



## GRAND COUNTY COMMISSION WORKSHOP AND REGULAR MEETING

Grand County Commission Chambers  
Hybrid virtual participation on Zoom  
Moab, Utah

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### MINUTES 18 October 2022

The Grand County Commission met in a regular meeting on October 18th, 2022. The meeting was held in-person in the Grand County Commission Chambers, with hybrid virtual participation also available via Zoom. It was also broadcast and saved on YouTube. Attending the meeting in-person was Commission Chair Jacques Hadler, Commission Vice-Chair Mary McGann, Trisha Hedin, Sarah Stock, Kevin Walker, and Josie Kovash. Also attending in-person were Commission Administrator Mallory Nassau, Associate Commission Administrator Quinn Hall, and Clerk/Auditor Gabriel Woytek. Grand County Attorney Christina Sloan was in attendance virtually. Commissioner Clapper entered the meeting in-person at 3:02 p.m.

#### **2:00 p.m. Special Events Workshop**

Old Spanish Trail Arena Director Angie Book and Grand County Economic Development Department Special Events Specialist Rachel Bartlett presented. Overview of proposed application process with criteria given, particularly with regards to potential 'high impact' events that would trigger Commission review. Number of individual participants will be used, rather than number of vehicles. Summary of upcoming 1<sup>st</sup> quarter 'high impact' events, including Arches Ultra, Red Hot, Live at Red Cliffs (Stock raised concerns regarding traffic impacts on Highway 128), Moab Run the Rocks (Stock inquired about event staging areas), Skinny Tire Fest, Canyonlands Half Marathon, Behind the Rocks Ultra and Moab Rocks. Commissioner Walker pointed out the preponderance of running competition events. Walker raised the possibility of first penciling in the longer standing events and filling in remaining available calendar with newly formed events, in order to address the challenges associated with crowding on the calendar. Discussion regarding possibility to include conditions on approval of Live at Red Cliffs event in order to exclude given days or weekends already occupied by events, as well as the possibility of requiring shuttle services for that event as another condition. Walker asserted that the Commission should remain flexible to denying even already established events in the interest of providing an ideal balance of event types. All first quarter events approved to proceed. Nassau added that another appropriate condition that the Commission could consider would be to require final approval from the Commission rather than the Special Events Advisory Committee (SEAC).

Summary of 2<sup>nd</sup> quarter 'high-impact' events, including Jeep Safari, FCA (Jeep Safari sub-event), Westin Auto (Jeep Safari sub-event), Content Creation (Jeep Safari sub-event), AEV Customer Tour (Jeep Safari sub-event) and Wheel Pros (Jeep Safari sub-event), which have their own Special Recreation Permits (SRP) with the Bureau of Land Management (BLM) and their own insurance policies separate from Jeep Safari.

Attorney Sloan stressed the importance of treating sub-events (in the case of Jeep Safari) as their own events, just as public land agencies qualify them. Discussion regarding clarification of application process for sub-events, and potential tension involved in approving a main event but not a sub-event that could be otherwise critical to the overall event. Lengthy discussion regarding how to consider sub-events for Jeep Safari and how sub-events might also be treated for other large events.

Remaining 2<sup>nd</sup> quarter 'high-impact' events summarized: GR Dirt Bike Rally (event stages in Green River with one Grand County trail ride), Amasa Trail Race (Commissioner Stock expressed concern regarding crowding at Amasa Back trailhead and parking lot, further discussion regarding potential condition for very early start, shuttling runners, and packet pickup and other event staging not taking place at trail head), Cruise Moab – Rising Sun, Grand Circle Trail Fest (newly formed running event with shuttles to trails), Building Man, Bikerpelli (2 events on 2 weekends, Commissioner Hadler disclosed that the business he is employed by has offered shuttles for this event), Utah Bronco Club Safari, Gran Fondo, Raptors on the Rocks, CO2UT, Jeep Jamboree (confirmed as 250 people), Willy's Rally, Gone Moab, Canyonlands PRCA Rodeo, MMF High Water (10-day event with 4 days of music, Kovash disclosed that she is an employee of the Moab Music Festival), and Desert Rats.

