



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 4 November, 2020

The Grand County Commission met in a regular meeting on 4 November, 2020. Due to the COVID-19 Pandemic, the meeting was streamed/attended electronically. It was also broadcast on YouTube and saved there for future viewing. Commissioners in attendance were Mary McGann, Jaylyn Hawks, Greg Halliday, Evan Clapper, Curtis Wells, and Gabriel Woytek. Also present were County Administrator Chris Baird, Assistant County Administrator Mallory Nassau, County Attorney Christina Sloan, Personnel Services Department Head Renee Baker, and Clerk/Auditor Quinn Hall. Rory Paxman was absent.

4:11 p.m.

Call to Order

Chair McGann called the meeting to order at 4:11 pm.

Motion by Greg Halliday to move item A – Update from Southeastern Utah Health Department (SEUHD) ahead in the schedule.

Motion seconded by Gabriel Woytek

Motion passes 6-0

(A) Update from South Eastern Utah Health Department (SEUHD) COVID-19 in Grand County (Brady Bradford, SEUHD Health Director)

Brady noted the decline in positive cases throughout the county. Positive tests are trending down, and Grand County may be moved down to a "moderate" threat level. Statewide numbers are rapidly increasing. There may be new policy changes from the state coming if cases don't drop soon. Daily updates will still be on the website, but email notifications will happen less frequently.

Jaylyn asked about Carbon County numbers and Brady noted the use of masks in Carbon County is lower than Grand County. Brady noted Carbon County had likely reached a tipping point where multiple cases made spread more likely.

Brady noted the website will be updated to provide more consistent and complete information as soon as possible.

Citizens to Be Heard

Matt Niesen asked what advertising would look like under the proposed resolution and why Moab business stakeholders weren't offered a seat at the table. Suggested local businesses be offered a chance to collaborate.

Kevin Walker noted support for Agenda Item “F”. Noted the way we advertise Moab should be more education-based. Noted the resolution involves the County Commission.

Reed Pendleton commented that economic diversity is essential, but is against slowing down tourism. Noted that tourism is the “lifeblood” of Moab. Suggested local businesses are perhaps better at educating tourists than anyone else.

Presentations

- A. (Moved up in schedule – see above) Update from South Eastern Utah Health Department (SEUHD) COVID-19 in Grand County (Brady Bradford, SEUHD Health Director)

Approval of Minutes (Quinn Hall, Clerk/Auditor)

- B. October 20, 2020 (County Commission Meeting)

Motion by Greg Halliday to approve the minutes from 20 October, 2020 County Commission meeting.

Motion seconded by Gabriel Woytek

Discussion (none at this time)

Motion passes 6-0

- C. October 20, 2020 (Joint City and County Meeting)

Motion by Greg Halliday to approve the minutes from 20 October, 2020 Joint City Council and County Commission meeting.

Motion seconded by Gabriel Woytek

Discussion (none at this time)

Motion 6-0

Ratification of Payment of Bills

Motion by Greg Halliday to ratify and approve payment of bills for \$637,485.84 and total payroll for \$231,194.67 for a combined total of \$868,680.51.

Motion seconded by Evan Clapper

Discussion (none at this time)

Roll Call Vote: Greg Halliday, yes. Jaylyn Hawks, yes. Evan Clapper, yes. Gabriel Woytek, yes. Curtis Wells, yes. Mary McGann, yes.

Motion passes 6-0

Commission Member Disclosures

Jaylyn disclosed that she's related to a party with an interest in an agenda item and is a co-owner in a Bed & Breakfast and will recuse

Evan noted he works in a tourist-based business

Curtis Wells noted he owns an interest in nightly accommodations in Moab

General Commission Reports and Future Considerations

Greg Halliday

- Attended Museum of Moab meeting - work on presentations at the museum is coming along
- Attended an open house for Community Rebuilds
- Attended catastrophic fire meeting

Jaylyn Hawks

- Attended Planning Commission meetings
- Attended Family Support Center Meetings
- Attended Housing Authority of Southeastern Utah Meeting
- Attended Budget Advisory Board Meetings
- Attended Association of Local Government (ALG) meetings – they're looking for a new building
- Expressed disappointment about the direction of the Joint City Council/County Commission meeting discussion about the bypass; it's unfortunate that the conversation got derailed by old concepts. Noted only a small percentage of people were opposed. Noted there is likely strong support for some sort of bypass. Suggested we put a bypass on the County Travel Plan.

