



**GRAND COUNTY COMMISSION
WORKSHOPS AND REGULAR MEETING**

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

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**MINUTES
7 February 2023**

The Grand County Commission met in a regular meeting on February 7th, 2023. 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 Kevin Walker, and Commissioners Bill Winfield, Trisha Hedin, Evan Clapper and Mary McGann. Also attending in-person were Commission Administrator Mallory Nassau, Associate Commission Administrator Quinn Hall, County Attorney Stephen Stocks and Clerk/Auditor Gabriel Woytek. Attending the meeting virtually was Strategic Development Director Chris Baird. Commissioner Mike McCurdy was absent.

4:01 Call to Order Regular Commission Meeting

Pledge of Allegiance

4pm Citizens to Be Heard (1:20)

Mark Pitt spoke on behalf of event sponsors Kent Green and Troy Harris about a guided UTV event that they were planning for June 2023. Stated that he and his associates followed Ordinance 597 which was actively posted on the Grand County website in November and December of 2022, which stated that the application deadline was no later than 120 days before the start of an event. Was informed in January 2023 by Special Events Coordinator of new procedures for Special Event applications, which put them past the deadline. Stated that the most recent ordinance could not have been followed, as it was adopted after submission deadlines that were enacted. All mitigating factors have been considered for this event to have as little impact as possible. Would like for the Commission to accept Intent To Apply for their event.

Department Reports (none scheduled)

Presentations

Utah Support Advocates for Recovery Awareness (USARA) (5:40)

Commissioner Hedin explained that she set up this presentation because USARA would be a great fit for opioid settlement funds being received by Grand County. USARA peer recovery coaches Lanette Denton and Heidi Fuger spoke regarding resources offered by USARA, which includes a unique sense of compassion and hope informed by staff's own personal journey through long-term recovery. Other efforts lead by USARA include stigma reduction, a person-first approach, overdose awareness and community events such as 'National Take-Back Day.' Fuger spoke to their own lived experience with substance abuse addiction and current efforts counseling those receiving services at USARA. This counseling includes guidance on budgeting and money management, employment and vocational training, relationship and social

support, mental and physical wellness, recreation, legal services, spirituality and mindfulness and community reinforcement and family training (CRAFT). The Commission offered their gratitude to the presenters for their personal courage and work in the community.

Dominion Energy - Natural Gas Expansion to Green River (14:50)

Operations Manager Ron Dickerson and Manager of Pre-Construction Mike Favero with Dominion Energy gave a brief update on the currently proposed project to expand natural gas service to Green River. 245 customers in Green River have expressed serious interest in a proposed expansion of service. Project to be done in two phases. 21 miles of 16-inch pipeline (high pressure portion) to be run, with lower pressure lines set within Green River town. Construction to begin this month. Seeking future cooperation with Grand County on right-of-way and encroachment permits to be sought in the near future. Commissioner Winfield sought clarification that there would be some Grand County residents that would be served by this expansion, though the vast majority would be in Emery County.

Thompson Springs Special Service District Update (18:20)