Commissioner Kovash requested a separate column displaying number of vehicles in addition to number of people for future ITA considerations. Commissioner Walker reiterated his preference for penciling in longstanding events and then considering new events for approval or denial. Walker asserted that Jeep Safari a known commodity and should be considered as a package deal, yet further monitoring should be given to the expansion of sub-events. Discussion and agreement that Amasa Trail race should include conditions that packet pickup not be staged at Amasa Back trailhead/parking lot and that shuttles be offered to runners. Trail Fest, as a new event with large numbers during peak season, warranted particular scrutiny by Commissioners Stock and Walker for sheer volume, placement in the calendar, and preponderance of running events. Kovash stated that running events just happened to be concentrated in this quarter. Book estimated that \$12,000-\$17,000 expected to be brought in for use fees at OSTA for this event. Commissioner McGann spoke to the importance of generating revenue at OSTA, Administrator Nassau clarified that OSTA is a community space and it is not necessarily appropriate to be viewed as a revenue generator, Commissioner Hadler expressed that in his experience running a Main St. business, that running events have a positive spillover effect on local businesses. McGann suggested that event holders could be approached about moving their event to a slower time of year. Kovash suggested the possibility of creating day-limits on particular categories of events. Trail Fest and Jeep Jamboree looked at by the Commission as events that could be considered for denial. Discussion that Jeep Jamboree already has a Fall event, out of state sponsorship, and there are already three weeks in a row of motorized events, with Jeep Safari already happening in the Spring. Commissioner Clapper stated that he is comfortable with the continuation of longstanding events and limiting growth in the future rather than re-winding and rescinding already established events. Commissioner Hadler expressed support for the idea of Trail Fest, Commissioner Walker expressed serious reservations about such a large event and further commercializing of the backcountry with an already busy event calendar. Discussion about the importance of taking a big picture view of the event calendar and taking seriously the need to address overcrowding. Discussion regarding how to issue denials with justification to prospective event sponsors. Agreement amongst Commission that a condition for offering shuttle service be included for Live at Red Cliffs event.

**4:00 Thompson Springs Special Service Fire District** (see separate Agenda and Minutes) (2:03:50)

**4:11 Call to Order Regular Commission Meeting (2:09:20)**

**Pledge of Allegiance**

**Citizens to Be Heard** (none at this time)

**Department Reports**

**Building Department** (William Hulse, Building Official and floodplain administrator) (2:10:50)

Hulse gave department update. 243 building permits issued, with approximately \$250,000 in revenue. Grand County finishing up permits in San Juan County to wrap up those covered under interlocal agreement. Contractor education classes ongoing for state licensure, offered in-person in Moab, Blanding, and Price as

well as virtual options. Review of floodplain administration and NRCS grants. Variety of efforts associated with Flood response and mitigation efforts. Commissioner Hedin asked if pace of building seems to be slowing. Hulse offered that building trends are mostly stable. Commissioner Walker asked about historical trends in number of building permits issued, Hulse stated that they are also currently on trend. Commissioner McGann inquired about cleanup efforts at Pack Creek estates, which has commenced. Hulse outlined variety of efforts taking place at that site by a variety of County departments with the interest of long-term health and safety of residents. Commissioner Clapper inquired about how many yet to be built hotels are still in the pipeline. Hulse replied that there was only one such planned hotel remaining in the County.

#### **Economic Development** (August Granath, Economic Development Director) (2:19:30)

Granath gave department update, including a review of visitor economy programs, visitor education, \$200,000 spent on Arches N.P. timed entry visitor education program, visitor services, visitor attraction efforts, accomplishment from film commission, business services, business summit, STAR business grant, Flood Relief Emergency Grant and Special Event Grant.

