



## GRAND COUNTY COMMISSION WORKSHOP AND REGULAR MEETING

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

**WATCH ON YOUTUBE - search for: "GRAND COUNTY UTAH GOVERNMENT"**

### MINUTES 16 May 2023

The Grand County Commission met in a regular meeting on May 16<sup>th</sup>, 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 Mary McGann, Trisha Hedin, Evan Clapper, Bill Winfield and Mike McCurdy. Also attending in-person were Commission Administrator Mallory Nassau, Strategic Development Director Chris Baird and Clerk/Auditor Gabriel Woytek. Commissioner Kevin Walker and County Attorney Stephen Stocks were in attendance virtually.

#### **2:31 p.m. Alternative Dwelling Overlay (ADO) Intent to Apply (ITA) Workshop**

Associate Planner Jenna Gorney gave a brief description of the ADO pilot program, results from the first round of applications which permitted 73 units of 150 in the pilot, and an overview of evaluation criteria.

Gorney gave a description of the following ITAs received in this second round, with full application details included in the agenda packet:

#### **Application #1: 1320 S Highway 191 (5:00)**

Owner Karla VanderZanden proposes 4 ADO sites to be used for Canyonlands Field Institute guide housing on its headquarters' site. No utility hookups proposed; residents would use existing facilities.

#### **Application #2: 3207 S Highway 191 (9:30)**

Owner KOA proposes 21 'tiny-home' ADO sites designed for RVs adjacent to their own existing campground property. Parcel currently vacant. Bathroom and laundry facility proposed, as well as full utility hookups. Clarification given regarding access, which would come through existing campground. Commissioner Hedin sought clarification regarding compliance and enforcement in ensuring that dwellings would not be used for short-term use. Enforcement defined by the Land Use Code, and could result in a fine of up to \$10,000 per day for an infraction, and would be complaint driven. Commissioner Hedin suggested that enforcement should be more proactive in nature. Attorney Stock clarified that advertisement of short-term rental units cannot be considered a violation, and that enforcement of abuses would generally be difficult.

#### **Application #3: 2231 S Highway 191 (17:00)**

Owner Emma Tejada proposes 9 ADO sites designed for RVs at the Sheri Griffith River Expeditions business facility designed for company staff. No utility hookups proposed; residents would use existing facilities. Potable water source would need to be established within 200 feet of dwellings. Existing structures sitting on property line built prior to adoption of the Land Use Code. Commissioner Clapper sought clarification that the site was already being used for this purpose, which Commissioner Hedin confirmed.

**Application #4: 2805 Desert Road (20:40)**

Owner Steve Allred proposes 7 full hookup ADO sites, designed for RVs. Proposed site currently zoned Large Lot Residential. Site bound by single family homes.

**Application #5: 2812 Spanish Valley Drive (25:15)**

Owner Sarah Sorg proposes 4 full hookup ADO sites designed for RVs, with a communal area included. Existing structure on the property is the owner's residence. Proposed site zoned Rural Residential. No encroachment will occur on existing drainage easement per proposed site plan. Chair Hadler confirmed that the existing structure was developed through the Community Rebuilds program.

**Application #6: 1435 Powerhouse Lane (29:20)**

Owner Left Hand LLC proposes 8 'tiny-home' sites and 3 RV sites, totaling 11 full-hookup ADO sites. Proposed density would be higher than existing permitted density. Steep slopes would require further evaluation for three of the proposed sites.

**Application #7: 2666 and 2668 Desert Road (33:20)**

Owner Mike Huitt proposes 19 full hookup 'tiny home' ADO sites. Proposed density of units allowable in underlying zone. Proposed site zoned Large Lot Residential. Commissioner Hedin sought clarification as to whether owner would be tied to tiny home typology, or if they would be allowed to change between RVs and tiny homes. Gorney gave clarification that this typology would not be fixed and that the owner would have the choice between either type. Further conversation about how a development agreement might allow for only one specific housing typology.

**Application #8: 2890 Spanish Valley Drive (36:45)**

Owner Anthony Ricco proposes 7 full hookup ADO sites designed for RVs. ITA resubmitted from first round of applications, as developer wanted to place emphasis on the proximity of this site to as a rural center node in regards to future development. No changes from original proposal.

**Discussion**

Staff offered a review of the Grand County parcel map, highlighting the currently proposed ADO sites.

Consensus amongst the Commission was reached that applications 1, 2, and 3 would be desirable applications, due to their presence in the Highway Commercial zone and location on Highway 191. Commissioner Clapper suggested that overall units might be limited in order to allow for more applicants in the subsequent round. Chair Hadler stated that previously approved ADO applications contained many more sites than the high of 22 proposed in this round. No objections given amongst the Commission to recommending the first three applications.

