



GRAND COUNTY COMMISSION REGULAR MEETING

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

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MINUTES 20 December 2022

The Grand County Commission met in a regular meeting on December 20th, 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 and Commissioners Trisha Hedin, Evan Clapper, Josie Kovash and Kevin Walker. Also attending in-person were Commission Administrator Mallory Nassau, Associate Commission Administrator Quinn Hall, Strategic Development Director Chris Baird, County Attorney Christina Sloan and Clerk/Auditor Gabriel Woytek. Commissioner Stock entered the meeting in-person at 4:01 p.m.

Chair Hadler opened the meeting at 3:34 p.m.

Scheduled Closed Session

Motion by Commissioner McGann to enter closed session for the discussion of pending or reasonably imminent litigation.

Motion seconded by Commissioner Walker

Motion passes 6-0, Stock absent

4:01 p.m. Thompson Springs Special Service Fire District Board Meeting (see separate agenda)

4:08 p.m. Call to Order Regular Commission Meeting

Pledge of Allegiance

Citizens to Be Heard (none at this time)

Department Reports (none scheduled)

Presentations

Appreciation of Public Service (Grand County Commission)

The Commission offered words of recognition and appreciation to Gabriel Woytek, Josie Kovash, and Sarah Stock for their service as Commissioners, to Steve White for his service as Sheriff and to Christina Sloan for her service as Attorney.

Grand County Years of Service Acknowledgements (1:27:00) (Personnel Services Director Renee Baker)

Baker gave introduction and offered words of appreciation for several dedicated employees who have reached years of service milestones as employees of Grand County.

Presentation on 2021 Grand County Internal Audit Committee Report and Fraud Risk Assessment (Cody Deeter, EFG Consulting, Clerk/Auditor Woytek)

Deeter gave an overview of the Internal Audit Committee Report, as shown in the packet. Woytek provided a brief overview of the Fraud Risk Assessment, which is submitted annually to the State Auditor's Office.

1. Approval of Minutes (Gabriel Woytek, Clerk/Auditor)

December 6th, 2022 (Regular Meeting of the Grand County Commission)

Motion by Commissioner McGann to approve the minutes from December 6th, 2022

Motion Seconded by Commissioner Walker

Discussion (none at this time)

Motion Passes 7-0

Ratification of Payment of Bills

Motion by Commissioner Walker to approve and ratify payment of bills in the amount of \$725,626.12 and payroll in the amount of \$317,773.42 for a combined total of \$1,043,399.54.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 7-0

Commission Member Disclosures (none at this time)

General Commission Reports and Future Considerations (35:25)

Jacques Hadler

- Museum of Moab meeting, debut of video of 'Spirit and Grit' display, now on Museum of Moab website
- Motorized Trail Committee meeting, discussion regarding Sand Flats nighttime trail closure process
- New Elected Official orientation
- Trail Mix meeting, discussion regarding volunteer recruitment for Trail Maintenance events, Mud Springs Trail in San Juan County
- Thompson Springs Water District Meeting, discussion regarding the low potential for BLM spring project in supplying water to Thompson.

Trisha Hedin

- 12/7 Southeast Region Division of Wildlife meeting regarding Bear Management Plan, no changes currently contemplated, will go to Wildlife Board in early January
- Planning Commission meeting, discussion regarding future workforce housing solutions, review of nexus study, ADU currently being examined
- Grand County Conservation District, discussion regarding outreach and education on flooding and drainage management
- Grand County Recreation District, Pickleball courts and playground at OSTA under consideration and planning, mineral lease monies have been up
- Grand Water and Sewer Special Service District meeting, Ken's Lake at 188% of 2021, 383% 2020, Soil Moisture 41% at 9500 feet

Sarah Stock

- Moab Mosquito Abatement District Board meeting
- Grand County Weed Board meeting