### **Presentations**

#### **Audit Results** (Jon Haderlie, Larson & Co.) (2:49:45)

Haderlie presented 2021 audit results. Audit report guidelines changed nationwide for 2021 audits. Unqualified opinion given on County financial statements after deeper analysis and testing of component units. Explanation of auditor responsibility, risk detection, and internal controls. Summarization of auditor management letter given.

#### **Utah Geological Survey Matheson Wetlands Study** (Kathryn Ladig and Hugh Hurlow, Utah Geologic Survey, Groundwater and Wetlands Program) (3:14:20)

Ladig and Hurlow gave presentation regarding latest research and efforts. Description of well and surface water monitoring in the wetlands. Analysis of flow rates emanating from Glen Canyon Group aquifer. Monitoring of salinity in groundwater in this area. Presentation of transient electromagnetic surveys, vegetation mapping (important for evaluating evapotranspiration), discussion regarding local match funding proposal to Grand County for continuing this effort. Commissioner Stock asked if this research would help clarify questions regarding overall future water availability. This effort would expand on existing studies and research, and would look to further understand concerns associated with the brine layer, which is interrelated. Commissioner Walker asked about this particular funding and how it would serve the desire to understand more about groundwater availability. Marc Stilson spoke to how critically important it was to understand the brine layer, groundwater availability, and how drawing water for growth could affect the valley's hydrological system. This UGS program is designed to be a long-term monitoring program. Stilson confirmed that this was a critical and valid use of the limited County resources that are available for studying groundwater resources.

#### **Colorado River and Matheson Wetlands Salinity Study Proposal** (Tom Marston, Investigations Chief, Utah Geologic Survey, Water Science Center) (3:37:00)

Marston gave presentation regarding the study proposal. Overview of previous related studies pertaining to salt loading along the Colorado River. March 4, 2022 low flow event allowed a chance for a point specific approach to investigate water quality through Spanish Valley section of the Colorado River. Presentation regarding documented impacts of salinity near wetlands. Quantitative measures needed to calculate the total salt load contributed by the Spanish Valley to the Colorado River at low flow. Identified needs for additional monitoring wells. Overview of funding proposal. Stock requested clarification regarding the pump tests for new monitoring sites near an existing monitoring well. Pump test would imitate the phenomenon of what would happen if elevation of groundwater fell below the freshwater brine interface and the resulting impacts to hydrology and the wetland ecology.

### **Ratification of Payment of Bills (3:54:15)**

**Motion by** Commissioner Hedin to approve and ratify payment of bills in the amount of \$630,359.38 and payroll in the amount of \$323,870.60.10 for a combined total of \$954,229.98.

**Motion Seconded by** Commissioner McGann

**Discussion** (none at this time)

**Motion passes 7-0**

### **Commission Member Disclosures** (none at this time) (3:55:00)

Commissioner Kovash disclosed that she is an employee of the Moab Music Festival, under consideration for special event review. Commissioner Stock has a sister that is a potential recipient of STAR grant funding.

### **General Commission Reports and Future Considerations**

#### **Jacques Hadler**

- Trail Mix Meeting, discussion regarding Labyrinth/Gemini Bridges Travel Management Plan
- Attended One Utah Summit in Cedar City
- Meeting with San Juan County and Moab City regarding present and future collaboration

#### **Trisha Hedin**

- Flood Relief Grant Program meeting

#### **Sarah Stock**

- New Free Health Clinic Campus tour

#### **Kevin Walker**

- Budget Advisory Board Meetings

#### **Mary McGann**

- New Free Health Clinic Campus tour
- Moab Area Travel Council Meeting, discussion regarding 2023 budget priorities
- Budget Advisory Board
- UMTRA Site Future Committee meeting
- Meeting with San Juan County and Moab City regarding present and future collaboration