John Corkery, resident of Thompson Springs and chairman of the Thompson Springs Special Service Water District since 2021, gave a broad overview of the state of TSSSD. District provides water to Thompson Springs and Crescent Junction. Current goals of TSSSD are to increase water source capacity and pursue funding opportunities to support the district in a variety of ways. Corkery offered an overview of recent challenges that TSSSD has encountered during his time as chairperson. Current financial outlook unsustainable, due to reliance on unreliable recurrent loadout sales. Insufficient residual monthly income due to lack of water accounts and rising inflationary costs. Recent lawsuit settlement also drained reserves. Corkery offered overview of goals and options for improving financial outlook: rate increase, increase loadout sales (unreliable), increase permanent water accounts, decrease operating expenses. Referenced ongoing disputes with planned 18 tap development in the face of water moratorium, and a number of residents with existing meters who purchased land under assumption that they had water. Discussion regarding perceived flaws with Sunrise Engineering water master plan. Load out water sales not to be factored in source capacity determination. Sunrise Engineering used a figure of 1700 gallons per day for residential and commercial Equivalent Residential Units (ERU), but the State only requires 800, which would also include irrigation. Very little irrigation activity in Thompson Springs. System Specific Sizing Program offered by the State would potentially lower this figure to 400 or less. Recent analysis suggests that Thompson Springs average ERU is 400-450. Division of Water Rights has requested a thorough analysis of daily use peak demand in the summer. State Division of Drinking Water officials have suggested that adjustment of this figure would be reasonable and would help the district's financial situation considerably. Further presentation of potential solutions to free up more culinary water. Potential secondary water system for livestock, wildlife and irrigation and potential reservoirs to be filled with stormwater, including one already existing but unused reservoir. This would also help mitigate damages associated with flash flooding. Suggestion that these solutions could potentially free up as much as 100 ERUs. Suggestion that development of old spring site up canyon, which was discontinued in the 1980s and would need further investigation by Army Corps of Engineers, could free up as much as another 100 ERUs. Drilling a new well, which would require a seismographic study, also a possibility. Still pursuing the possibility of taking over UMTRA infrastructure and water rights, which would be expensive water to develop, with availability 5-10 years out. CIB application submitted for renovation of old school house to host district offices. Commissioner Winfield inquired about the possibility of using CBDG grants for needed projects. Winfield also inquired about the potential for transferring any inactive water taps from vacant properties, and also if Ryan Bell still serves as water operator. Commissioner Walker asked follow-up regarding spring source capacity and suggested underdeveloped spring capacity. Corkery offered further clarification regarding senior water rights holders and their use patterns. Attorney Stocks inquired about current pending requests for water and if they could be fulfilled based on updated capacity calculations. Corkery stated that it could fulfill up to 30 more taps, but not 67 that is currently applied for with pending subdivision application. Grand

County development moratorium has lapsed and was not renewed. Discussion regarding ending the water moratorium to be brought up in a future meeting.

Approval of Minutes (Gabriel Woytek, Clerk/Auditor)

January 17th, 2023 (Workshop and Regular Meeting of the Grand County Commission)

Motion by Commissioner Walker to approve the minutes from January 17rd, 2023

Motion Seconded by Commissioner Winfield

Discussion (none at this time)

Motion Passes 6-0

Ratification of Payment of Bills

Motion by Commissioner Hedin to approve and ratify payment of bills in the amount of \$1,048,705.99 and payroll in the amount of \$348,654.50 for a combined total of \$1,397,360.49.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 6-0

Commission Member Disclosures (none at this time)

General Commission Reports and Future Considerations (53:00)

Jacques Hadler

- Preservation Commission meeting 1/19, seeking public input on historic walking/driving tour, discussion regarding Grand County history page on County website
- Meeting with UMTRA and TSSSD at Crescent Junction site regarding water infrastructure
- UMTRA Steering Committee meeting
- February 1st Emergency Management meeting

Trisha Hedin

- Planning Commission meeting, TSSSD presentation, discussion regarding software for overnight rental enforcement
- Moab Mosquito Abatement District Meeting, new director to begin March 1st
- GWSSA meeting, presentation of 2022 drinking water quality report, detectable contaminants in an extremely low range – soil runoff, radioactive contaminants, inorganic contaminants. Lake & Snow Report: as of February 2nd, at 9500 ft, 14.6 inches snow water equivalent (average is 7.6), year to date precipitation at 18.2 inches (average is 10.8), 169% of average, Ken's Lake level at 1742 acre-feet (971 in 2022).

Bill Winfield

- Airport Board meeting
- Catastrophic Wildfire Committee, support needed from County for equipment storage and staging areas for fire suppression efforts
- Arches SSD water system tour
- UAC meetings in SLC, additional meetings throughout legislative session, TRT reform bill discussed
- Future Consideration: see item regarding special event application which was raised during citizens to be heard at the next Commission Meeting

Kevin Walker

- Received report from BLM regarding eventual pavement of Poison Spider trailhead parking lot on Potash Road in July
- BLM would protest TSSSD water right application, not because they object but because that is the process for how they will be able to take certain resources under consideration
- BLM undergoing dispersed camping Environmental Assessment along Kokopelli Trail