Kevin Walker

- Meetings with the BLM regarding Two Rivers Camping Environmental Assessment

Mary McGann

- Utah State University Advisory Council meeting, increased coordination with Grand County School District, USU Technical Education Open house on 3/3/2023
- Arts Council meeting, discussion regarding art as an economic development driver
- UMTRA project tile ceremony, only 3 million tons of tailings left to be removed, at a current rate of 1 million tons per year, future site survey available online
- Moab Area Travel Council meeting, interviews for board vacancies, presentation regarding promotion efforts by Love Communications
- Economic Development Advisory Board, discussion regarding the streamlining of the application process for prospective homeowners

Josie Kovash

- Housing Authority of Southeast Utah Meeting, discussion arising from Housing Fair, Arroyo Crossing continues, 'Flourish First' professional development tool being introduced, Section 8 housing vouchers available but housing inventory lacking for use of those vouchers

Evan Clapper

- Sand Flats Stewardship Committee meeting, discussion about weighing in regarding BLM nighttime closure public comment period
- Canyonlands Health Care SSD meeting, finalized and adopted 2023 budget
- Cemetery District meeting, 2023 budget and capital projects
- Grand County EMS meeting cancelled

Elected Official Reports (none at this time)

General Business - Action Items, Discussion and Consideration of:

- 2. Approving Real Estate Purchase Contract for Real Property described as vacant land located in San Juan County, Utah at the NE corner of Spanish Valley Drive and Allen Street (Parcel No. 0003900000D0) to Moab Valley Healthcare, Inc. (aka Moab Regional Hospital) (Chris Baird, Strategic Development Director) (57:20)**

Presentation

Attorney Sloan gave an overview of the addendum to the contract which integrates workforce housing deed restrictions roughly aligned with High Density Housing Ordinance language, with some adjustments and some added definitions for eligible health care workers. Baird gave general overview. 21.73 acres may not end up fully developed by Moab Regional Healthcare, so resale provision also included in addendum which would allow Grand County to benefit from any resale activity by the buyer. \$1.9 million-dollar sale currently proposed with 6-month due diligence period for closing. Commissioner Walker asked if this deal had been discussed previously in a public meeting. Walker clarified that Grand County holds parcels in San Juan County, and the current sale represents an ideal action from the County standpoint in the promotion of workforce housing. Hadler clarified that the currently proposed deal meets the appraised value, plus added deed restrictions.

Motion by Commissioner Clapper to approve the Real Estate Purchase Contract and its Addendum One for Real Property described as vacant land located in San Juan County, Utah at the NE corner of Spanish Valley Drive and Allen Street (Parcel No. 0003900000D0) to Moab Valley Healthcare, Inc., with an offer reference date of December 15, 2022.

Motion seconded by Commissioner Hedin

Discussion

Commissioner Clapper stated that this action was a win-win for the community. Commissioner Walker stated that the County should be cautious in selling away land that is very difficult to acquire, but that this action was worth supporting for its role in advancing solutions to the workforce housing crisis.

Motion passes 7-0

Chair Hadler ensured consensus approval amongst the Commission to see Item 8 at this time.

8. Adoption of the Amended 2022 Budget, the Tentative 2023 Budget, and a proposed 8.7% Cost of Living Adjustment for all Elected Officials (Strategic Development Director Chris Baird) (1:04:30)

Presentation

Baird explained that public hearing had been opened and noticing requirements for the proposed action had been met. \$2.89 million grant from Local Assistance and Tribal Consistency Fund added to 2023 budget, which will be placed into Capital Projects budget. \$529,000 being left in the fund balance for contingency. Airport Capital Fund (Fund 56) budget refined to reflect progress on existing projects along with upcoming projects, which will require a local match. Current taxiway not compliant with FAA requirements and will require improvements. No other major changes to tentative budget as presented at public hearing. Commissioner Walker sought clarification that Social Security Administration rate of 8.7% for Cost of Living Adjustment would apply to all county staff and elected officials as currently proposed.

Motion by Commissioner Walker to approve the resolution amending the 2022 Grand County budget, the resolution approving the 2023 Grand County budget, and the ordinance enacting an 8.7% cost of living adjustment for all elected officials.