#### **Josie Kovash**

- October 10<sup>th</sup> candlelight vigil at Moab City Hall for Indigenous People's Day, missing and murdered indigenous women
- New Free Health Clinic Campus tour
- Four Corners Behavioral Health 50<sup>th</sup> anniversary celebration

#### **Evan Clapper**

- Cemetery Board meeting, concerns regarding flooding and associated damage at the cemetery
- Canyonlands Health Care Special Service District, budget discussions
- Emergency Medical Services SSD, budget season, potential upcoming COLA for staff

**6pm Citizens to be Heard** (none at this time)

### **Elected Official Reports**

Grand County Clerk/Auditor Gabriel Woytek

- URLA graduation at the One Utah Summit in Cedar City
- Public L&A completed on October 17<sup>th</sup>
- Ballots set to be mailed on October 18<sup>th</sup>

### **Grand County Attorney Christina Sloan**

- BRC litigation response filed, visit [grandcountyutah.net/attorney](http://grandcountyutah.net/attorney) for summary regarding the litigation and associated pleadings

**Commission Administrator Report** (none at this time)

### **Approval of Minutes (Gabriel Woytek, Clerk/Auditor)**

October 4<sup>th</sup>, 2022 (Regular County Commission Meeting and Joint Planning Commission Workshop)

**Motion by** Commissioner Hedin to approve the minutes from October 4<sup>th</sup>, 2022.

**Motion Seconded by** Commissioner Walker

**Discussion** (none at this time)

**Motion Passes 6-0, McGann absent**

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

**A. Cooperative Funding Request from UGS for Matheson Wetlands Study** (Sarah Stock, Grand County Commission) (4:09:10)

#### **Presentation**

Commissioner Stock referenced the previous presentations associated with the funding requests. Money available in the Commission discretionary fund for this expenditure. Funds set aside in this line in 2022 budget for national groundwater monitoring process not ready to be used at this time, so this represents a great immediate use for funds in the budget already set aside for water study efforts. Discussion regarding the absence of financial contribution by Moab City and San Juan County in supporting these studies.

**Motion by** Commissioner Hedin to approve the cooperative funding request of \$34,111 (County FY 2022) from the UGS for the Matheson Wetlands Study and authorize the chair to sign all associated documents.

**Motion Seconded by** Commissioner Stock

#### **Discussion**

Commissioner Clapper pointed out that many other entities are contributing to this effort and that it is by no means funded by Grand County only.

**Motion passes 7-0**

**B. Cooperative Funding Request from USGS for Salinity Studies** (Sarah Stock, Grand County Commission) (4:17:00)

**Presentation**

Commissioner Stock explained the need for a local match to support this study. Total co-op match request is \$45,000. Discussion regarding the appropriate amount for Grand County to contribute.

**Motion by** Commissioner McGann to approve the funding of \$19,361 to the USGS for Salinity Studies on the Colorado River and Matheson Wetlands and authorize the chair to sign all associated documents.

**Motion Seconded by** Commissioner Hedin

**Discussion** (none at this time)

**Motion passes 6-1, Clapper opposed**

**C. Adopting Ordinance Repealing and Replacing Chapter 8.16 (Special Events) Of the Grand County General Ordinances and Related Ordinance No. 658** (Mallory Nassau, Commission Administrator) (4:24:50)

**Presentation**

Nassau explained that the latest version of the ordinance incorporates all of the feedback offered in workshops and other public discussion. Commissioner Walker recognized that this is a big milestone in the County's special events approval process, and expressed gratitude for staff's effort in its drafting.

**Motion by** Commissioner Walker to repeal Chapter 8.16 (Special Events) of the Grand County General Ordinances and related Ordinance No. 658 and adopt new Chapter 8.16 (Special Events), as set forth in the attached Ordinance and its Exhibit A, with the following minor edit: in section 8.16.100.B.II, Item C, it should say local origin, and Item D, capitalization fixes.