In regards to application number 4, Commissioner Hedin stated that this parcel is not located on a major collector road, and that the 'flag lot' orientation of this site would create undue traffic impacts to the neighborhood. Commissioner Walker agreed that this proposal would have an undesirable impact to the existing neighborhood. Commissioner Hadler agreed. Commissioner Winfield disagreed and stated that he believed that it did in fact fit well in this neighborhood. Commissioner Clapper stated that setting a higher bar for neighborhood impact would preclude a recommendation to forward this application, given the potential for future proposals that could be an easier fit with less impact. Further discussion ensued on the need to prioritize proposals that have little impact to existing neighborhoods. Chair Hadler took a straw poll amongst the Commission, which indicated a lack of sufficient affirmative support to forward for recommendation.

In regards to application number 5, Commissioner Hedin stated that illegal camping was already occurring at this site, and expressed concern that an approval at this point might end up adding to the issue of illegal camping. Chair Hadler stated that the location at this relatively high traffic corner, as well being only 4

proposed sites, makes this a suitable ADO parcel. Commissioner McCurdy suggested that the owner of the property, who acquired the lot and built a house as part of the Community Rebuilds affordable housing program, should not be able to further generate income from the property through the ADO. Commissioner Clapper stated that he felt that programs like Community Rebuilds allow for homeowners to build equity and investment. Commissioner Walker spoke to incompatibility to relatively low-density residential surroundings, as well as potential future commercial node which this type of residential development would preclude. Chair Hadler called for a straw poll to gauge support for the application, which resulted in 3 neutral, 3 down, 1 up, indicating a lack of affirmative support.

In regards to application number 6, Chair Hadler commented that the eight proposed sites proposed on the north (creek side) of Powerhouse Lane would be relatively hidden from view and well suited, but that the three proposed tiny home sites on the south side of Powerhouse Lane would have a greater impact on the character of the creek corridor. Commissioner McGann stated that this type of development would be consistent with historic uses at that location. Commissioner Walker stated that he used to live at this site himself, that the proposed sites would have relatively little impact on existing neighborhoods, and that the Commission could choose specifically not to permit the three sites deemed more impactful. Chair Hadler took a straw poll, which showed unanimous approval.

In regards to application number 7, Commissioner Hedin suggested that the proposed development does not conform to the character of the existing neighborhood. Hedin stated that a tiny-home style development might be a real consideration to her, but not an RV development. Discussion ensued regarding the potential for specifying housing typology for application approval. Planning and Zoning Director Elissa Martin suggested that housing typology specification might be included in the development agreement. Commissioner Winfield pointed out that an HDHO development had been approved across the street, and that it was a suitable location for this proposed development. Chair Hadler made a site visit and observed that it butts up against a large nightly rental development and it is in close proximity to Highway 191. Chair Hadler took a straw poll: 4 up, 1 down, 2 neutral.

In regards to application number 8, Chair Hadler stated that his feelings have not changed in regards to this proposal in regards to its lack of compatibility. Commissioner Hedin agreed with this application's lack of compatibility. Commissioner McCurdy stated that the proposed site is an irregular lot with not much other potential for development, and that he has spoken with the neighbors and has heard no objections to the proposed development. Commissioner Clapper expressed general support but also a preference for the neighboring proposal in application 5. Commissioner Walker referred to the need to maintain a high bar in introducing impacts to neighborhood and character, which he does not feel like this application reaches. Commissioner McGann stated a preference for holding ADO pilot units for a more suitable proposal. Chair Hadler took a straw poll: 3 down, 2 up, 2 neutral.

Discussion ensued regarding how many units were available in the pilot program under different approval scenarios, and the possibility of adjusting the cap of 150 to the ADO pilot program. Commissioner McGann clarified that the cap was put into place to be able to assess successes and failures, and thus should not be adjusted until those determinations can be made. Discussion regarding proposals likely to be approved and remaining approvable sites in the pilot. Based on the results of discussion, Chair Hadler clarified that it would be suitable to entertain a motion to approve applications 1, 2, 3 and 6, with the other proposals to be considered in individual motions to approve or deny.

**Chair Hadler adjourned the workshop at 3:48 p.m. and called for a recess.**

**4:01 p.m. Thompson Springs Special Service Fire District Board Meeting (1:31:20)**

## **4:07 p.m. Chair Hadler Called the Meeting to Order (1:36:40)**

### **Pledge of Allegiance**

## **4 p.m. Citizens to Be Heard (1:37:20)**

Grand County resident Mike Huitt addressed his ADO application Number 7, located at the corner of Desert Road and Mesa Road. Huitt stated that all proposed units would be custom stick-built and permanent structures, and that he himself runs a construction company. He owns and lives in the adjacent property and would like to have a say in what is developed next door, in light of offers that have been made by the Sage Creek overnight rental development which would presumably be interested in more development of that nature.

Grand County resident Courtney Kizer spoke in support of the ADO proposals that she represents and stressed the need to approve units as soon as possible so that Grand County's housing crisis can be addressed in an urgent manner.