Mary McGann

- Attended Moab Tailings Pile Steering Committee meeting
- Beginning discussion with John Curtis' office - looking at ways to leave the site useable
- Attended Solid Waste Special Service District meeting
- Attended a Canyon Country Partnership meeting
- Traveled to East Canyon Ranch to see potential impact of paving nearby roads

Evan Clapper

- Attended Joint Meeting with City and County
- Would like to schedule a time to meet regarding the Forest Service Plan

Curtis Wells

- Attended the Joint City County meeting regarding Hotspot Funding
- Pleased with the outcome of the work of the Hotspot Committee
- Suggested concern about a potential bypass is warranted, but future discussions could be more constructive

Elected Official Reports

Quinn discussed the election and noted it went smooth

Commission Administrator Report

Chris said he'd discuss some upcoming items later in the agenda

Department Reports (none at this time)

Agency Reports

D. Housing Authority of Southeastern Utah (HASU) 2019 Annual Report (Ben Riley, HASU Director)

With no objections – moving to item “E” (technical challenges)

Presentations

E. Presentation on the Moab Area Travel Council’s ATV and OHV education efforts (Elaine Gizler, Economic Development Director)

Elaine discussed the efforts of Travel Council staff to educate visitors about responsible recreation. Robert noted the attempts of the Travel Council to market a more family-friendly destination. Elaine discussed the Moab Adventure Guide and noted the emphasis on low-impact activities. Discussed Travel Council focus on sustainability, conservation and accessibility. Noted importance of “Stay on Trail” messaging. Elaine noted the Travel Council has attempted to market low-impact and responsible recreation. Discussed the “Spend it Like a Local” initiative.

Greg, Curtis and Gabriel thanked the Travel Council.

Gabriel noted that while inclusion is important, the county needs to be careful to avoid tokenism.

Evan also noted the work of the Travel Council and offered thanks.

(D) – (From earlier in the schedule) Housing Authority of Southeastern Utah 2019 Annual Report (Ben Riley, HASU Director)

Ben Riley discussed the progress of the Housing Authority over the last year. Noted audits and balance sheets have been strong. Noted staffing issues over the last year. Several families on the voucher program now with subsidized rentals. Noted housing is available on a preference basis for locals. Adopted a veterans help program. Hoping to offer 12 more units as rent-to-own for 2021. Ben discussed the MAPS Senior living project.

Wingate Village – self-help homes – will start coming online soon.

Jaylyn expressed gratitude for the work the Housing Authority does.

Gabriel offered his thanks to the housing authority, Evan offered thanks as well.

General Business- Action Items- Discussion and Consideration of:

F. Adopting a resolution establishing a Grand County policy for activities relating to the establishment and promotion of recreation, tourism, film production, and conventions (Chris Baird, Commission Administrator)

Presentation

Chris discussed the resolution, noting the Travel Council is already largely compliant with the resolution, and the reason for the resolution is to encourage commission input on the Travel Council, and to better educate the public about the uses of the Transient Room Tax (TRT). This provides assurance to the commission and community the Travel Council is promoting Moab and Grand County responsibly.

Motion by Evan Clapper to adopt the resolution establishing a Grand County policy for activities relating to the establishment and promotion of recreation, tourism, film production, and conventions.

Motion seconded by Jaylyn Hawks

Discussion

Curtis suggested there is perhaps a lack of clarity and the Travel Council should be reporting to the commission, and not to the board. Noted he would like to see some quantifiable data to track the impact of marketing campaigns. Suggested that this could add some uncertainty surrounding future promotions and their effectiveness.

Chris suggested more regular meetings could help clear up confusion. Chris noted the involvement of the Travel Council board, but lamented the lack of involvement of the community and the Commission.

Evan commented that current promotional efforts of the Travel Council seem to be working quite well – but noted that growth and overuse is also potentially negative for residents.