**Motion Seconded by** Commissioner Clapper

**Discussion**

A number of minor proofreading edits were made on this day, not in previous draft posted publicly. Commissioner McGann thanked Commissioner Walker on his hard work in helping to draft the ordinance. Clarification offered by Attorney Sloan regarding the use of 'and' or 'or' in categorizing low and high impact events. 'and' is what remained in the final draft for approval.

**Motion passes 7-0**

**D. Consideration of Special Event Intent to Apply Submissions** (Angie Book, Old Spanish Trail Arena Director) (4:30:55)

**Presentation**

Book gave an overview of the special events approval process. Commissioner Walker updated the public on the results of the Special Events workshop review of Intents to Apply for first and second quarters of 2023. Walker asserted that longstanding events should be given greater leeway when considering potential denial. Book stated that events should be evaluated not on how long they've been established but by how they might have generated conflict in the past. Discussion regarding an event applicant and the potential need to apply a condition to ensure good behavior.

**Motion by** Commissioner Walker to approve the following Special Event Intent to Applies (ITAs) for the first and second quarters of 2023: Arches Ultra, Red Hot, Moab Run the Rocks, Skinny Tire Fest, Canyonlands Half Marathon, Behind the Rocks Ultra, Moab Rocks, Jeep Safari – RR4W, FCA, Westin Auto, Content Creation, AEV Customer Tour, Wheel Pros, Adventure Rabbi Passover, GR Dirt Bike Rally, Cruise Moab – Rising Sun, Building Man, Bikerpelli, Utah Bronco Club, Gran Fondo, Raptors on the Rocks, CO2UT, Willys Rally, Gone Moab, Barrels 4 Bucks, Canyonlands PRCA Rodeo, MMF High Water, Desert Rats

The following events are hereby approved with the following conditions: Amasa Trail Race – to offer shuttle system for participants, as well as a requirement to offer packet pickup and other race staging at a location other than the Amasa Back trailhead/parking lot. Live at Red Cliffs – to offer a shuttle system to decrease traffic pressure on Highway 128.

The following events are not given approval: Grand Circle Trail Fest, Spring Jeep Jamboree

The following Findings were relevant to this decision:

- The current list of regularly occurring events is weighted heavily toward running, biking and motorized events.
- April and May are both already saturated with special events.
- We desire more variety in Grand County special events.
- We give preference to events with an established track record.

**Motion Seconded by** Commissioner McGann

#### **Discussion**

Commissioner Walker clarified the process and justification for the Commission evaluating the event calendar in the way that it currently is, in order to be mindful in taking a high-level approach. Fine tuning this evaluation is expected to be an ongoing process. No denials of already established events contemplated in the current motion. New events should offer special qualities to be considered in already busy events calendar. Some approved high impact events were allowed due to particular qualities that limit their impact on overcrowding.

**Motion passes 7-0**

**E. STAR Business Grant 2022 Funding Increase** (August Granath and Ben Alter, Economic Development Department) (4:42:15)

#### **Presentation**

Alter presented the proposed formal increase, in response to already completed budget amendment.

**Motion by** Commissioner Stock to allocate \$500,000 of the economic diversification Transient Room Tax (TRT) dollars made available during the September 20th, 2022 Grand County commission meeting towards the Sustainable and Resilient (STAR) Business Grant program.

**Motion Seconded by** Commissioner Hedin

**Discussion** (none at this time)

**Motion passes 6-0, Clapper absent**

**F. Award of Sustainable and Resilient (STAR) Business Grants** (August Granath and Ben Alter, Economic Development Department) (4:44:15)

**Presentation**

Alter described application and review process. Explained exclusion of \$100,000 ABC Thompson LLC in this round of consideration so that some concerns regarding water availability in Thompson Springs can be addressed. Chair Hadler spoke to the hard work and careful consideration in developing this program.

