



GRAND COUNTY COMMISSION WORKSHOP AND REGULAR MEETING

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

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MINUTES 20 June 2023

The Grand County Commission met in a regular meeting on June 20th, 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, County Attorney Stephen Stocks, and Clerk/Auditor Gabriel Woytek. Strategic Development Director Chris Baird entered the meeting at 5:27 p.m.

3:01 p.m. High Density Housing Overlay (HDHO) Workshop on Potential Revisions and Project Build-Out Status

Planning and Zoning Director Elissa Martin gave an overview of the results of discussion from the County Commission Workshop held on June 6, 2023, including consensus reached for potential revisions and HDHO project status. Historical and current timelines given for the Peak View HDHO, Desert Sol HDHO and Viewgate Terrace HDHO. Martin prompted additional conversation regarding the proposed revisions that had been generally agreed upon. Commissioner McGann suggested the potential to include condominium units for removal of ownership restrictions. Commissioners Walker and Hedin expressed a lack of interest in that concept.

Martin presented additional potential revisions for consideration, including whether Accessory Dwelling Units should be restricted for occupancy by an Actively Employed Household (AEH) qualification, if the AEH qualification criteria for self-employed individuals might be broadened or adjusted, and whether the AEH qualification criteria for remote workers might be broadened or adjusted. Commissioner Walker stated that further inclusion of remote workers as AEH could serve to drive up home prices in an undesirable way because these workers tend to have much higher wages as compared to the local workforce. Commissioner Winfield stated that the overriding goal should be to eliminate or reduce anything that is preventing local people from moving into HDHO units. Commissioner McCurdy stated that as long as an individual has been a consistent resident of Grand County, who they do their business with should have no bearing on their qualification status. Commissioner Clapper stated that it is important to leave the current restrictions in place until the overall inventory catches up so that sales prices become attainable for the eligible local workforce. Commissioner Walker stated that he prefers longer than a 3-year residency status to qualify as a self-employed AEH.

Laura Harris of the Housing Authority of Southeastern Utah stated that in her experience as a local professional who qualifies individuals for HDHO properties, she hasn't turned away many interested parties, but that there may be people turned away by realtors and developers that never get to her office due to obviously not meeting the qualification guidelines. Commissioner Winfield stated that restrictions on properties under no circumstances will control sales prices on properties, but rather will only cause prices to go higher. Commissioner Clapper asserted that the HDHO program was designed for developers to create a

product that would serve a particular workforce niche at a particular price point, and that developers hadn't been successful in creating this type of product which has led to the current impasse.

Attorney Stocks sought clarification that there still was only one self-employed applicant that did not qualify for the AEH requirement. Commissioner McGann stated that there was a lot of enthusiasm for the program during its formation due to the relative absence of restrictions built in to the program, particularly when considering mechanisms like sales price caps.

Commissioner Winfield spoke to the realities of building new homes at an affordable price point.

Chair Hadler polled the Commission to gauge support for adjusting the percentage of local-oriented business for self-employed individuals, as well as durational residency requirements. Commissioner Walker stated that he would be interested in including a clause that would require disclosure of sales prices for HDHO units. Attorney Stocks spoke to the challenges in enforcing the percentage requirement of local clientele for self-employed individuals. Commissioner Walker spoke in support of maintaining restrictions on ADUs so as not to dilute the program. Commissioner McCurdy stated that he is in support of any and all ADUs so long as they are not being used for short-term rentals.

Chair Hadler adjourned the workshop at 3:59 p.m. and called for a recess.

4:00 p.m. Thompson Springs Special Service Fire District Board Meeting (1:04:05)

4:08 p.m. Chair Hadler Called the Meeting to Order (1:07:35)

Pledge of Allegiance

Chair Hadler clarified that Ratification of Payment of Bills as well as Approval of Minutes had been moved to the consent agenda.

4 p.m. Citizens to Be Heard (1:08:55)

Grand County resident Colleen Tibbetts expressed concern about the proposed letter of support in Action Item 1. Tibbetts stated that the proposed changes constitute government overreach, and that this action is an expression of favoritism, undue influence of special interests and that this action serves to prohibit the use of public lands for generations to come.

Grand County resident Lynn Jackson spoke to the proposed BLM changes and the letter of support in Action Item 1. Jackson stated that he is retired after 32 years working for the BLM, 28 of those locally, and stated that the proposed new rule would fundamentally change the direction of the federal lands policy management act. Jackson stated that multiple use had been the concept 50 years ago with the creation of this act, and that one bureaucratic agency should not have the power to change the intent of a federal act by regulatory fiat. He feels that the clear intent of this proposal is to make conservation the predominant use on public lands, not multiple use.