Motion seconded by Commissioner McGann

Discussion

Commissioner Walker outlined the extensive review process undergone for the currently proposed budget, which does not show any significant changes from what was seen throughout that review process. Commissioner McGann offered comment stressing the importance of offering the cost of living adjustment.

Motion passes 7-0

3. Approving the 2023 Pay Plan (Personnel Services Director Renee Baker) (1:14:20)

Presentation

Baker explained the proposed plan establishing pay schedules for non-elected County staff. Job Descriptions yet to be complete for County Engineer and a position in the Economic Development Department, but their pay plans included in the proposed action.

Motion by Commissioner Walker to approve the Resolution Titled: REPEALING AND REPLACING RESOLUTION NO. 3306 AND ESTABLISHING 2023 PAY PLAN, effective January 1st, 2023.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 7-0

4. Approving Vacation Accrual Rollover (Personnel Services Director Renee Baker) (1:17:00)

Presentation

Baker offered explanation for the proposed action, which would adjust vacation balance of 320 hours of rollover, with a maximum balance payout of up to 200 hours. This policy is in line with those of other counties across the state.

Motion by Commissioner Walker to approve the resolution titled " AMENDING THE GRAND COUNTY EMPLOYEE HANDBOOK - SECTION VIII- BENEFIT- ALL EMPLOYEES - VACATION" effective January 1st, 2023.

Motion Seconded by Commissioner Hedin

Discussion

Commissioner Clapper asked for clarification on the specific changes proposed. Baker outlined these changes: current 160 hours of rollover to be increased to 320, payout policy limit added in where there had not been and also a provision added that those involuntarily terminated or not employed for at least one year would be ineligible for a payout.

Motion passes 7-0

5. Considering a contract to fund proposed visitor management research by Dr. Wayne Freimund of the USU Department of Environment and Society (August Granath and Ben Alter, Economic Development Department) (1:21:20)

Presentation

Granath gave a brief background on the proposed action. \$50,000 originally allocated in the 2022 budget for visitor use study. Delays required some modifications to the scope of work, which requires Commission approval. Effectiveness of the Trail Ambassador program to be examined as well as visitor behavior analysis.

Motion by Commissioner Walker to approve a contract between Grand County and the USU Department of Environment and Society, valued at \$49,832.49, for visitor management research.

Motion Seconded by Commissioner McGann

Discussion

Commissioner Hedin stated that she has reached out to USU researchers regarding specific data that would be useful specifically to the Planning and Zoning Department and that she wishes to provide input for these efforts so that they are best aligned with county needs. Commissioners Hadler and McGann spoke in support of these efforts, support for the work of USU in this realm, and support for the Trail Ambassador program which could be continually improved with increased access to the data.

Motion passes 7-0

6. Approving Grand County Commission 2023 Meeting Schedule (Commission Administrator Mallory Nassau) (1:27:00)

Presentation

Nassau gave a brief summary, which includes one correction for a meeting time from March 1st to March 7th, contrary to what had been listed in the meeting packet. Noticing requirements met. Hadler noted that regular 1st and 3rd Tuesdays will hold for the meeting schedule in 2023 with the exceptions of first July and November meetings.

Motion by Commissioner Stock to approve the Grand County Commission 2023 Meeting Schedule.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 7-0

7. Approving Fallen Peace Officer Trail Ride 2023 Intent to Apply (Commission Chair Jacques Hadler) (1:28:55)

Presentation

Hadler gave an overview of the proposed event. Spring timing found to be much more favorable for a successful event, as compared to Fall. Walker clarified that this action falls outside of new special event approval process, but that during the current transition period a rare exception would be acceptable and expected. Commissioner Stock explained that discussion regarding new approval process evaluation might have precluded another event had this been included on the tentative calendar, and for that reason she will not vote to approve this action.

Motion by Commissioner McGann to approve the Fallen Peace Officer Trail Ride 2023 special event intent to apply.