Curtis asked what this resolution would mean for billboards in the future, and suggested that according to the resolution future messaging would need to be educational based.

Jaylyn called the question and suggested this discussion is better suited for a workshop.

Curtis noted he has two ten minute periods.

Chris noted that while some billboards are generalized, yes, the messaging would likely change somewhat in the future.

Motion passes 6-0

- G. Granting relief from 2019 property tax late penalty and interest for Moab Recreation Center, Inc. (Gravel Pit Lanes), as this business was closed due to COVID-19 (Erik Hansen manager of Gravel Pit Lanes 260-2108, and Chris Kauffman, County Treasurer)

Presentation

Erik Hansen discussed the difficulties of meeting tax obligations during the COVID pandemic. They were closed for 2.5 months this spring.

Evan asked if Chris has had similar questions from other businesses, and Chris noted there have been other businesses ask. Chris discussed different deferment options available to the county. Chris noted penalty and interest deferments don't shift the burden to other tax payers, but to the county, although the county does not budget for any penalties.

Evan noted that perhaps the commission needs to treat all taxpayers fairly – and this could be problematic in the future.

Mary suggested that perhaps the county could craft a policy to deal with this – so taxpayers are treated fairly.

Motion by Curtis Wells to approve the request to waive penalties and interest on 2019 property taxes on the Recreation Center due to unprecedented economic hardship caused by mandated shutdowns related to COVID-19.

Motion seconded by Greg Halliday

Discussion

Jaylyn expressed sympathy, but noted the taxes were due for the 2019 tax year, and should have been paid prior to the COVID shutdown.

Jaylyn suggested the Association of Local Governments may have some funds available to help with this sort of problem.

Motion passes 4-2 Hawks and Woytek opposed

- H. Approving CARES Act allocations and creation of a work group to oversee the distribution of funds to local political subdivisions, businesses and non-profits (Chris Kauffman, Treasurer and Chris Baird, Commission Administrator)

Presentation

Chris Kauffman discussed Coronavirus Aid, Relief, and Economic Security (CARES) Act allocations and which county expenses are eligible for reimbursement. Chris noted requests from political subdivisions and associated totals. Noted Castle Valley suggested their portion of CARES Act funding be distributed by the county. Chris Baird noted this falls in line with our mid-year budget amendment, and that the intent of the CARES Act was to be shared among local entities. Chris and Evan discussed the split and potential alterations. Chris Baird noted income projections have increased somewhat since the mid-year budget amendment. Chris Kauffman noted the CARES Act guidance is vague and has been changing somewhat.

Jaylyn asked if the included proposals contained items that were likely reimbursable and questioned the deadline for funding. Chris noted that all the federal money has to be spent by the 30th of December, but the state created a deadline for November 30th – allowing them to redistribute unspent funds.

Motion by Evan Clapper to approve distribution of \$530,968 in the CARES Act funding for grants to political subdivisions, businesses and non-profits and to create a working group for the purposes of administering the grants.

Motion seconded by Curtis Wells

Discussion (none at this time)

Motion passes 6-0.

Mary and Gabriel volunteered to part of the working group.

- I. Approving title change of the Assistant Commission Administrator to Associate Commission Administrator (Renee Baker, Personnel Services Director and Commissioner Hawks)

Presentation

Renee noted this was a title change – to help with public perception with the position and increase ownership of the role.

Motion by Jaylyn Hawks to approve the retitle of the Assistant Council Administrator to Associate Commission Administrator

Motion seconded by Evan Clapper

Discussion (none at this time)

Motion passes 6-0

- J. Presentation on Public Infrastructure District (PID) and approving initiation of PID Policy drafting process (Aaron Wade, Gilmore & Bell and Commissioner Wells)

Presentation

Curtis discussed the resolution, noting this is a way to increase funding to the county. Aaron discussed public infrastructure Districts (PID's) - they are political subdivisions created by the county and are governed by their own boards. Requires 100% consent of property owners in the district. They can finance any public infrastructure. This allows new growth to pay for itself.

Infrastructure is handed over to the county after construction. If owners default, there is no recourse to the county. Lenders can only foreclose on property; not infrastructure. Maintenance burden is on the county.

