



**GRAND COUNTY
COMMISSION REGULAR MEETING**

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

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**MINUTES
21 Sep, 2021**

The Grand County Commission met in a workshop and a regular meeting on 21 September, 2021. The meeting was streamed/attended electronically. It was also broadcast and saved on YouTube. A workshop was conducted before regular commission meeting.

1:00 p.m. Workshop on 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 Fund allocations to eligible entities

Present for the workshop were Commissioners Hadler, Hedin, MacGann, Stock, Walker, and Woytek. Also present were County Attorney Christina Sloan, Commission Administrator Chris Baird, and Associate Commission Administrator Mallory Nassau. Commissioner Clapper arrived at 1:15 pm.

Mary called the meeting to order at 1:05.

Mary turned the meeting over to Chris Baird, who described the Mineral Lease revenue streams, and discussed the potential split to different entities in the County. Chris discussed different types of mineral lease revenue, and formulae for splitting the funds amongst Emergency Medical Services (EMS), Canyonlands Healthcare Special Service District (CHCSSD) and potentially Moab Regional Hospital (MRH), the Recreation Special Service District, Grand County School District, Transportation Special Service District, and the Solid Waste Special Service District.

Chris discussed funding restrictions and associated and appropriate expenses. Kevin discussed potential revenues and possible ways to split the funds, noting perhaps some entities are projecting revenues very conservatively. Commissioners discussed revenues to this point and the funding requests of participating entities. Evan asked about the original ballot initiative and resolution that created the tax and potential recipients of the tax. Kevin and Sarah discussed the potential ability of CHCSSD making the Disproportionate Share Hospital (DSH) payment, and noted proposed budgets. Gabriel noted the split from recent years has been largely considered equitable and fair, and should perhaps be left as is. Chris noted there is no obligation requiring either entity to actually spend the money on the DSH payment.

Chris discussed changes in Mineral Lease revenues and in respective budgets. Evan asked about the potential of splitting the payment to CHCSSD minus an amount for the DSH payment. Christina discussed the budgets and the amount of revenue projected, noting it's ultimately up to the commission to decide what the appropriate split is. Christina noted the continued importance of Moab Regional Hospital (MRH).

Chris reiterated that SSD's are not required to spend any disbursed funds unless there is an agreement in place dictating the use of those funds. Sarah suggested CHCSSD has no other revenue streams to rely on. Kevin and Chris reiterated the potential increase forecasted tax revenues that would likely offset the DSH payment. Gabriel noted the potential ability for CHCSSD to make the DSH payment this year, and leave the 60/40 split intact.

Chris noted no one entity will likely receive all the funds they ask for.

Mary summarized the discussion so far, and commissioners offered input on the final 2 plans. A quick straw poll showed 4-3 support for EMS/CHCSSD split discussed earlier. Chris moved to other SSD's and their budget requests. Mary discussed the Solid Waste budget request and the need for new equipment moving forward. Evan asked about the potential of a percentage of Transient Room Tax (TRT) being allocated to the Solid Waste SSD, and Chris discussed the amounts and allowable uses of TRT. Evan suggested a slight decrease in funding to the Solid Waste Special Service District, and there was general agreement.

Sarah noted other budgetary needs in the County.

Evan asked about Film Commission and the City/County budget split. Chris explained the potential for the County to fully fund it going forward, noting the Commission would have the ultimate decision authority.

Chair McGann recessed the meeting until 4:00 pm.

4:03 p.m. Thompson Springs Special Service Fire District Board Meeting (see separate agenda/minutes)

4:014 p.m.

Call to Order (all commissioners present)

Chair McGann called the meeting to order at 4:14 pm.

Citizens to Be Heard (none at this time)

Approval of Minutes (Quinn Hall, Clerk/Auditor)

- A. September 7, 2021 (Regular County Commission Meeting)
- B. September 8, 2021 (Special Commission Meeting or Workshop)

Motion by Jacques Hadler to approve the minutes from 7 September, 2021 and 8 September 2021.