Seconded by Commissioner Walker

Discussion

Commissioner Kovash acknowledged that new special events approval process will take a holistic view at the annual event calendar.

Motion passes 5-2, Stock and Clapper opposed

9. Approval of Letter to the BLM regarding take-off and landing in Grand County (Commissioner Kevin Walker) (1:33:20)

Presentation

Walker gave background for the proposed action. Bureau of Land Management has begun the process which is the subject of the request made in the proposed letter, but with scope and timing uncertain. Castle Valley also presented a similar letter.

Motion by Commissioner Stock to approve the signing of the Letter to the BLM regarding take-off and landing in Grand County.

Motion seconded by Commissioner McGann

Discussion

Commissioner McGann spoke to the constructive and civil nature of the public comment regarding potential regulation of aviation activity in Grand County. Commissioner Kovash sought further engagement with aviation stakeholders, even with the drafting of this letter. Commissioner Clapper stressed that it is appropriate for land managers to make land management decisions.

Motion passes 7-0

Consent Agenda – Action Items (1:39:30)

- 10.** Approving the Voluntary Appointment to the Airport Board
- 11.** Approving the Voluntary Appointment to the Cemetery Board
- 12.** Approving revised One Utah Universal Opioid Settlement Memorandum of Understanding
- 13.** Approving First Extension to Independent Contractor Agreement with NES, Inc. for Lobbying Services
- 14.** Ratifying rock stockpile staging agreement with the City of Moab for the Pack Creek Emergency Watershed Protection Project
- 15.** Participating Agreement with the US Forest Service and Associated Partners with the Moab Information Center

Motion by Commissioner Clapper to postpone items 10 and 11 of the consent agenda until the first Commission meeting in January.

Motion seconded by Commissioner Walker

Discussion

Clapper clarified that board appointments should be completed in the new year, per policy.

Motion passes 7-0

Motion by Commissioner McGann to adopt the Consent Agenda, as read by Chair Hadler

Motion seconded by Commissioner Walker

Motion passes 7-0

Citizens to be Heard (second round)

Mark Rickert, Grand County resident and aviator, spoke in opposition to the letter approved to be sent to the Bureau of Land Management. Stated that he feels that complaints by the public in relation to aviation noise are not substantial enough to warrant such an action. Wishes to see more data regarding noise complaints. Would be happy to consider and promote targeted seasonal closures for specific areas in order to protect wildlife. Many from around the world enjoy the freedom of backcountry aviation activity. Inviting more involvement from the federal government in regulating private activity is not desirable.

Ian Richard, Grand County resident, stressed that the aviation community wishes to collaborate in generating solutions for potential conflicts. Approval of letter to BLM was an aggressive act by the Commission in restricting the actions of private citizens. FAA should be the organization that would take regulatory action. Still more data needed in order to best create collaborative solutions with aviation community.

Roy Evans, President of the Utah Backcountry Pilots Association, reiterated that his organization remains committed to addressing concerns of constituents while also protecting the interest of backcountry aviation activity, stated that volume and nature of noise complaints did not warrant the letter approved to be sent to the BLM.

Rusty Robinson, pilot and Grand County resident, expressed disappointment in the Commission for approving the letter to the BLM, which did not reflect the comment and discussion that arose from the proposed ordinance and was overly harsh. Spoke of his efforts to be conscientious in generating noise pollution for those negatively affected.

A pilot named Tyler spoke to the heavy-handed and excessive nature of the approved letter to the BLM. Stated that he would be saddened if rules were put into place that would prevent him from enjoying public lands in Grand County.

Keith MacBeth, Grand County resident and pilot, stated that the volume and nature of noise complaints received do not warrant the actions taken by the Commission. Stated that aviation enthusiasts are the most respectful public lands users and are very well educated about noise impacts.

Discussion Items (none scheduled)

Public Hearings (none scheduled)

Closed Session(s) (none at this time)

Chair Hadler adjourned the meeting at 6:09 p.m.



Jacques Hadler
Chair, Grand County Commission



Gabriel Woytek
Grand County Clerk/Auditor