Grand County resident Kent Green spoke in opposition to the letter of support in Action Item 1, stating that he feels excluded and disenfranchised by this action of the Commission. Green stated that grazing and motorized recreation will be removed under the proposed rule and that the proposed letter is an abuse of Grand County letterhead because it suggests that everyone in Grand County is in favor.

Presentations

Children's Justice Center (CJC Director Andrea Noyes) (1:19:25)

New CJC Director Andrea Noyes offered her background and qualifications in the community which led to her current role. Noyes described her background in law enforcement and that she is currently pursuing a Master's Degree in Social Work. Noyes gave an overview of the mission of the CJC, which is to provide a comfortable, neutral, child-friendly atmosphere for children to receive coordinated services during the child abuse investigative process. The CJC serves a critical role in minimizing trauma for children experiencing abuse. Presentation of child abuse rates across the United States and in Utah. Overview given of CJC case process including report, facility intake, professional response, and resources for healing. Utah is significantly above the national average for child sexual abuse. Noyes stated that the CJC could use a dedicated County vehicle as well as enhanced soundproofing on a shared wall at its facility. Overview given of services offered by the CJC, including a child-friendly facility, multidisciplinary team, support services, forensic interviews, and medical examinations. Overview given of efforts for community collaboration and the director's personal goals that she hopes to achieve while leading the CJC.

Department Reports (none scheduled)

Approval of Minutes (Gabriel Woytek, Clerk/Auditor)

Approval of minutes for June 6th, 2023 (Regular Meeting of the Grand County Commission)

Motion by Commissioner McGann to approve the minutes from June 6th, 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 \$984,208.93 and payroll in the amount of \$364,435.10 for a combined total of \$1,312,644.03.

Motion Seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 7-0

Commission Member Disclosures

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

General Commission Reports and Future Considerations (1:37:50)

Jacques Hadler

- Moab Trails Committee meeting, tracking trail maintenance progress and priorities, discussion regarding motorized trail ambassador positions to be starting soon
- Moab Chamber of Commerce Golf Tournament fundraiser
- Trail Mix Committee meeting, presentation by Josh Hansen of the Utah Raptor State Park, trail work days being discussed for the La Sal Mountains, as the forest service will not have a trail crew this season
- Attended Chamber of Commerce meeting
- Attended Thompson Special Service District meeting
- Attended Moab Information Center 30-year ribbon cutting event

Trisha Hedin

- Meeting with administration regarding proactive code enforcement and education
- Conservation District meeting, and 'Moab Grown' local food resource guide
- Outdoor Recreation Regional Strategic Planning meeting in Monticello
- Grand Water and Sewer Special Service District Meeting, Ken's Lake is full at 2,200 acre feet, soil moisture 62% at 9,500 feet
- Went to Sego Canyon Trailhead area, collaboration with agencies regarding parking lot expansion project for backcountry horse riding activity

Bill Winfield

- Attended Centrally Assessed committee, recommendations given for counties to maintain tax stability funds
- Met with San Juan County regarding flood mitigation efforts along Pack Creek, two debris removal basins to be installed this fall and a single large overflow reservoir planned to be collaborated on in the near future
- Attended Interim Legislative Committee meeting, bill regarding ground and hangar leases at airports and ownership of tenant installed improvements,
- Airport Board Meeting, potential for SITLA land exchange, discussion regarding Redtail charter service
- Meeting with Virginia Pearce regarding Film Commission status
- Attended Colorado River Authority sponsored visit to Flaming Gorge Dam

Mary McGann

- Canyonlands Solid Waste Authority meeting, ride along on solid waste pickup route
- Travel Council Advisory Board meeting, discussion regarding return on investment from fly campaign
- Canyon Country Partnership meeting, UDOT to begin work on Utah Raptor State Park entrance, CNHA to expand Arches Visitor's Center
- Future Consideration: expedite soundproofing at CJC facility and requested CJC vehicle for 2023

Mike McCurdy

- OSTA meeting, planning for upcoming County Fair, concern regarding \$8,000 permit for parade to be held through Moab on 400 East

Evan Clapper

- Sand Flats Stewardship Committee Meeting, fiscal year budget review
- Canyonlands Healthcare Special Service District meeting, now meeting at Larson building on 400 East
- Cemetery District Board meeting, successful observation of Memorial Day

Kevin Walker

- Meeting with Forest Service, die off of Aspen trees at Mason Draw, incident just south of county line on Loop Road where vegetation was illegally cleared

- Transportation Special Service District Meeting, suggested the possibility of consolidated accounting or bookkeeping services as a way to reduce high overhead for special service districts in hiring accountants and auditors

Elected Official and Staff Reports (2:02:35)

County Attorney Stephen Stocks

- Brent Langston hired as Deputy Attorney Pro-tem, will handle district court duties
- Still hiring for permanent position

County Clerk/Auditor Gabriel Woytek

- Dana Van Horn named Chief Deputy
- Attended Olene Walker VOTE Certification Training at Weber State University
- Municipal Primary Election cancelled, Grand largely unaffected by other changes in 2023 election calendar due to election for Congressional District 2.