### **Presentations**

#### **Presentation on Agriculture Resources, Programs, and Grants Available Throughout the State of Utah (Craig Buttars and Kelly Pehrson, Utah Department of Agriculture and Food) (1:42:30)**

On a statewide tour Buttars and Pehrson, gave an overview of the role of the Utah Department of Agriculture and Food (UDAF). Overview given of UDAF responsibilities and divisions. UDAF strategic goals include 'agrifrastructure', ag workforce, ag land preservation, food supply chain and ag education. Presentation given on the benefits of agriculture in Utah, overview of Grand County ag activity, efforts to establish food processing facilities across the state, regional food business centers program, resilient food systems infrastructure program, water optimization program, ag stress assistance program, working farm and ranch protection fund.

#### **Transient Room Tax (TRT) Overview (Chris Baird, Strategic Development Director) (2:06:25)**

Baird gave an overview of the statutory restrictions of TRT Revenues. Overview given of Fund 26, with 63% used for what is called 'essential services' or the 'impact mitigation' side, which includes 5.1 million projected to be received in 2023. This side is budgeted to be spent to offset costs associated with Search and Rescue, Moab Museum, Law Enforcement, Solid Waste, and Thompson Springs Fire, and would otherwise be drawn from the General Fund.

Fund 16, referred to as 'Economic Development', is the other 37% which is split out between tourism promotion, economic diversification, and recreation, film, and conventions. 46% of this 37% ends up going to tourism promotion. Diversification dollars to be moved to tourism promotion for the second half of 2023. Overview of budgeted expenses related to diversification, rec/film/conventions, and tourism promotion, respectively.

Overview given of current TRT collection rates through January and February of 2023. February revenues at 67% of 2022 and 85% of average trend projection, soft spring collection-wise due to winter and spring weather.

Overview given of TRCC funds, which can be used for facilities, and are budgeted predominantly to fund the Old Spanish Trail Arena, Star Hall, 4<sup>th</sup> of July Fireworks display, and the Grand Center.

Commissioner McCurdy sought clarification that no TRT funds were used towards A, B, and C Roads. Baird explained that the optional transportation tax and adjustments to B Road allocations from the state covers needs for roads without using TRT, which otherwise would have to come out of the 63% side.

Commissioner Winfield inquired about TRT reserves. \$4 million of TRT funds had been held in reserve as a remnant from COVID due to general boom in 2021 revenues accompanied by low promotion spending in 2020 and 2021. This fund balance currently down to \$2.5 million, and budgeted to be spent down further this year. For cashflow purposes, it is prudent to keep \$600K to \$800K in the fund balance.

Commissioner Clapper spoke to his preference for hiring local artists to develop promotional materials with increased tourism promotion budgets, Baird stated that staff had pursued this option when possible and that there were currently contracts in place with some local artists. Commissioner Winfield spoke to the need for any promotional materials to be of professional quality, whether it comes from local artists or not.

Commissioner McCurdy inquired about the capabilities of TRT dollars to fund roads and convention centers. Baird stressed that these funds would have to be taken from the 63% side, which is already spoken for and ultimately prevents drawing from the General Fund. McCurdy referenced specific line of code speaking to new potential uses of TRT funding, which again was explained would have to come from the 63% side.

Baird clarified that no local property tax goes to fund OSTA or the Grand Center. McGann spoke to the challenge of touching the 63% side because the essential services that it goes towards are not nearly full funded by this revenue source. McCurdy expressed support for further expansion and investment in OSTA as it is expected to continue to see expanded use.

## **Department Reports** (none scheduled)

## **Approval of Minutes** (Gabriel Woytek, Clerk/Auditor) (2:35:20)

Approval of minutes for May 2<sup>nd</sup>, 2023 (Regular Meeting of the Grand County Commission)

**Motion by** Commissioner McGann to approve the minutes from May 2<sup>nd</sup>, 2023

**Motion Seconded by** Commissioner Winfield

**Discussion** (none at this time)

**Motion Passes 7-0**

## **Ratification of Payment of Bills**

**Motion by** Commissioner McGann to approve and ratify payment of bills in the amount of \$984,011.75 and payroll in the amount of \$368,514.99 for a combined total of \$1,352,526.74.

**Motion Seconded by** Commissioner McCurdy

**Discussion** (none at this time)

**Motion passes 7-0**

**Commission Member Disclosures** (2:36:45)

Attorney Stocks and Commissioner Winfield disclosed that Redtail Aviation contributed to their 2022 election campaigns.