Motion seconded by Sarah Stock

Discussion (none at this time)

Motion passes 7-0

Ratification of Payment of Bills

Motion by Gabriel Woytek to approve and ratify payment of bills in the amount of \$1,823,782.02 and payroll in the amount of \$252,829.61 for a combined total of \$2,076,611.63.

Motion seconded by Kevin Walker

Discussion (none at this time)

Motion passes 7-0

Commission Member Disclosures (none at this time)

General Commission Reports and Future Considerations

Evan Clapper

- Met with Sand Flats stewardship committee
- Met with Cemetery District
- No Arches SSD meeting (postponed)
- Met with EMS

Trish Hedin

- Attended meeting with Chris and Moab Valley Fire Department (MVFD)
- Housing Authority Southeast Meeting
- Thompson Springs SSD meeting
- Planning Commission meeting
- Met with Thompson Springs town
- Book Cliffs highway meeting

Sarah Stock

- Met with Mosquito Abatement District
- Attended Weed meeting
- Moab Area Watershed Partnership meeting
- Flood management coordination
- FLAP Grant presentation
- Unified Transit Plan

Jacques Hadler

- Motorized Trails Committee meeting
- Unified Transportation meeting
- FLAP Grant meeting
- Trail Mix meeting
- Met with August Granath

Gabriel Woytek

- FLAP Grant meeting
- Moab Area Watershed Partnership meeting
- Utah Association of Counties (UAC) Meeting
- Economic Development Advisory Board meeting

Kevin Walker

- Budget Advisory Board Meeting
- Steering Committee for General Plan
- Redistricting portal now has live, updated data
- The Public Lands bill landing page is up – ready for public input

Mary McGann

- Met with Airport Board
- Met with Travel Council/Economic Development Department
- Met with UAC
- Met with Dominion re: solar farms
- Met with Health and Human Services
- Seed exchange at recycle center
- Vouchers for landfill

Elected Official Reports

Christina noted Jamie is an excellent resource – and a great attorney with UAC.

Commission Administrator Report

Chris Baird discussed the budgeting season and entity allocations. Chris noted the volume of GRAMA requests.

Mallory discussed work on the salary survey. Mallory submitted the ARPA matching grant request for the Moab Area Land Trust.

Department Reports

C. Report on the Information Technology Department (Matt Cenicerros, IT Director)

Matt discussed the current state of IT affairs at the County, noting the need for another person in the IT department. Matt discussed some of the upcoming security updates and future plans. Matt noted upcoming expenses regarding equipment upgrades at the courthouse. Matt encouraged everyone to stay diligent regarding spam and phishing emails. Evan asked and discussed some of the upgrades to the 911 system and emergency management software and systems, and Matt elaborated. Matt discussed the pending website update.

Agency Reports

D. Emergency Manager introduction and update (Jennifer Swenson, Emergency Manager and Dispatch Supervisor)

Jenny Swenson discussed the Emergency Management position, noting the lack of FEMA funding, but acknowledging the assistance of other local agencies with regard to recent flooding. Jenny discussed efforts to better communicate with neighboring counties in Colorado. Evan offered his thanks for all the hard work.

Presentations (none at this time)

General Business- Action Items- Discussion and Consideration of:

E. Adopting Resolution allocating mineral lease funds and state PILT received by the State of Utah during calendar year 2022 to eligible special service districts and/or to the school district (Chris Baird, Budget Officer/Commission Administrator)

Presentation

Chris discussed the number and the resolution – noting the results of the workshop from earlier. Chris ran down the numbers for the commission.

Motion by Jacques Hadler to adopt the resolution of the Grand County Commission allocating mineral lease funds and state PILT allocated during calendar year 2022 to be appropriated by the state of Utah during fiscal years 2022 and 2023 as drafted per the previous workshop.