Commission Administrator Mallory Nassau

- Request for Proposals for recruiting a system manager in the Public Defender role to oversee contracts, defense resource allocation and reimbursements from the State
- Attended a luncheon with the Division of Multicultural affairs
- July 5 Commission meeting to be cancelled, Special Meeting scheduled for June 28th at 1 p.m.

General Business - Action Items, Discussion and Consideration of:

1. Letter of Support for Bureau of Land Management Public Lands Rule (PLR) (Commissioner Hedin) (2:10:35)

Presentation

Hedin began by addressing citizen comments regarding the proposed letter. Hedin stated that what prompted this letter was a request for comment for the state legislative interim session. In regards to the rule, Hedin specified that healthy public lands are the cornerstone of the local economy and that the proposed rule offers clarification on what are called ecosystem services, which include resource extraction on public lands as well as archaeological and what is termed as modern human activity. Hedin stated that multiple use implies sustainable yield and ensuring resiliency as well as restoration of lands that have been degraded. Conservation leases in the proposed rule will not take over existing grazing and extraction leases. Hedin stated that she does not cater to special interests on this topic but only that she cares deeply about the long-term health of public land.

Motion by Commissioner Winfield to deny the Letter of Support for the Bureau of Land Management Public Lands Rule.

Motion seconded by Commissioner McCurdy

Discussion

Commissioner McCurdy referenced Governor Spencer Cox's opposition to the rule as well as Governors from several western states. McCurdy stated that the rule is contrary to the multiple-use doctrine and does not serve to keep public lands open and public, but allows wilderness advocacy organizations to lease large swaths of public land without congressional approval.

Commissioner McGann spoke generally to references made regarding special interest groups and stated that lobbying activity by environmental groups is very small compared to larger industry groups. McGann clarified that special interest groups exist on all sides of a topic such as this.

Commissioner Winfield stated that eight western states have stood in opposition to the law, as well as the Public Lands Policy Coordinating Office. Winfield stated that the legal authority for these entities does not agree that the proposed rule would not affect grazing and multiple uses and suggested that members of this Commission do not have the background needed to determine that it would not. Winfield stated that conservation is already prioritized at the table and does not need expansion. Winfield stated that this action would serve to put another bullseye on Grand County's back at the state level, and that the presentation of one dissenting opinion by this Commission is not worth continuing to sour relationships across the state.

Commissioner Walker stated that this is a national proposal garnering a huge number of comments. Walker has the impression that this law would not make huge changes immediately, especially as it relates to shutting down grazing activity. Walker stated that Grand County should indeed be speaking out on this topic, and that decision-makers need to know that there is a diversity of opinion on matters such as these. Walker stated that it is standard practice for a letter such as this to be produced when the majority of the Commission hold a position, and of course, not everyone in the County will agree to it.

Motion to deny fails 2-5

Motion by Commissioner Walker to approve the Letter of Support for the Bureau of Land Management Public Lands Rule.

Motion seconded by Commissioner Hedin

Discussion

Commissioner McGann stated that it had been her feeling that the Commission should not raise its voice on this topic, but ultimately that it is an important opportunity to open discussion about disagreements that do exist and present differing points of view. McGann stated that just because Grand County might have a different point of view does not have to mean that it is ostracized and punished. Attorney Stocks stated that John Curtis proposed HB 3397 specifically to withdraw this proposed rule, and that a similar bill had been introduced in the Senate. Commissioner Walker stated that the letter is relatively short and not critical of any individual lawmaker. Chair Hadler stated that it was Grand County's right to make its voice heard, and that he closely examined the proposed rule and does not feel that it threatens existing uses.

Commissioner Winfield made clear that he does not support the letter and asked that his name be removed from the letterhead. Commissioner Hedin clarified that her name has been on letters from the Commission that she did not approve of, and agreed that it was important for lawmakers to be aware of a diversity of opinions.