**General Commission Reports and Future Considerations** (2:37:30)

**Jacques Hadler**

- Participated in the 'Moab Facelift', more than 85 volunteers attended, event likely to return and expand in following years
- Trail Mix meeting, Utah Raptor State Park update, work being done at South Klondike trail system in order to increase accessibility to adaptive equipment
- Moab Chamber of Commerce meeting, Laici Shumway currently in Washington D.C. to advocate for Utah Chambers of Commerce, discussion regarding June 9<sup>th</sup> charity golf tournament
- Thompson Springs Water SSD, public hearings for three CIB grant requests, board voted to move forward on a meter abandonment policy
- Motorized Trail Committee meeting, discussion regarding prioritization of trail projects, introduction of new motorized trail ambassador
- Attended National Incident Management System (NIMS) class, designed for local leaders regarding preparedness in the face of emergencies and disasters

**Trisha Hedin**

- GWSSA meeting, Ken's Lake at 500-acre feet away from being full, year-to-date precipitation well above average, soil moisture 62% saturated at 9,500 feet, legislative update given, manager update quoted 10 new connections in the last month as well as 100 requests for blue stakes
- Planning Commission meeting, 'after the pile' presentation, HDHO discussion
- Attended Conservation District meeting
- Homeless Coordinating Council meeting: 98 individuals served, 78 homeless, 20 imminently homeless
- Future Consideration: desire for adjustments to code enforcement in being more proactive, working with Rani Derasary in trying to get Moab, Grand and San Juan in the same room to discuss water resources and water monitoring

**Bill Winfield**

- Discussion with San Juan County regarding potential property sales
- Meeting regarding electric vehicle charging station siting and grant possibilities
- Meeting at Red Cliffs Lodge with the Department of Natural Resources and a number of local agencies called to ensure quality collaboration regarding fire response and coordination
- Attended elected officials' luncheon, reached out to Recorder John Cortes about attending the next one
- Airport Board Meeting, ongoing concern regarding EAS service change, a change which the airport staff should not be blamed for

**Mary McGann**

- USU advisory board meeting, awarded \$3,000 scholarships on behalf of the Rotary Club
- Housing Task Force meeting, presentation to come regarding housing needs

- Travel Council meeting, Economic Development Master Plan bids received, visitation picking up, Film Commission not affected by the writer's strike, presentation from Love Communications, clarification given regarding fly campaign efforts and definition of 'fly campaign'
- Meeting at Red Cliffs Lodge with the Department of Natural Resources and a number of local agencies called to ensure quality collaboration regarding fire response and coordination
- Recent traffic counts broke records in terms of visitation to Moab in April
- Attended Internal Audit Committee meeting

#### **Mike McCurdy**

- New audio equipment at OSTA to be installed very soon, in time for rodeo
- Attended Governor Cox state tour at High School
- Attended elected officials' luncheon

#### **Evan Clapper**

- Cemetery District Meeting
- Canyonlands Healthcare SSD, discussion regarding potential sales tax increase
- Attended elected officials' luncheon
- EMS Special Service District, planning regarding new designated radio channels and collaboration with other organizations in the community, participation in floodplain revisions, funding shortfalls related to Blue Cross/Blue Shield unwillingness to pay for out of network treatment of visitors

#### **Kevin Walker**

- BLM updates regarding lithium mine permitting, Labyrinth Canyon/Gemini Bridges Travel Plan to be released this summer
- Attended Internal Audit Committee meeting

### **Elected Official and Staff Reports**

#### **County Attorney Stephen Stocks**

- Eddie Cervantes sworn in as an attorney in SLC, will be now able to sign documents in Attorney's Office
- GCAO staff attending training for CJC

#### **County Clerk/Auditor Gabriel Woytek**

- To attend interim legislative committee meeting at the State Capitol on May 17

#### **Commission Administrator Mallory Nassau**

- New County Engineer has been hired, to start towards the end of June
- Upcoming OPMA training offered by Attorney Stocks at Star Hall on May 23
- Film Commission Stakeholder meeting on May 25

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

#### **1. County Commission Review and Consideration of Alternative Dwelling Overlay Intent to Apply Submissions (Round 2)** (Jenna Gorney, Planning and Zoning Department) (3:06:40)

##### **Presentation**

Chair Hadler clarified that these applications were reviewed and discussed at length during the 2:30 p.m. workshop held prior to this regular meeting. Gorney gave an overview of the ADO pilot program and described the intent to apply (ITA) process currently being considered. Brief description given of 8 ITA applications received during this second round.

**Motion by** Commissioner McGann to state support for the following ADO ITA applicants to move forward with the Full Rezone request for the Alternative Dwelling Overlay via ADO District application: 1320 Highway 191, 3207 Highway 191, 2231 Highway 191 and 1435 Powerhouse Lane.

**Motion seconded by** Commissioner Hedin

**Discussion**

Chair Hadler clarified that this motion would forward 45 units in all, leaving 28 remaining in pilot if all forwarded applications are renewed. Commissioner Walker offered comment regarding the importance that the Commission has placed on impacts to neighborhoods in response to public concern on the topic. The Commission has used careful judgment in not approving projects that create undue impact. Walker stressed that there is no reason to make exceptions to this general rule considering the inevitable demand at locations with little to no impact on existing neighborhoods.