Curtis suggested this could be used to implement and upgrade infrastructure we want as a community.

Gabriel noted he appreciates the discussion and noted that making earnest moves in the direction of economic development are helpful.

Motion by Curtis Wells to direct staff to initiate the process to draft a policy for the evaluation of requests for the establishment of Public Infrastructure Districts. If there needs to be updates they would be welcome.

Motion seconded by Gabriel Woytek

Discussion

Jaylyn noted it sounds good, and it seems like a step toward economic development, but noted concerns about staff time commitments. Would like to hear positives and negatives from other implementations before committing.

Chris noted this could help with several aspects of development, but also noted past troubles with special service districts. Noted the importance of having policy in place before it's needed. Suggested there needs to be substantive public benefit.

Mary asked if we could create stipulations that would require public benefit. Aaron noted that, yes, there are a variety of stipulations or constraints that can be added.

Elaine suggested we investigate this option as a method of economic diversity and development. Suggested we look at other rural communities that have implemented this.

Motion 5-1 Halliday opposed

- K. Presentation on Canyonlands Back County Horsemen's request for installation of four metal sculptures commemorating the historic use of the Old Spanish Trail and approving letter of support (Paul Spencer, Grand County Trail Mix Chair)

Presentation

Paul discussed the Old Spanish Trail and its historic route through the Moab Valley. The sculptures are both historically related and educational. There are similar installations across the state. This comes at no cost to the county. Trail Mix and Backcountry Horsemen will work together to install them.

Motion by Evan Clapper to approve the Chair's signature on a letter to the Moab UMTRA Project supporting the installation of art figures commemorating the Old Spanish Trail along the Moab Canyon Pathway pending chair review of letter.

Motion seconded by Greg Halliday

Discussion (none at this time)

Motion passes 6-0

L. Approving Settlement Agreement with Levi Mallory (Christina Sloan, County Attorney)

Presentation

Christina noted commission familiarity of this item/issue.

Motion by Greg Halliday to approve the Settlement Agreement and Mutual Release of All Claims

Motion seconded by Gabriel Woytek

Discussion

Evan asked about violation removal and Christina noted restrictions from working within the county.

Motion passes 4-1-1 Wells opposed, Hawks recused

M. Adopting resolution approving the Puesta del Sol Phase XI Final Plat (Mila Dunbar-Irwin, Planning and Zoning Director)

Presentation

Mila discussed the final plat – phase 11. 4 Lots, all infrastructure and roads put in. Recommend approval.

Motion by Evan Clapper to approve the Final Plat for Puesta del Sol PUD Phase XI for Real Property known as Parcel No. 02-0015-0001.

Motion seconded by Greg Halliday

Discussion (none at this time)

Motion passes 6-0

N. Amending Resolution 3242 Allocating Mineral Lease (Chris Baird, Commission Administrator)

Presentation

Chris discussed the amendment – and the amended split.

Motion by Evan Clapper to approve the resolution amending the Utah Division of Finance Mineral Lease Allocation contained in Resolution 3242 to provide 10% to the Grand County School District, 23% to the

Grand County Recreation Special Service District, 57% to the Grand County Transportation Special Service District, and 10% to the Grand County Solid Waste Special Service District.

Motion seconded by Jaylyn Hawks

Discussion (none at this time)

Evan asked about the split – the funding to the school district should be the same.

Motion passes 6-0

- O. Presentation and adoption of the tentative 2021 Grand County Budget (Chris Baird, Commission Administrator)

Presentation

Chris discussed the budget as it currently stands – a tentative budget for 2021. The public budget hearing will be December 1st.

Motion by Gabriel Woytek to approve the adoption of the tentative 2021 Grand County Budget.

Motion seconded by Jaylyn Hawks

Discussion (None at this time)

Motion passes 5-1 Wells opposed

- P. Approving a letter to the Bureau of Land Management (BLM) Moab Field Office requesting denial of the special recreation permit for the Rally on the Rocks event (Chair McGann)

Presentation

Chair McGann noted the Rally on the Rocks applied for a permit with the BLM – altering the location of main event staging to San Juan County, but the event would still largely take place in Moab

Motion by Evan Clapper to approve the letter to Bureau of Land Management requesting the Bureau to deny the special recreation permit for the 2021 Rally on the Rocks event.