Mary McGann

- UMTRA steering committee meeting, effort continues to move quickly, beginning to excavate autoclaves, which are pressurized containers filled with toxic waste, recognition of excellent safety record, only DOE site to remain open during COVID
- Preparing for trip to Washington DC
- Airport Board meetings to be held on the third Mondays of the month in 2023
- Moab Housing Task Force meeting, Arroyo Crossing to move into office in the MFHC nonprofit resource center complex. Murphy Flats open houses on February 18th and 22nd, upcoming March workshop regarding establishment of ADUs
- Canyonlands Solid Waste Authority meeting

Evan Clapper

- No reports at this time

Elected Official Reports

County Attorney Stephen Stocks

- attended UMTRA and Economic Development meetings, meeting with justice court, hiring for CJC director position

Clerk/Auditor Gabriel Woytek

- To attend formal GRAMA training with State Records Office in Taylorsville
- Following election related bills being considered at the state legislature, including topics such as cure letter list procedures, ranked choice voting style provisions for statewide races, private and protected voter status, and performance audits every other year for elections

Commission Administrator's Report

- Administrator Nassau clarified that 2/15 Commission meeting will begin with a 2:30 pm water workshop with Marc Stilson, more details to come
- City wishes to collaborate with County regarding murals on restrooms at Lion's Park

General Business - Action Items, Discussion and Consideration of:

1. Independent Contractor Agreement with Integrated Solutions Consultant for the Grand County Hazard Mitigation Plan (Grand County Emergency Manager Cora Phillips) (1:16:45)

Presentation

Phillips described procurement and selection process, according to policy. Contractor has worked in San Juan County and has been positively reviewed. County to pay difference on amount in contract in excess of grant funding, as outlined in the packet.

Motion by Commissioner Clapper to approve the independent contractor agreement with Integrated Solutions Consultants for the Grand County Hazard Mitigation Plan.

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 5-0, McGann absent

2. Approving Resolution Amending the Grand County Handbook Sections VIII and X (Personnel Services Director Renee Baker) (1:20:00)

Presentation

Baker gave overview of proposed policy updates. Current policy does not consider unique circumstances experienced by law enforcement employees as it relates to observance of holidays. Grand County employees to receive full round-trip reimbursement for personal vehicle use when doing County business.

Motion by Commissioner Walker to approve the resolution amending Sections VIII and X of the Grand County Employee Handbook.

Motion Seconded by Commissioner Winfield

Discussion

Commissioner Walker raised a question about agenda summary formatting discrepancies.

Motion passes 6-0

3. Approving Resolution Amending the Grand County Public Library Board of Directors Bylaws (Library Director Carrie Valdes and Commissioner Hedin) (1:23:35)

Presentation

Valdes gave overview of Bylaw updates, which were comprised mostly of basic housekeeping actions. Clapper asked if the bylaws included express language regarding director evaluation and feedback.

Motion by Commissioner Walker to approve the resolution amending the Grand County Public Library Board of Directors Bylaws

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 6-0

4. Voluntary Appointment to the Grand County Public Library Board of Directors (Library Director Carrie Valdes) (1:26:00)

Presentation

Two applications received for one opening, with a unanimous recommendation by the board.

Motion by Commissioner Hedin to approve the appointment of Michele Widera to serve on the Grand County Public Library Board of Directors with term expiring 12/31/2026

Motion Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 6-0

5. Approving Voluntary Appointment to the Grand County Economic Development Advisory Board (August Granath, Grand County Economic Development Director) (1:27:55)

Presentation

Granath provided an overview of the application and interview process.

Motion by Commissioner Clapper to approve the appointment of Chris Wilson to serve as a private sector representative on the Grand County Economic Development Advisory Board with a term expiring 12/31/2023.