**Motion passes 7-0**

**Application #4: 2805 Desert Road**

**Motion by** Commissioner Hedin to deny a recommendation to forward application number four located at 2805 Desert Road

**Motion seconded by** Commissioner Walker

Commissioner Hedin stated that the proposed application puts undue pressure on a residential neighborhood, is not compatible with existing zoning, and is not located on a main arterial or collector. Clapper clarified that there was a cap on total number of ADO units that are able to be approved, and that there remains potential to recommend less impactful projects.

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

**Application #5: 2812 Spanish Valley Drive**

Commissioner Hedin stated that there was a significant drainage easement on property and a significant amount of existing noncompliant illegal activity. Chair Hadler clarified that this program could be looked at as a path forward for some instances of illegal camping. Commissioner Winfield stated that there is currently negative impact on the neighbors due to recent uses at this site.

**Motion by** Commissioner Clapper to state support for the ADO ITA applicant at 2812 Spanish Valley Drive to move forward with the Full Rezone request for the Alternative Dwelling Overlay via ADO District application

**Motion seconded by** McGann

**Discussion**

Chair Hadler referenced central location and relatively small project in order to show general support. Commissioner McCurdy stated that illegal activity shouldn't be a precursor to approval for this program. Clapper stated that a recommendation would not be rewarding illegal activity but rather responding to realities. Attorney Stocks stated that without the threat of enforcement there is no indication that providing a path to compliance leads to actual compliance, and it may only just increase profitability. Walker stated that he is not aware of any illegal activity, but that the presence of complaints would likely indicate that it is not a

suitable location for this project. Commissioner McGann spoke in support of a project at this location and stated that there should be urgency to approve suitable projects and not wait due to volatility of material costs and community need. Elissa Martin clarified that precedent was set in using the ADO to bring sites up to compliance in the case of the Navtec property. No current or recent complaints on file for the property in question.

**Motion fails 3-4, McCurdy, Hedin, Winfield, and Walker opposed**

### **Application #7: 2666 and 2688 Desert Road**

**Motion by** Commissioner McGann to state support for the ADO ITA applicant at 2666 and 2688 Desert Road to move forward with the Full Rezone request for the Alternative Dwelling Overlay via ADO District application

**Motion seconded by** Commissioner McCurdy

#### **Discussion**

Commissioner McGann stated that she felt that concerns raised regarding this proposal were directly addressed by the applicant, and that there was an urgency to approve projects as quickly as possible. Commissioner Clapper suggested to the developer that a recording be included on the plat or master plan that specifies stick-built structures or some other assurance before final approval. Commissioner Walker stated that the entrance on Mesa Road would be highly preferred and agreed that the development agreement should include a caveat requiring tiny home-style structures. Jenna Gorney stated that the entrance location would be a final determination of the County Roads Supervisor.

**Motion passes 6-0, Commissioner Walker abstaining**

### **Application #8: 2890 Spanish Valley Drive (3:29:15)**

Chair Hadler clarified that 64 ADO units had been forwarded so far in this round, and that 9 were remaining in the pilot if all recommended applications were approved and built.

In reference to application number eight, Elissa Martin offered that an HDHO development was approved for 42 townhomes very near this property, and that the Spanish Trail Drive intersection was slated to be zoned large lot residential and not rural residential. Martin also stated that there was a conservation easement across Spanish Valley Drive. Planning staff confirmed that tiny home-style structures were slated to be built at this location.

**Motion by** Commissioner McGann to state support for the ADO ITA applicant at 2890 Spanish Valley Drive to move forward with the Full Rezone request for the Alternative Dwelling Overlay via ADO District application

**Motion seconded by** Commission McCurdy

#### **Discussion**

Hedin stated that this proposed project goes against character of the area, is not comparable to the HDHO town home development, and that no clarification was offered directly from the applicant. Walker stated that this not very dense area, that density decisions should be made through a planning process, and that the next round of ITAs should yield a better project. McCurdy stated that he spoke with a neighbor regarding their support of this project, and that the overall cap does not play into his decision. Winfield agreed that

density was set to increase all around this property and there was a need to get housing online. Gorney clarified that the application did show plans for stick-built tiny homes. Commissioner Clapper raised the possibility of there being flexibility with the cap in the event that a dream project were to emerge without enough available units in the pilot. Commissioner Walker stated that he is not inclined to change the capped number, and that it was a good idea to maintain this limit in order to properly assess impacts. Chair Hadler spoke in support of residential development along the future Spanish Valley multiuse path. Commissioner McCurdy referenced the urgency to initiate projects now, and that any housing is better than none.

**Motion passes 5-2, Commissioners Hedin and Walker opposed**

Direction given by Commission to seek clarifications and assurances from applicants as to housing typology in their proposed developments. Commissioner Clapper clarified that new applicants should continue to be encouraged and invited, especially since all applications forwarded may not be approved and therefore more units may become available in the pilot.