Motion to approve passes 5-2, Winfield and McCurdy opposed

2. Independent Contractor Agreement with Better Destinations LLC for an Economic Development Strategic Plan (Economic Development Director August Granath) (2:35:45)

Presentation

Attorney Stocks discussed details that must be included in the contract that have not yet been prepared but suggested that the Commission proceed with discussion at this time. Granath pointed out that the contractor was present virtually and available for questions now even if the item was postponed. Granath stated that the proposed planning exercise was included as a 2023 budget priority in order to collect robust public

feedback as well as essential expertise behind Grand County's long-range Economic Development approach. Nineteen proposals were received, accompanied by an extensive review process. Granath gave further description of the intent behind the proposed planning exercise, which will seek to generate a strong direction for holistic community economic development. Attorney Stocks asked why the Contractor needs two separate subcontractors. Cathy Ritter with Better Destinations, LLC spoke to the unique process that would be set in motion through this planning process, which will include an analysis of the tourism economy and how it can support other forms of economic development, engagement with the community, and advancement of sustainable tourism. Subcontractors from Sedona, AZ and Boulder, CO bring valuable expertise and perspective to this process. A representative from the main contractor and at least one of the subcontractors will be present throughout the public engagement process. Commissioner Winfield spoke to the thorough selection process and explained that the selected contractor's experience in Tahoe was a deciding factor in his support. Commissioner Clapper stated that he initially felt that this process could be done in-house, but is convinced now that outsourcing will ensure that a very high quality and useful product will result.

Motion by Commissioner McGann to postpone Item 2

Motion Seconded by Commissioner Winfield

Discussion (none at this time)

Motion to postpone passes 7-0

3. Utah Office of Tourism Cooperative Marketing Program targeting Canadian, Australian, and New Zealand markets in partnership with Canuckiwi (August Granath and Melissa Stocks, Economic Development Department) (2:55:05)

Presentation

Melissa Stocks gave an overview of efforts to reach the proposed international markets and described recent success in capturing these markets. Canada is currently the top international market for visitors overall. Melissa Stocks presented Visa Credit Card spending figures from Canada, Australia, and New Zealand markets from 2021-2023.

Commissioner Walker asked for clarification regarding this effort and how it is shared with a wider tourism marketing campaign for the entire state. Zach Fyne, of the Utah Office of Tourism, explained that this was the most cost-effective way for Grand County to be included in efforts with international tourism partners. Commissioner McCurdy stated that the value built into the proposed action was very high.

Motion by Commissioner Walker to approve the cooperative international marketing program agreement with Canuckiwi and the Utah Office of Tourism.

Motion Seconded by Commissioner McGann

Discussion

Zach Fyne clarified that it is difficult to measure economic impact solely through Visa spending figures. Melissa Stocks described her experience visiting Australia and New Zealand and the commitment that these types of visitors have to responsible visitation practices.

Motion passes 7-0

6 p.m. Citizens to be Heard

Carey Dabney, chair of the League of Women Voters of Southeast Utah, read into the record the following statement made in 2022 by the League of Women Voters of the United States: the League believes that federal public land should benefit all Americans, land should remain under the jurisdiction of the federal government, that Forest Service and Bureau of Land Management Lands should be managed according to a multiple use policy, and supports improvements in management and regulation.

Thompson Springs resident Saina Carey spoke to the value of past assistance received by Grand County in removing junk and household debris in Thompson Springs, and requested that the Commission approve an additional cleanup day as there would be a very high demand for it once again.

4. Memorandum of Understanding with the Utah Office of Tourism for the Co-Op Marketing Grant Round 2022 (Economic Development Director August Granath) (3:13:00)

Presentation

Granath gave an overview of the proposed action. Recurring annual relationship that Grand County has participated in for several consecutive years. This MOU allows Grand County to receive funds already applied for, approved, and awarded.

Motion by Commissioner McCurdy to approve the memorandum of understanding with the Utah Office of Tourism in order to receive the funds awarded to Grand County during Round 2022 of the cooperative marketing grant program.

Motion seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 7-0

5. Subscription with STR, LLC for Traditional Lodging Data (Economic Development Director August Granath) (3:15:15)

Presentation

Granath described the proposed action, which satisfies the requirement for a direct contract with the contractor but falls under the existing approved contract with Love Communications.

Motion by Commissioner Walker to approve the subscription form with STR, LLC in order to provide the Economic Development Department with access to traditional lodging industry metrics at a cost of \$5,700.

Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

6. Letter of Support for Economic Development's Application to Utah Office of Tourism Co-op Marketing Grant Round 2023 (August Granath and Melissa Stocks, Economic Development Department) (3:16:47)

Presentation

Granath described the proposed action, which will be awarded and implemented in 2024. Letter of Support pledges matching funds associated with the campaign, to be budgeted in 2024.

Motion by Commissioner Winfield to approve the letter of support for EDD's application to Round 2023 of the Utah Office of Tourism's co-op Marketing Grant.