Motion seconded by Kevin Walker

Discussion (none at this time)

Motion passes 7-0

F. Adopting Resolution allocating health care facilities sales and use tax revenues received during calendar year 2022 to eligible entities (Chris Baird, Budget Officer/Commission Administrator)

Presentation

Chris discussed the healthcare sales tax and the distribution to entities. Mary noted perhaps the split isn't quite equitable. Gabriel agreed, but noted the budget could potentially cover the DSH payment. Jacques agreed – the split may not be entirely equitable. Kevin noted the CHC SSD agreed that if tax revenues don't drop significantly, then CHC SSD would likely be able to make the DSH payment within budget. Sarah suggested that only if tax revenue remains uncharacteristically high will CHC SSD be capable of making the payment. Kevin suggested that if there are severe shortcomings, the County could participate and perhaps fill the gap. Evan noted that even EMS is not receiving all the funds they requested. Evan noted the importance of guaranteeing the DSH payment be made. Evan noted that every district needs more funds, but perhaps the only truly equitable way to allocate the funds is via a percentage split.

Motion by Evan Clapper to adopt the resolution allocating healthcare facilities sales and use tax revenues received during calendar year 2022 to be distributed by Grand County, as drafted per the prior workshop:

NOW, THEREFORE, BE IT RESOLVED BY THE GRAND COUNTY COMMISSION, STATE OF UTAH, THAT the healthcare facilities sales and use tax revenues received by Grand County from the Utah Tax Commission during calendar year 2022, shall be allocated as follows:

60% less \$330,000 to Canyonlands Healthcare Special Service District 40% to Grand County Emergency Medical Services Special Services District \$330,000 to Disproportionate Share Hospital match

Motion seconded by Kevin Walker

Discussion (none at this time)

Motion fails 3-4 McGann, Stock, Hadler, Woytek opposed

Motion by Gabriel Woytek to pass 60/40 split as discussed earlier

Motion seconded by Sarah Stock

Discussion

Kevin discussed the other counties in Utah collecting this tax, and Kevin noted all other counties collecting the tax are collecting a full 1.0%, vs Grand County collecting only 0.5%.

Motion passes 7-0

G. Approving allocations of Transient Room Tax funds for calendar year 2022 (Chris Baird, Budget Officer/Commission Administrator)

Presentation (none at this time)

Motion by Kevin Walker to direct the Budget Advisory Board to draft for inclusion in the 2022 Transient Room Tax budget allocations as follows:

\$400,000.00, to the Solid Waste SSD

AND

\$137,000.00 to the Recreation SSD

Motion seconded by Trish Hedin

Discussion

Kevin noted this is a recommendation, not necessarily the adopted, final budget

Motion passes 7-0

H. Adopting Ordinance repealing Ordinance No. 467, in part, and Resolution No. 3138 and adopting new Bylaws for the Airport Board (Andy Solsvig, Airport Director)

Presentation

Christina discussed the existing bylaws and the relevant amendments, noting it's been before the airport board and through legal review. Christina noted there's nothing dramatic in the changes.

Motion by Sarah Stock to adopt the Ordinance repealing Ordinance No. 467, in relevant part, and Resolution No. 3138 and adopt the new Bylaws of the Grand County Airport Board.

Motion seconded by Jacques Hadler

Discussion (none at this time)

Motion passes 7-0

I. Adopting Ordinance repealing and replacing Article 9 (Administration and Procedures) and amending Article 10 (Definitions) of the Grand County Land Use Code (LUC) (Elissa Martin, Associate Planning & Zoning Director and Mallory Nassau, Associate Commission Administrator)

Presentation

Elissa discussed the changes, noting this addresses several of the commission's concerns with earlier versions. Christina noted the inclusion of affirmative language regarding local newspaper publishing.

Motion by Jacques Hadler to adopt the Ordinance repealing Ordinance No. 467, in relevant part, and Resolution No. 3138 and adopt the new Bylaws of the Grand County Airport Board.