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

**2. Resolution approving the Final Plat of Arrawarra Subdivision, located at 3231 Carroll Drive (Parcel No. 020015-0012) (Jenna Gorney, Planning and Zoning) (3:41:30)**

**Presentation**

Gorney gave an overview of the proposed action, as presented in the packet. Any future gas hookup would require a 10-foot easement, as per requirements issued by Dominion Energy. As presented, requirements of the Land Use Code and General Plan have been met. Staff recommends approval.

**Motion by** Commissioner Hedin to approve the Findings of Fact set forth in the staff report dated April 4th, 2023 and the proposed Resolution approving the Final Plat of Arrawarra Subdivision, with the following conditions:

1. The Owner shall submit an acceptable completion assurance bond for the incomplete public improvements, and infrastructure warranty bond for completed accepted public improvements as established in the SIA to the County in the amounts set forth in the SIA prior to recordation of the Final Plat; and
2. The Owner shall record the SIA simultaneously with the Final Plat in the Recorder's Office.

**Motion Seconded by** Commissioner Winfield

**Discussion**

Commissioner Walker stated that an issue previously came up with a subdivision in Nuevo Court whereby the Land Use Code referenced a limit to the total number of units allowed in a Cul-de-sac. Walker inquired as to whether this development potentially met or exceeded such a limit. Planning staff suggested that such determinations were made by the County Roads Supervisor and that no issues were flagged in this particular instance. Walker reiterated that the interpretation of this rule requires clarification.

**Motion passes 7-0**

**3. Special Events Program Manager Job Description (Personnel Services Director Renee Baker and Commission Administrator Mallory Nassau) (3:48:10)**

**Presentation**

Staff explained the proposed action. Previously budgeted under Economic Development Department and housed at the Old Spanish Trail Arena. Position to be moved back into the ED office in order to be better aligned with tourism and economic development impacts and would include analytical duties for assessing the economic impact of special events. Increased analytical duties justify the proposed two-grade increase.

**Motion by** Commissioner McGann to approve the updated Special Events Program Manager job description and grade placement at Grade 11, on the 2023 Grand County Grade and Step Chart and authorize recruitment and hiring effective 5/17/2023, eliminating and replacing the current Special Event Coordinator's job description on the 2023 Position Pay Plan.

**Motion Seconded by** Commissioner McCurdy

**Discussion**

Commissioner McGann stressed the importance of good data collection and information in assessing financial impacts and for ultimately making sound decisions about event approvals. McCurdy asked if part of this job description would be responsible for collecting complaints and assessing the noncompliance of certain events. Referral agency survey will still be included in post-event surveys in order to ensure that all conditions are met. Winfield sought confirmation that the position would be under the Economic Development Department in the organizational chart, including heavy collaboration with Commission Administration as well as the County Attorney.

**Motion passes 7-0**

**4. Grand County Search and Rescue Winter Equipment Grant Funding (Jim Webster, Grand County Search and Rescue) (3:56:05)**

**Presentation**

Webster described the currently contemplated State Division of Outdoor Recreation Grant to be utilized for upgrading essential motorized winter rescue equipment. Snowmobiles, Argo, and associated equipment, which are important machines showing increased demand for use, with current equipment aging out. 25% match totaling \$19,650 which would be pulled upfront out of Capital Equipment. This 25% will be reimbursed through the State of Utah Search and Rescue Reimbursement Fund, which has been a reliable source of such funding. Ultimate financial impact will be zero.

**Motion by** Commissioner Winfield to approve the state parks OHV grant funding for Grand County Search and Rescue.

**Motion seconded by** Commissioner Hedin

**Discussion**

Hedin expressed gratitude Mr. Webster and the general efforts of Grand County Search and Rescue.

**Motion passes 7-0**

**5. Independent Contractor Agreement with Herrmann Global, Inc. for International Marketing Strategy Consulting (August Granath and Melissa Stocks, Economic Development Department) (4:00:45)**

**Presentation**

Granath gave a description of the proposed agreement and associated expense. Total amount approved in 2023 budget. Strategy will be focused on Germany, France and the United Kingdom. Proposed agency works closely with the Utah Office of Tourism so that it is well aligned with the Utah market and with Grand's emphasis on sustainable tourism practices.

**Motion by** Commissioner Hedin to approve the Contract with Herrmann Global, Inc. for International Marketing Strategy Consulting at a cost of \$10,000.

**Seconded by** Commissioner Winfield

**Discussion**

Hadler stressed the importance of international visitation to the overall visitor economy and the need to recover from the dip in international visitation since COVID-19.