Motion seconded by Commissioner McCurdy

Discussion

Commissioner Walker sought clarification that \$500,000 constitutes the total overall spend including the 50% match from the state. Campaign would include advertising to fly-in markets. Letters of support from organizations and businesses are encouraged in support of this effort. Commissioner Clapper clarified that flights to and from Salt Lake City would still be available through the new charter service and that marketing materials should be sure to reflect that continuation. Granath explained that marketing will shift somewhat towards American Airlines markets which feeds into the Phoenix fly market that Contour Airlines operates out of.

Motion passes 7-0

7. Ordinance Approving Amended and Restated Development Agreement and Master Plan for Peak View, HDHO Development – Parcel No. 02-0027-0024 (Jenna Gorney, Planning and Zoning Department) (3:22:39)

Presentation

Gorney gave an overview of the proposed action, for which a public hearing was opened at the last Commission meeting. Revised phasing plan presented. Planning Commission voted in unanimous support to recommend the action.

Motion by Commission Winfield to approve the amended and restated Development Agreement and Master Plan for Peak View, HDHO Development – Parcel No. 02-0027-0024

Motion seconded by Commissioner McCurdy

Discussion

Commissioner Walker stated that there are several challenges associated with completing a project such as this, that this development does have units already online, and wants to do what is necessary to support its continued advancement. Commissioner Clapper stated that he is sensitive to the developers' efforts in adapting to the market.

Motion to passes 7-0

8. Resolution Approving the Final Plat of Amendment II, Exemption Plat of Puesta Del Sol PUD – Filing #3 (Parcel No.s 02-0PUE0021, 02-0PUE-0020, 02-0PUE-0019, 020PUE-0018) (Jenna Gorney, Planning and Zoning Department) (3:28:32)

Presentation

Gorney gave an overview of the proposed action.

Motion by Commissioner Winfield to approve the Findings of Fact set forth in the staff report dated May 5th, 2023 and the proposed Resolution approving the Final Plat of Amendment II, Exemption Plat of Puesta Del Sol PUD – Filing #3

Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 6-0, Walker absent

9. Emery Telcom Agreement for Airing of Responsible Recreation Videos (Andrea Brand, SFRA Director of Operations) (3:31:25)

Presentation

Brand gave an overview of the proposed contract. 8 videos to air on Channel 6 in local hotels through November of this year. This would mark the third year that the County has engaged in this effort.

Motion by Commissioner McGann to approve the Emery Telcom Agreement for eight video segments on ETV CHANNEL 6 and authorize the Chair to sign the Contract Agreement.

Seconded by Commissioner McCurdy

Discussion

Commissioner McGann complimented the quality of the contracted media material.

Motion passes 6-0, Hadler absent

10. Ground Lease with Redtail Air for their new Fixed Base Operator (FBO) building (Lot 96, northern portion) at the Airport (Airport Director Tammy Howland) (3:34:35)

Presentation

Howland gave an overview of the proposed action, which would establish facilities for general aviation that don't already exist at the Airport.

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

Seconded by Commissioner McCurdy

Discussion

Commissioner Walker sought clarification on the size of the facility, Howland clarified that it was not a huge building, around 5,000 square feet, and likely smaller than any existing building at the airport. Commissioner Winfield disclosed that he received campaign contributions from Redtail Aviation. Commissioner Hedin offered clarification that the proposed facility would be 6,450 square feet.

Motion passes 7-0

11. Lease with Redtail Air for Hangar B (Lot 96, southern portion) at the Airport (Airport Director Tammy Howland) (3:37:50)

Presentation

Howland gave an overview of the proposed action. The proposed renewal includes a longer-term lease, with the intention of spurring further investment at the airport.

Motion by Commissioner Clapper to approve the lease with Redtail Air for Hangar B at the Airport.

Seconded by Commissioner McCurdy

Discussion

Howland clarified that typical FBO agreements are for 5-6 years, but the proposed lease agreement is for 24 years. This change comes with recommendation and approval by the Airport Board. Commissioner Walker sought confirmation that the annual lease payment amount is subject to increases throughout the life of the lease.

Motion passes 7-0

12. Approving Ground Lease with Allen & Nathan Rydman for building a hangar on Lot 16 at the Airport (Airport Director Tammy Howland) (3:40:20)

Presentation

Howland stated that the lessees in question requested that the item be postponed.

Motion by Commissioner Walker to postpone item 12

Seconded by Commissioner McCurdy

Discussion (none at this time)

Motion to postpone passes 6-0, Hedin absent

13. Resolution Amending the Electronic Meeting Policy (Commission Administrator Mallory Nassau) (3:41:25)

Presentation

Nassau gave an overview of the proposed action, which encourages an in-person quorum but does not require it.