Motion seconded by Gabriel Woytek

Discussion

Jaylyn asked about the appeal process if the permit is denied.

Motion passes 5-1 Wells opposed

Consent Agenda- Action Items

- Q. Approving Resonance Rising Service Agreement with the Children’s Justice Center of Grand & San Juan Counties (Aubrey Davis, Children’s Justice Center of Grand & San Juan Counties Director)

Presentation (None at this time)

Motion by Jaylyn Hawks to adopt the consent agenda as presented and authorize the Chair to sign all associated documents.

Motion seconded by Curtis Wells

Discussion (None at this time)

Motion passes 6-0

Discussion Items

- R. Discussion on Special Event permitting stipulations and conditional approvals based on Grand County's COVID-19 risk level (Christina Sloan, County Attorney and Chris Baird, Commission Administrator)

Christina discussed the problems with larger special events and associated pandemic spread. Noted the difficulty of enforcing compliance at a large event. Discussed recent problems at Old Spanish Trail Arena.

Elaine noted they're working on updating the special event applications to contain COVID safety measures.

Chris discussed the appropriateness of group size and possible limitations. Group size presents a problem for proper staffing. Even with a newly created position there will still be an increased load on law enforcement.

Christina suggested the county simply can't keep a large event safe.

Mary noted the only viable options seems to be severely limiting events or a very small cap on event attendance.

Evan expressed hesitation to cancelling all events.

Chris suggested event permissibility should be tied to our current risk levels, and future permits may be issued subject to current risk levels. Chris noted the COVID mitigation fee associated with special event permitting is directly related to enforcement and safety costs.

Mary suggested a working group – with the health department, law enforcement, and local businesses.

Elaine suggested rescheduling first quarter 2021 events.

Chris suggested that events seeking permits may sign a disclaimer acknowledging the event may be cancelled due to pandemic restrictions.

Elaine suggested Travel Council working more closely with a Sherriff's Deputy

Gabriel noted the cancellation of indoor events is likely a good starting point.

Jaylyn noted she'd like to see events go forward - safely.

Chris noted we could likely come up with a plan by the end of the year. Event organizers may have to acknowledge the event may be cancelled.

- S. Calendar items and public notices (Mallory Nassau, Assistant Commission Administrator)

Mallory discussed upcoming events. Closed Veteran's day. Joint Budget Advisory board meeting. November 17th public hearing for the fee schedule.

Public Hearings- Possible Action Items

Closed Session(s) (if necessary)

Adjourn

Chair McGann adjourned the meeting at 8:45

GRAND COUNTY COMMISSION:

ATTEST:



Mary McGann, Chair



Quinn Hall, Clerk/Auditor

TITLE	11-4-20 Regular Council Meeting Minutes
FILE NAME	11-4-20 Regular C...oved Unsigned.pdf
DOCUMENT ID	16ac75ac54251d75c31affee25fdbc379a788b08
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History

 SENT	11 / 18 / 2020 18:42:51 UTC	Sent for signature to Mary McGann (mmcgann@grandcountyutah.net) and Quinn Hall (qhall@grandcountyutah.net) from mnassau@grandcountyutah.net IP: 67.22.163.196
 VIEWED	11 / 18 / 2020 18:43:00 UTC	Viewed by Mary McGann (mmcgann@grandcountyutah.net) IP: 209.222.82.233
 SIGNED	11 / 18 / 2020 23:37:15 UTC	Signed by Mary McGann (mmcgann@grandcountyutah.net) IP: 174.247.116.4
 VIEWED	11 / 18 / 2020 23:37:22 UTC	Viewed by Quinn Hall (qhall@grandcountyutah.net) IP: 209.222.82.231
 SIGNED	11 / 19 / 2020 00:08:59 UTC	Signed by Quinn Hall (qhall@grandcountyutah.net) IP: 67.22.163.196
 COMPLETED	11 / 19 / 2020 00:08:59 UTC	The document has been completed.