**Motion passes 7-0**

**6. First Amendment to Love Independent Contractor Agreement for the 2023 Summer Marketing Campaign Options & Tourism Data and Dashboard Solution Options** (August Granath, Economic Development Director, Mark Stevenett, Executive VP of Client Services with Love Communications, and Chris Baird, Strategic Development Director) (4:06:50)

**Presentation**

Granath gave a presentation regarding the Summer Marketing campaign with two additional tiered options from what had been approved by the Commission in the 2023 budget process. \$31,000 total currently approved. Travel Council Advisory Board recommending additional \$200,000 spend as well as the highest tier data package upgrade. Granath ran budget scenarios accounting for changes in monies available for diversification. 'Maximum' options presented in this item do fit within all of these budget scenarios. Stevenett gave an overview of the parameters of the proposed summer campaign strategies, which are oriented towards the 'activity-driven planner', 'empty nester', and 'real-time' approaches. Presentation regarding selected Key Performance Indicators in gauging success of the campaign. Description given regarding specifics of already approved summer campaign strategy as well as proposed upgrades. Chair Hadler sought clarification that unused monies are not planned to be used for other projects, though additional resources would likely not be available for responsible recreation field work. 2024 budget year would allow for a comprehensive reorganization of the budget with reallocation of diversification funds.

**Motion by** Commissioner Winfield to approve the First Amendment to the Independent Contractor Agreement between Grand County and Love Communications for the purposes of authorizing an additional \$200,000 towards a 2023 summer marketing campaign, thereby setting the total media buy spending limit to \$880,000; and payment for data sources and data dashboard solutions, setting a spending limit to \$106,000.

**Motion seconded by** Commissioner McCurdy

**Discussion**

Commissioner Walker sought clarification that none of this funding is for additional studies. Granath clarified that there is funding for special event-related studies, but no visitor or resident surveys, aside from the Economic Development Master Plan, which is likely to include robust surveying and polling. \$20,000 remains budgeted for visitation research with Utah State University. Commissioners Clapper and Walker expressed support for the proposed middle spending tier, in order to best balance tourism promotion spending with education and data collection. Commissioner Winfield referenced the need to respond to the soft visitor economy, and that responsible recreation education is integrated into this advertising effort.

**Motion by** Commissioner Walker to amend the original motion to authorize an additional \$100,000 towards a 2023 summer marketing campaign and no other changes to the original motion

**Motion seconded by** Commissioner Clapper

**Discussion**

Commissioner Walker stressed that large ad spends require balance in the form of increased attention to in-town responsible recreation efforts. Commissioner McCurdy stressed that business is down, requiring the appropriate reaction to focus on increasing visitation and bolstering the economy. Commissioner Winfield concurred that business numbers are down and that this ad spend is targeted towards specific preferred markets. Chair Hadler concurred that business was down and expressed excitement about the possibility of the summer marketing campaign in picking business up during a slow time of year. Stevenett offered further clarification regarding the three proposed spending tiers. Walker reiterated that spreading these funds out more holistically would be a better overall use of the funds in the long term.

**Amendment to the original motion fails, 3-3, Hadler, Winfield, and McCurdy opposed, McGann abstaining**

**Chair Hadler called for a vote on the original motion**

**Original Motion fails 3-3, Hedin, Clapper, and Walker opposed, McGann abstaining**

**Motion by** Commissioner McGann to approve the First Amendment to the Independent Contractor Agreement between Grand County and Love Communications for the purposes of authorizing an additional \$150,000 towards a 2023 summer marketing campaign, thereby setting the total media buy spending limit to \$830,000; and payment for data sources and data dashboard solutions, setting a spending limit to \$106,000. This motion also includes an earmark of \$50,000 to be used for in-town responsible recreation programming.

**Motion seconded by** Commissioner Winfield

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

**7. Ground Lease with Redtail Air for Hangar B (Lot 96, southern portion) at the Airport (Tara Collins, Assistant to the Airport Director) (5:05:45)**

**Motion by Commission Clapper to postpone Item 7**

**Motion seconded by Commissioner McGann**

**Motion to postpone passes 7-0**

**8. Airport Improvement Program (AIP) Agreement for Transfer of Entitlements (Tara Collins, Assistant to the Airport Director) (5:06:05)**

**Presentation**

Associate Commission Administrator Quinn Hall described the proposed action, as presented in the packet. Monies would either be extended to the St. George Airport and potentially recouped at a later date, or returned to the federal government.

**Motion by** Commissioner Winfield to approve the transfer of entitlements from Canyonlands Regional Airport to St. George Regional Airport.

**Seconded by** Commissioner Hedin

**Discussion** (none at this time)

**Motion passes 7-0**

**9. Approving Ground Lease with Redtail Air for their new Fixed Base Operator (FBO) building (Lot 96, northern portion) at the Airport** (Tara Collins, Assistant to the Airport Director) (5:07:45)

**Motion by** Commissioner Winfield to POSTPONE approve the ground lease with Redtail Air for their new FBO building at the Airport.