Motion by Commissioner McCurdy to approve the resolution amending the Electronic Meeting Policy.

Seconded by Commissioner Walker

Discussion

Chair Hadler emphasized that in-person attendance was important and that this action just allows for needed flexibility in extenuating circumstances. McGann stated that special meetings sometimes create special circumstances that allow for electronic participation when needed.

Motion passes 6-0, Winfield absent

14. Resolution to Respect Our Neighbors' Rights and the Rule of Law Regarding Use of Fireworks on and Around the 4th of July Celebration (Commission Administrator Mallory Nassau) (3:43:50)

Presentation

Nassau gave an overview of the action, which the Commission has traditionally passed on an annual basis. An ongoing ban exists for fireworks on public lands, but otherwise, no such restrictions exist in the County, which warrants this gesture. County fireworks display will be given on July 4th. Commissioner McCurdy pointed out that the OSTA soccer field is a great place for viewing the fireworks display.

Motion by Commissioner McGann to adopt the Resolution to Respect our Neighbors' Rights and the Rule of Law Regarding the Use of Legal Fireworks.

Seconded by Commissioner Clapper

Discussion

McGann reiterated that this was a recurring action based on public demand, and expressed gratitude to the public for the idea.

Motion passes 7-0

15. Determination of Funding Allocation for Opioid Settlement Funds (Clerk/Auditor Woytek) (3:47:10)

Presentation

Clerk/Auditor Woytek gave an overview of the Opioid Settlement timeline and the process for receiving requests for funding from local organizations. Requests were received from the Southeast Utah Health Department, Utah Support Advocates for Recovery Awareness, Wellness Collective, and Moab Regional Recovery Center. Woytek explained that he received word of another settlement that had just been completed, which would result in an additional approximately \$15,000 per year for this allocation.

Motion by Commissioner Hedin to approve the allocation of opioid settlement funds, with the following allocation percentages USARA 60%, Wellness Collective 20%, and Moab Regional Recovery Center 20%, and direct staff to draft a funding agreement for each recipient entity, to be approved at a future meeting.

Seconded by Commissioner Winfield

Discussion

Commissioner Hedin stated that in lieu of the County developing its own programming for the use of these funds, that USARA is an appropriate principal beneficiary of these funds due to its presence in the county jail facility, and that collaboration is common and consistent amongst these organizations. McGann commented that she is very excited that these monies are available but frustrated at the small amount relative to the devastating impacts that the opioid crisis has had on communities like Grand County. Discussion regarding

how the contract for the funding might be structured in terms of length and renewal, and Commissioner Walker stated that it should come up for annual renewal just as other similar funding allocations do.

Motion passes 7-0

16. 2023 Certified Tax Rates for Grand County (Clerk/Auditor Woytek) (4:02:00)

Presentation

Clerk/Auditor Woytek gave a brief summary of the figures used to determine the certified tax rates. Woytek quoted a message from Treasurer Chris Kauffman that explained that Centrally Assessed Values decreased by \$70 million, but commercial properties that were up for reappraisal on the 5-year cycle increased in value by \$500 million, which will result in reduced burdens overall for residential property owners but significant increases for commercial property owners.

Motion by Commissioner Winfield to approve the final 2023 Grand County Certified Tax Rates, as presented on proposed forms PT-693, for Grand County Operations, Library, and Assessing & Collecting.

Seconded by Commissioner Hedin

Discussion

Commissioner Walker suggested that for future presentations on this topic, data be displayed that provides historical context for changes in new growth figures.

Motion passes 7-0

17. Resolution Supporting the 2023 Update to the Community Vision for Future Uses of the Moab UMTRA Project Site (Commissioner McGann) (4:07:50)

Presentation

McGann gave an overview of the proposed action, and pointed out that there was strong support for an Event Center concept. McGann explained that this process would be critical for developing a case for future acquisition of the land and funding for its development. Commissioner Clapper expressed his desire for a whitewater park at the location, and Commissioner Walker added that this would add highly sought-after warm weather activity for locals and visitors alike.

Motion by Commissioner Hedin to approve the resolution supporting the 2023 update to the community vision for future uses of the Moab UMTRA project site.

Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 7-0

18. STAR Business Grant Award Contract - ABC Thompson, LLC Review and Approval Videos (Economic Development Director August Granath) (4:14:15)

Presentation

Granath gave an overview of the proposed action, explaining that the initial grant application was postponed upon the condition that the grantee receive four Equivalent Residential Units (ERU) from the Thompson Springs Special Service District Water Board. Grantee was issued two ERUs, which were determined by County staff to be sufficient for the scope of work presented as part of the application. Attorney Stocks read into the record new stipulations added into the contract, especially those related to necessary permitting and water rights being the responsibility of the grantee, and that the County at this time issues no guarantee of these approvals.