Motion Seconded by Commissioner Hedin

Discussion

Commissioner Winfield asked if there was a particular reason why there was not a recommendation for Bertoch to retain the seat which he sought to renew. Granath explained that the board had interest in several other candidates, there were a number of votes held, and that Bertoch was still eligible for the other opening. Commissioner Walker raised a procedural point, which is that the Commission does not have to wait for the Board's recommendation to make an appointment. Attorney Stocks clarified that board members continue to serve until replaced, but only after submitting a written intent to continue. Commission has authority and discretion to appoint the candidate that it desires. Nassau explained that the Administration is currently working on a best practice guide for boards, which would address items such as board terms and appointments. Walker suggested that best practice recommendations include clarification that appointments are made with full discretion of the Commission. Attorney Stocks recommended that no appointment be made until EDAB submit a recommendation with the required quorum. Walker pointed out that consensus did exist for the current recommendation. Winfield insisted that bylaws be followed and no appointment be made at this time. Walker suggested that Resolution 3184 lays out procedures that supersede EDAB bylaws. Nassau mentioned current process for Board bylaw oversight and suggested the establishment of a committee to fine tune these recommendations.

Motion passes 5-0, Winfield abstaining

6. Approval of Contract with Wander App Inc. for the Development of an "Interactive Destination Map" (Economic Development Director August Granath) (1:49:00)

Presentation

Granath gave an explanation of the currently proposed action, which was triggered by an oversight by the contractor. No changes to original contract. 6 months of services already rendered will not be charged for.

Motion by Commissioner Walker to approve the contract with Wander App Inc. for the development of an “Interactive Destination Map”

Seconded by Commissioner Hedin

Discussion

Commissioner Winfield asked about the need for an additional app when so many options already exist. Granath explained that this proposed app would be generated by Grand County and guided by responsible recreation principles rather than user generated content that does not always provide the best information to visitors. Commissioner Walker clarified that this contract had already been thoroughly scrutinized at a previous Commission meeting. Winfield sought confirmation that this was an annual cost commitment.

Motion passes 6-0

7. Approving Utah Certified Local Government (CLG) Program Grant Application 2023-2024 for National Register of Historic Places (Rock Art) (Jody J. Patterson, Ph.D. Lead Janitor, Montgomery Archaeological Consultants) (1:55:50)

Presentation

Patterson gave background on the proposed action. Walker sought confirmation that this comes with no fiscal impact to Grand County. Grant funding would be used to hire a cultural resource professional to execute the complex grant application process. The proposed action would be no more than an honorary designation. It would allow for additional grant funding opportunities, especially as it pertains to efforts to mitigate vandalism and promote conservation of historical resources, as well as increase awareness and recognition of preservation

Motion by Commissioner Clapper to approve the submission of grant application to nominate rock imagery sites located on public lands in the Portal/Kane Creek area to the National Register of Historic Places.

Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 6-0

6 p.m. Citizens to be Heard (2:00:30)

Thompson Springs resident Saina Carey spoke regarding her efforts to promote visitation and appreciation for the Thompson Springs area. She wishes to collaborate with Grand County in executing this vision.

Jamie Roark spoke regarding the Thompson Springs Special Service District, which he stated is critically underfunded and overworked. Spoke regarding the need for solutions to current problems and prioritizations of effort and resources. Spoke in advocacy for opportunities presented in Thompson and the need for Grand County to take action in support.

8. Approving Bid for Essential Air Service (EAS) from SkyWest Airlines (Airport Director Tammy Howland) (2:07:15)

Presentation

Howland gave overview of process for EAS selection, which allows for commercial air service at Canyonlands Regional Airport. One bid received. Extreme pilot shortage has led to the current bid which will decrease passenger load. Number of flights will remain the same, which is 6 flights weekly to Salt Lake City and Denver. Type of airplane will remain the same, but with the number of seats reduced by 20. Contract limited to two years, leaving open the possibility for the contract to be renegotiated and number of passengers restored while airline industry recovers from pilot shortage. Commissioner Walker sought confirmation that this bid would mean that potential FAA requirements for law enforcement at the Airport would be delayed by at least two years.

Motion by Commissioner McGann to approve the letter to the U.S. Department Of Transportation recommending SkyWest Airlines as the Essential Air Service provider for Canyonlands Regional Airport.

Seconded by Commissioner Walker

Discussion (none at this time)

Motion passes 6-0

9. Approving Funding for Canyonlands Field Airport Rent Study to come from the 2022 Commission Discretionary Fund (Airport Director Howland) (2:17:00)

Presentation

Howland gave brief explanation for the proposed expenditure, which had been previously discussed and approved, but not executed.