**Motion by** Commissioner McGann to approve the following STAR Business Grants awards: \$4,800 to Real Green Clean, LLC, \$7,000 to Wild Raven Soap Company LLC, \$10,000 to Canyonlands Field Institute, Inc., \$11,068 to Friends of Moab Folk Festival, \$12,500 to Sundial Medicinals, LLC, \$14,750 to TerraSophia LLC, \$17,494 to Farm Yard, LLC, \$20,000 to Science Moab Engagement Initiative, \$22,735 to Desert Sun Ceramics, \$25,000 to Grounded Healing Therapy, LLC, \$31,226 to Tres Flojos, LLC, \$33,500 to Blaze Bicycles, Inc., \$40,250 to Arches Handyman LLC, \$45,000 to Wildland Scapes LLC, \$46,312 to Community Rebuilds, \$47,500 to Seekhaven, Inc., \$50,000 to Westside Woodworks LLC, \$70,000 to Heron School LLC, and \$100,000 to Moab Free Health Clinic, for a total fiscal impact of \$609,135.

**Seconded by** Commissioner Walker

**Discussion**

Alter clarified that grant for ABC Thompson LLC not to be considered a denial, just a postponement. Future collaboration will be requested in further developing this program. This program successfully allows for TRT funds to be used in support of local business community. McGann clarified that extensive and appropriate follow-up and tracking will be executed for these grants of public funds.

**Motion passes 7-0**

**G. Approving a Cooperative Agreement between Utah State University and Grand County Utah for the Moab Small Business Development Center** (August Granath and Ben Alter, Economic Development Department) (4:52:55)

**Presentation**

Alter offered background regarding the proposed agreement and the plan for serving the community and evaluating its effectiveness into the future.

**Motion by** Commissioner McGann to send the attached letter to the Utah Department of Government Operations indicating that Grand County elects to use 100% of the Secure Rural Schools allocation for Title I uses, and to allocate 50% of the funding to the Grand Count School District and 50% to the Grand County Transportation District.

**Motion seconded by** Commissioner Clapper

**Discussion**

Commissioner Clapper clarified that the fiscal impact would be spread out over three years, not to exceed \$100,000. Funds are derived from Transient Room Tax Economic Diversification budget.

**Motion passes 7-0**



**H. Approving Board of Equalization Hearing Officer Recommendations (Clerk/Auditor Gabriel Woytek)**  
(4:57:50)

**Presentation**

Clerk/Auditor Woytek presented the adjustments and recommendations, as shown in the packet, for an overall decrease in taxable values of \$3,799,987, with overall market values decreasing by \$1,177,553. Discussion regarding potential future improved presentation of this action through context and historical trending.

**Motion by** Commissioner Clapper

**Motion seconded by** Commissioner Walker

**Discussion** (none at this time)

**Motion passes 6-0, Stock absent**

**Consent Agenda – Action Items (5:05:20)**

- I. Sole source purchase “Eco-Quip Hydro/Media Blaster”
- J. Applications to the Bureau of Land Management to renew road Rights of Way
- K. Ratifying Chair's Signature on Updated Opioid Legal Representation Agreement
- L. Ratify Grand County Subgrantee Agreement between Utah Association of Family Support Center, Inc. And Family Support Center Grand County
- M. Renewal of 400 E HWY 191 Billboard

**Motion by** Commissioner McGann to adopt the Consent Agenda as listed by the Chair.

**Motion seconded by** Commissioner Hedin

**Discussion** (none at this time)

**Motion passes 7-0**

**Discussion Items** (none scheduled)

**Public Hearings** (none scheduled)

**Closed Session(s)**

**Motion by** Commissioner McGann to enter closed session at 7:09 p.m. for the discussion of pending or reasonably imminent litigation

**Motion seconded by** Commissioner Clapper

**Discussion** (none at this time)

**Motion passes 7-0**

**Exit closed session 7:23**

**Chair Hadler adjourned meeting at 7:24 p.m.**



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Jacques Hadler  
Chair, Grand County Commission



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Gabriel Woytek  
Grand County Clerk/Auditor