Motion by Commissioner Hedin to approve the grant award of \$100,000 to ABC Thompson, LLC

Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

21. Contract Redtail Air Charter Service to Salt Lake City (Economic Development Director August Granath) (4:18:55)

Presentation

Attorney Stocks spoke to a requested change regarding ticket price guarantees that was ultimately included in the currently contemplated contract. Redtail has the intention of maintaining a ticket price that is attractive and affordable, but that it was necessary to remove the price guarantee language from the draft of the proposal, so that competitive flexibility could be maintained.

Motion by Commissioner Walker to postpone the contract with Redtail Air for the purposes of supporting the development of charter air transit service to Salt Lake City.

Seconded by Commissioner Winfield

Discussion

Commissioner Walker stated that he is generally supportive of this action, especially since the financial support from Grand County is only being offered for one year. Randy Martin of Redtail Aviation spoke to the rationale for changes in the contract language. Martin explained that fluctuating fuel prices necessitate flexibility in prices in order to remain competitive. Discussion about bringing the item back for the upcoming special meeting so that the appropriate legal review of the proposed changes can take place. Consensus expressed among the Commission that after these changes the contract would be ready for approval at the scheduled special meeting.

Motion to postpone passes 7-0

19. Amendment to Cooperative Agreement Between Utah State University and Grand County for Implementation of Business Consulting Services (Economic Development Director August Granath) (4:29:35)

Presentation

Granath explained that the agreement is still awaiting review by USU management.

Motion by Commissioner Walker to postpone the Amendment to the Cooperative Agreement Between Utah State University and Grand County for Implementation of Business Consulting Services.

Seconded by Commissioner McCurdy

Discussion (none at this time)

Motion to postpone passes 6-0, Winfield absent

20. Contract with Grand County School District Student Career and Success Center Videos
(Economic Development Director August Granath) (4:30:50)

Presentation

Granath gave an overview of the proposed grant and explained that it was discussed, and assurance given by the School District that constraints would be placed on these funds so that the funded staffing would be used for this project alone. Legal review complete on both sides.

Motion by Commissioner Clapper to approve the contract with the Grand County School District for the Grand County School District Student Career and Success Center.

Seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 6-0, Winfield absent

22. Contribution to a Capital Fund for Grand County Businesses (Economic Development Director August Granath) (4:32:25)

Presentation

Granath described the proposed action, which is designed to serve as an outlet for the remaining available economic diversification funds. Staff determined that the previously discussed Microloan program was not a good use of these funds. Granath explained that the main difference between the Revolving Loan Fund (RLF) already somewhat available, and that the microenterprise program can be leveraged into a larger funding, up to \$50,000 per loan, and offers options for businesses who can't get funding in any other way. Attorney Stocks offered further clarification to compare and contrast two currently contemplated business loan programs, specifically that the microenterprise program included higher overhead and interest rates.

Commissioner Walker spoke in support of the RLF as a simpler and less risky program. Commissioner Winfield spoke to his positive experience on the SEUALG board and involvement with administering the RLF, and agreed that it was a less risky proposition. Commissioner Clapper added that the RLF program already had familiarity amongst the local community. Consensus expressed amongst the Commission that these funds should only be appropriated to the RLF program.

Motion by Commissioner Walker to approve the memorandum of understanding for remaining Economic Diversification TRT funds to be allocated to the Southeast Utah Association of Local Governments (SEUALG) for the administration of a Revolving Loan Fund.

Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

23. Sponsorship of a Business Column in the Moab Sun News (Economic Development Director August Granath) (4:52:45)

Presentation

Granath gave an overview of the proposed action, which makes use of funds already budgeted for local community program marketing. Moab Sun News will generate the proposed content with the County's approval. Commissioner McGann asked if the Moab Times-Independent was approached regarding the opportunity and expressed concern about funding one newspaper over the other. Commissioner Walker stated that public notices and Commission editorials are placed in the T-I and this action would serve to balance participation. Strategic Development Director Chris Baird explained that he revised the TRT projections to be based on 95% of 2022, suggesting that about \$50,000 more will be available. Contract terms discussed for the design of contracts that will be flexible to whatever funds are ultimately available after all revenues have been receipted.

