wells to approve the bid award to Henderson’s Builders for infrastructure work in the Wingate Village PUD for which Grand County received a Community Development Block Grant Award and execute the Independent Contractors Agreement for the specified scope of work. Motion seconded by Council Member Morse.

Substitute Motion by Council Member Wells to approve the bid award for up to $354,625 to Henderson’s Builders for infrastructure work in the Wingate Village PUD for which Grand County received a Community Development Block Grant Award and execute the Independent Contractors Agreement for the specified scope of work. Motion seconded by Council Member Morse carries 6-0 with Council Member Paxman temporarily out of the room.

Z. Approving Grand County TRT Reform Position Paper titled: "Transient Room Tax (TRT)-Reform 2020 Legislative Priority" (Christina Sloan, County Attorney)

Item removed from agenda.

☐ Consent Agenda- Action Items

AA. Approving state contract for the purchase of a plow and sander for Ford F-3 pickup truck for the Road Department

Motion by Council Member Wells to approve the consent agenda and authorize the Chair to sign all associated documents. Motion seconded by Council Member Morse carries 6-0-1 with Council Member Hawks abstaining.

Council Member Paxman left the meeting.

Discussion Items

BB. Discussion on calendar items and public notices (Bryony Hill, Council Office Coordinator)

Bryony Hill presented the calendar items and public notices.

CC. Reviewing proposed updates to the Viewgate Terrace Master Plan associated with the HDHO-35b request at 1246 and 1248 South Highway 191 (Zacharia Levine, Community & Economic Development Director)

Zacharia led a discussion on what the Council would support for this project’s HDHO application.

Greg Halliday asked if building A is properly setback. Levine responded that yes it was.

Terry Morse asked if the restaurant can be added back in.

Curtis Wells: Does the county have maintenance easements for the detention basin. Zacharia said that he doesn’t know right now. Wells thinks it’s good to see some compromise.

Will Hansen: Indicated that his home location will help protect the surrounding neighbor’s rural character. Stated that providing a maintenance easement would be no problem. Also stated that
GWSSA can improve some issues by moving a pressure reducing valve. Would not be willing to add a restaurant back in, as it would impact his own plans for a home.

Discussion was had regarding parcel 3, and potentially leaving it at the base zone.

Levine and Sloan recommended master planning the entire property.

**Public Hearings- Possible Action Items** (none)

**Closed Session(s):**

1) **Purchase, Exchange, Lease or Sale of Real Property, including any form of a water right or water shares**

**Motion** by Council Member McGann to enter closed session to discuss “Purchase, Exchange, Lease or Sale of Real Property, including any form of a water right or water shares”. Motion seconded by Council Member Morse carries 6-0.

The Council entered closed session at 7:43 p.m.

**Motion** by Council Member Wells to leave closed session. Motion seconded by Council Member Halliday carries 6-0.

The Council left closed session at 8:11 p.m.

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

DD. **Approving Commercial Real Estate Purchase Contract for the existing USU Campus known as 125 W 200 S (Christina Sloan, County Attorney)**

**Motion** by Council Member McGann to approve the Commercial Real Estate Purchase Contract for the existing USU Campus known as 125 W 200 S and authorize the Chair to sign all associated documents with deadlines set by the County Attorney. Motion seconded by Council Member Wells carries 5-0-1 with Council Member Hawks abstaining.

**Adjourn**

Chair Clapper adjourned the meeting at 8:13 p.m.

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**ATTEST:**

Chris Baird – Clerk/Auditor

**APPROVE:**

Evan Clapper – Council Chair