Motion by Commissioner Walker to approve funding the Airport Rent Study from the 2022 Commission discretionary fund (10-4111-920-000)

Seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 6-0

10. Ratifying Commission Chair's signature on a letter and grant application for a Solar Project at Canyonlands Regional Airport through the FAA (Airport Director Tammy Howland, Airport Board Member Bill Hawley) (2:18:45)

Presentation

Howland and Hawley gave a description of the FAA funding opportunity available for sustainable energy projects. 10% match from Grand County not budgeted for. Project would include 8 recharging stations in addition to a solar array. \$50,000 match cost would pay for itself within two years through electricity cost savings. Commissioner Clapper clarified that current terminal already set up to run on solar power.

Motion by Commissioner McGann to ratify the Commission Chair's signatures on a letter and grant application for a Solar Project at the Airport to be mostly funded through the FAA.

Seconded by Commissioner Hedin

Discussion

Commissioner Winfield offered clarification that transmission lines running near the airport are at full capacity, which precludes a utility scale solar development, and that the only available option was to develop solar for powering the airport.

Motion passes 6-0

11. Approval for sending the FAA application for the 2023 Airport Fencing Project (Part of Airport Improvement Program - AIP) (Airport Director Howland) (2:24:30)

Presentation

Howland gave a brief background on the proposed action, which entails funding for which the airport is entitled to. Approved in 2023 budget.

Motion by Commissioner Walker to approve sending the FAA application for the 2023 Airport Fencing Project.

Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 6-0

12. Approving Public Defender Agreement (2:26:12)

Presentation

Nassau described the duties and needs associated with the Public Defender role. Contract is for the same amount as previous Public Defender, amount already budgeted for.

Motion by Commissioner McGann to approve the public defender agreement.

Seconded by Commissioner Hedin

Discussion

Clapper sought clarification that the new public defender would operate with the same workload. Attorney Stocks recognized the quick efforts made by Nassau to find a replacement, which will prevent a gap in serving those in need.

Motion passes 6-0

13. Approving Parental Defender Agreement (2:28:50)

Presentation

Nassau gave a brief overview of the Parental Defender role, which involves cases related to juvenile delinquency and family welfare matters, as well as the family drug court program. Contract retains Autumn Fitzgerald, who has been serving in this role.

Motion by Commissioner McGann to approve the parental defender agreement.

Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 6-0

14. Consent Agenda – Action Items

- A. Approval of increase to the Enterprise Lease Agreement for the Old Spanish Trail Arena
- B. Ratifying meeting request letters for the 2023 Legislative Session
- C. Ratifying Chair's signature on Rural County Grant B Annual Report FY22
- D. Ratification of Housing Authority of Southeastern Utah's Development Block Grant (CDBG) application
- E. Ratifying the purchase of a used Kenworth Truck for Grand County Roads Department
- F. Modification of the Grand Cooperative Agreement Operating & Financial Plan between Grand County and USDA Manti La Sal National Forest

Motion by Commissioner McGann to adopt the consent agenda, as read by the Chair.

Motion seconded by Commissioner Clapper

Commissioner Winfield, in reference to the letters drafted to senators and representatives, stressed the need for an appropriate amount of subtlety and graciousness in lobbying for lands associated with the UMTRA site.

Motion passes 6-0

Public Hearings

15. Four Corners Community Behavioral Health, Inc (Director Melissa Huntington, Four Corners Behavioral Health) (2:32:10)

Presentation

Huntington described the annual requirement to hold a public hearing regarding mental health services.

Chair Hadler opened the Public Hearing at 6:36 p.m.

No public comment received at this time.

Chair Hadler closed the Public Hearing at 6:37 p.m.

Closed Session(s)

16. Purchase, Exchange, Lease, or Sale of Real Property

17. Pending or Reasonably Imminent Litigation

Motion by Commissioner McGann to enter closed session for the purposes of discussing the purchase, exchange, lease, or sale of Real Property and pending or reasonably imminent litigation.

Motion seconded by Commissioner Clapper

Motion passes 6-0

Chair Hadler adjourned the meeting at 7:16 p.m.



Jacques Hadler
Chair, Grand County Commission



Gabriel Woytek
Grand County Clerk/Auditor