**Seconded by** Commissioner Hedin

**Discussion** (none at this time)

**Motion to postpone passes 7-0**

**Consent Agenda – Action Items** (5:08:10)

**10. Approval of Consent Agenda Items**

- A. Ratifying Chair's signature on FY24 Indigent Defense Commission grant application**
- B. Independent Contractor Agreement for the 2023 Grand County Fair, The Sean Moon Band with Joey Rowland**
- C. Revised Courthouse Lease for State of Utah Administrative Office of the Court for and on behalf of the Seventh Judicial District and Juvenile Courts**
- D. Trail Mix Letter of Support for Forest Service Campground Development at Porcupine Rim**
- E. Approval of Interlocal Agreement with the City of Moab for Administration of the 2023 Municipal Elections**
- F. Approval of Service Agreement with SeaChange Printing and Marketing Services, LLC for Election Printing Services**

**Motion by** Commissioner McGann to approve the consent agenda as presented by the Chair, not including items B and D

**Motion seconded by** Commissioner Winfield

**Discussion** (none at this time)

**Motion passes 7-0**

**B. Independent Contractor Agreement for the 2023 Grand County Fair, The Sean Moon Band with Joey Rowland (5:10:15)**

**Discussion**

Commissioner McCurdy inquired as to whether the County required the artist to get their own insurance and whether the County would reimburse that expense. Attorney Stocks explained that an insurance requirement was typical for independent contractors. McCurdy stated that he spoke to the band regarding this being the first time out of hundreds of shows that they've ever been asked to secure insurance. Attorney Stocks clarified that the Commission can decide how much risk they would want to assume in contracting bands for county events without insurance.

**Motion by** Commissioner McCurdy to approve the Independent Contractor Agreement for the 2023 Grand County Fair with the The Sean Moon Band with Joey Rowland

**Motion seconded by** Commissioner McGann

**Motion passes 7-0**

**D. Trail Mix Letter of Support for Forest Service Campground Development at Porcupine Rim (5:14:35)**

**Discussion**

As the Trail Mix liaison, Chair Hadler offered background for the proposed action. McCurdy asked if this would limit ability to drive a vehicle to the edge of Porcupine Rim. Chair Hadler clarified that it would not affect the Porcupine Trail but would just clean up existing campground needs. McCurdy stated that he would not want to limit access to a signature part of this area. Commissioner Winfield stated that he supported the letter as long as it did not restrict vehicle access. Clarification given that this is an action affirming support for the letter drafted by Trail Mix and not a letter by the Commission itself. Chair Hadler stated that no discussion in the Trail Mix Committee meeting involved the topic road closures.

**Motion by** Commissioner McGann to postpone Item D of the Consent Agenda

**Motion seconded by** Commissioner Winfield

**Motion to postpone passes 7-0**

**Discussion Items**

**11. September Trip to Range Creek Canyon (5:24:30)**

Commissioner McGann led a brief discussion regarding a potential scheduled summer trip for the Commission to Range Creek Canyon, located in the Bookcliffs area.

**12. Draft MFR-45 Density Bonus LUC Update and PUD Workforce Housing incentive discussion (5:27:20)**

**Discussion**

Planning and Zoning Director Elissa Martin presented an initial draft of the proposed LUC update for Commission input, including a chart comparing an MFR-45 density bonus with the HDHO-35. Discussion

regarding legal ramifications of tying rezone requests with a particular master plan or development agreement. Martin stated that if a proposed development followed specs established in zoning district standards set by the LUC, such a request would be allowable. Proposed density bonus would be limited to a select few areas. Proposed height allowances would allow for three stories at a forty-foot building height.

Commissioner Clapper suggested that reduced parking ratio could include increased bike parking. Commissioner Winfield clarified that this revision would allow for a rezone request from prospective developer Hooper Knowlton that presented before the Commission. References to the OAO district regulations could also include shuttle pickup spaces to encourage the use of public transit options. Attorney Stocks stressed being cautious with tight parking ratios that could result in excess parking in roadways, and suggested that the Commission make clear suggestions as to preferred locations for these potential rezone requests. Commissioner Walker suggested that analysis of other developments be referenced in order to ensure that problems don't arise from extremely low parking ratios. Attorney Stocks clarified that developer Hooper Knowlton suggested a 1.2 parking ratio for his projects to pencil out, which is lower than what is present in the current draft. Stocks suggested gathering information from the Cinema Court development regarding appropriate parking ratios.

**Public Hearing(s)** (none scheduled)

**Closed Session(s)**

**Motion by** Commissioner McGann to enter closed session for the purposes of discussing the character, professional competence, or physical or mental health of an individual

**Motion seconded by** Commissioner Hedin

**Motion passes 6-0, Commissioner Winfield absent**

**Chair Hadler adjourned the meeting at 8:42 p.m.**



---

Jacques Hadler  
Chair, Grand County Commission



---

Gabriel Woytek  
Grand County Clerk/Auditor