Motion seconded by Kevin Walker

Discussion (none at this time)

Motion passes 7-0

J. Adopting Ordinance Repealing and Replacing Title 1 of the General Grand County Ordinances (Administrative Hearing and Penalties) (Christina Sloan, County Attorney)

Presentation

Christina discussed the changes, noting this ads express provisions for cease and desist orders for egregious violations.

Motion by Trish Hedin to adopt the proposed ordinance repealing and replacing Title 1 of the General Grand County Ordinances.

Motion seconded by Jacques Hadler

Discussion (none at this time)

Motion passes 7-0

Consent Agenda- Action Items

K. Approving service agreement with Moetivations Inc. for virtual training and quality assurance for Dispatch in the amount of \$7,912.88

Motion by Gabriel Woytek to approve the consent agenda as presented.

Motion seconded by Kevin Walker

Discussion (none at this time)

Motion passes 7-0

Discussion Items

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

Mallory discussed the upcoming events – Barrels for Bucks, Outerbike, and the Moab Craggin' Classic.

Public Hearings- Possible Action Items

M. Public hearing to solicit public comment on the proposed ordinance applying the Overnight Accommodations Overlay- RV/Campground to Willow Springs Campground, Parcel No. 04- 0020-0038 (13733 North Highway 191) (Elissa Martin, Associate Planning & Zoning Director)

Elissa discussed the application to apply the Overnight Accommodations Overlay (OAO) to the parcel.

Elissa noted the OAO has not been applied to any parcels recently. Elissa noted the planning commission vote to approve was split. Evan asked about the number of pending overnight use projects not yet built. Christina discussed some of the pending developments. Sarah noted the development of the Utah Raptor State Park. Kevin discussed the staff report, noting the importance of phasing that includes workforce housing. Chris discussed the idea of the masterplan vs the site plan and plat. Chris noted that anything on the master plan is vested by legislation once it passes. Kevin discussed the mention of traffic reduction in the staff report, noting traffic reduction could be illusive. Kevin questioned the idea that a commercial campground would significantly reduce illegal camping.

Mary noted the BLM has indicated that commercial campgrounds could potentially reduce some illegal camping, but the impact or reduction is not easily quantified. Kevin noted public comments that suggest building out current permitted overnight accommodations prior to permitting any additional units. Elissa noted current staff analyses and discussed the ratio of homes to overnight accommodations.

Trish asked about the topography in the area of the proposed campground, and Elissa noted staff had not completed a physical site visit yet. Kevin noted the recently adopted Small Area Plan does not list overnight campgrounds as a compatible use. Trish noted 75% of respondents opposed overnight accommodations in the area. Kevin discussed the Overnight Accommodations Overlay and the intent of the ordinance. Kevin summarized, noting the potential incompatibility of the proposed development.

Sarah asked about water resources available to the proposed campground, and Elissa noted the proposed campground would require a well. Mary noted the need to protect the Arches aquifer.

Chair McGann opened the public hearing on the proposed Willow Springs Campground at 6:38 pm.

Reed Pendleton discussed the water resources/well at the site. Reed suggested the overnight accommodations yet to be built are largely hotels, and there is a need for camping in the County. Reed suggested that prior commission meetings had responded favorably to the potential of camping areas north of town. Reed noted the commission supported other campgrounds in the area. Reed noted the illegal camping taking place in the area. Reed reiterated the need for legal camping north of town.

Michael Skarda commented that the Dalton Wells campground and Utah Raptor State Park will contain campgrounds. Michael questioned the difference between the State Park and other camping solutions nearby.

Christopher Skarda voiced his support for the development, noting the need for services in the area. Christopher supports the proposed campground.

The public comment period will stay open for written comments until 29 September at 5:00 pm.

Mary noted she and Gabriel will both be out of town for October 5th. The meeting could be postponed, or there could be an assigned chair.

Chair McGann adjourned the meeting 6:54.

Adjourn

GRAND COUNTY:

ATTEST:

Mary McGann

QH

Mary McGann, Chair
Grand County Commission

Quinn Hall
Clerk / Auditor