Motion by Commissioner Walker to approve the sponsorship of a business column in the Moab Sun News

Seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 7-0

Consent Agenda – Action Items (5:02:45)

24. Approval of Consent Agenda Items

A. Approval of Meeting Minutes for June 6, 2023

B. Ratification of Payment of Bills

C. Independent Contractor Agreement for the 2023 Grand County Fair Scales & Tales Exhibit & Stage Shows

D. Ratifying Chair's signature on Right of Entry (ROE) Agreement between Lion's Back and Grand County for July 4th, 2023 Fireworks Display

Motion by Commissioner Hedin to approve the Consent Agenda as presented and the bills in the amount of \$1,312,644.03.

Seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 7-0

Public Hearing(s)

25. Public Hearing to Accept Input on a 2023 Mid-Year Budget Amendment (5:03:48)

Strategic Development Director Chris Baird gave an overview of the proposed amendments:

General Fund Revenues

- PILT receipted \$65,000 more than projected.
- New Public Defender grant added in the amount of \$128,000
- Expense and revenue added for hosting ARFF grant at Canyonlands Airport
- Sheriff movie support revenue increased to \$85,000 from \$50,000
- A series of new grants added under Miscellaneous Revenue, totaling \$220,081
- Eliminated draw from the General Fund Balance, along with adjustment to contribution to Capital Projects

General Fund Expenses

- Commissioner Winfield's budget raised to \$7,000
- Commissioner McCurdy's budget raised to \$2,000
- Commission discretionary expenses increased from \$66,611 to \$69,611
- Administrator Nassau and Attorney Stocks explained reshuffling of Public Defender budget to allocate \$56,000 to support a new 'Managing Public Defender' role
- Budget for Assessor's Office reappraisals increased by \$72,000, cost higher than expected
- Sheriff Jamison Wiggins gave an overview of Sheriff budget adjustments, including an additional \$165,000 for vehicle leasing and various other budget increases, and an adjustment out of capital projects into the sheriff's office budget for various new expenses
- Overtime budget added for Emergency Manager position
- Small adjustments made to OSTA budget based on new expenses
- Contribution to Capital Projects reduced by \$720,558

Economic Development Department

- Economic Development Director August Granath gave a detailed breakdown of changes in projected TRT revenues, including available TRT funds that would have been spent on Economic Diversification activity, which totals \$481,169.80
- Granath gave a detailed breakdown of adjustments made to expense lines, including several transfers to the 'tourism promotion' side
- All changes reviewed and approved by the Travel Council Advisory Board

Other Funds

- Additional grants added into 911 Emergency Funds Budget (Fund 17)
- Fund 18: adjustments associated with various BRIC and NRCS grant projects
- Fund 27: Adjustments related to Search and rescue capital expenses and increased donation revenue
- Fund 47: Forest Service grant increased from \$25,000 to \$60,000, increase accounts for a total of \$82,662 for vehicles from OHV grant

Chair Hadler opened the public hearing at 8:58 p.m.

Commissioner McGann expressed a desire to discuss accountability regarding individual Commissioner expenses. McGann stated that past Commissioners had abused their ability to speak on behalf of the County at the State Capitol. Strategic Development Director Baird stated that policy dictates that expenses be accompanied with some form of supporting documentation. Commissioner Hedin expressed discomfort with the degree to which some Commissioners had overspent their individual budgets and called for the appropriate level of accountability. Chair Hadler called to table to discussion for a later date, perhaps during the budget creation process for 2024. Baird reminded the Commission that some Commissioners had no part in crafting their own individual budgets and that these specific questions regarding accountability might be more appropriate next year.

Commissioner Clapper stated that he is comfortable with the proposed budget amendments as presented.

No public comment received at this time.

Chair Hadler left the hearing open until 5 p.m. on Wednesday, July 12th.

26. Public Hearing on the possible disposition of Parcel 02-0008-0059, located at approximately 1150 Murphy Lane, Moab, Utah (6:04:10)

Strategic Development Director Chris Baird described private sector interest that has been received regarding acquisition of the County borrow pit located next to the old 'Sore No More' building. This hearing is necessary to consider offers and potentially sell the property, but does not create any obligation to do so. Commissioner Winfield asked about the County vacating the borrow pit, which is readily used by the Roads Department. Baird offered clarification that if a sale were made, it would likely involve a subdivision of the parcel that would allow for continued use for this purpose by the County.

No public comment received at this time. Several emails already received by the Commission in reference to this hearing, messages which will be included in future meeting packets if disposition were to proceed.

Chair Hadler left the hearing open until 5 p.m. on Wednesday, July 12th.

Closed Session(s) (none scheduled)

Chair Hadler adjourned the meeting at 9:10 p.m.



Jacques Hadler
Chair, Grand County Commission



Gabriel Woytek
Grand County Clerk/Auditor