



GRAND COUNTY COMMISSION WORKSHOP AND REGULAR MEETING

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

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MINUTES 18 July 2023

The Grand County Commission met in a regular meeting on July 18th, 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, Clerk/Auditor Gabriel Woytek. County Attorney Stephen Stocks arrived at 7:31 p.m.

2:15 p.m. Special Events First Quarter 2024 Intent to Apply (ITA) Review

Special Events Manager Kate Finley brought before the Commission a list of events designated as high impact by the Special Events Advisory Committee (SEAC). Events presented for review were Arches Ultra, Moab's Red Hot Ultra 2024, Moab Run the Rocks, Skinny Tire Festival 2024, Canyonlands Half Marathon 2024, Easter Jeep Safari, and Behind the Rocks Ultra 2024. ITAs were presented for the Amasa Trail Race and The Crystal Festival – Rock, Mineral, Gem, and Crystal Show. These event ITAs presented for April and June, respectively, are outside of the current quarterly review period, but could be considered for advance approval at this time by the Commission.

Clarification was given that the Arches Ultra Event is the only event planned for the area in January, of any impact designation. Commissioner Clapper inquired about potential conflict between events simultaneously utilizing Highway 313, events which have occurred simultaneously in the past. The Commission requested that the Special Events Manager alert the event organizers regarding this potential conflict. The Commission directed staff to alert event organizers, first responders, and law enforcement regarding overlap between the Amasa Trail Race, a one-day event, which coincides with the beginning of Easter Jeep Safari. Staff clarified that no concerns or feedback were given by applicable local agencies regarding any of the currently proposed events.

Commissioner Walker stated that part of the intent of the ITA process was to ensure that the calendar was not too full on a given weekend and to ensure a diversity of event types. Walker stated that although many running events are planned for the currently contemplated quarter, they are established recurring events in good standing. Commissioner Clapper requested that event organizers be well informed regarding potential overlap with other organized events. Commissioner Walker stated that advance approval for events should only be considered for well-established or especially desirable events, and in this case, the Crystal Festival would qualify as being both popular in the community and unique to the event calendar.

3:01 p.m. Workshop: Land Use Code Update

Planning and Zoning Director Elissa Martin gave an overview of proposed updates to the Land Use Code (LUC) that have been identified for prioritization by the Commission or through day-to-day efforts to troubleshoot gaps in the system and encourage residential development. These potential updates are being presented for more immediate implementation, in lieu of a comprehensive overhaul of the LUC. Previously discussed MFR-45 Density Bonus update has been put on hold, as the developer who would have potentially used the bonus and is seeking to apply for Low Income Housing Tax Credits informed staff that they would not be pursuing a project in Moab in 2023. This bonus concept is set to be worked back into the comprehensive LUC update. Martin gave an update on the Planned Unit Development (PUD) Workforce Housing Density Bonus, which is set for a public hearing later in this meeting.

At 3:09 p.m., the video recording of the meeting was suspended due to an unexpected interruption

Commissioner Walker stated that any MFR application should have affordable housing requirements imposed through the drafting of a Master Plan, and thus consideration of further density bonuses would not necessarily be appropriate. Walker suggested that the High-Density Housing Overlay (HDHO) does a better job of implementing affordable housing requirements and thus the MFR zoning district could be considered for abolishment in the update. Staff agreed that the comprehensive LUC would likely go in this direction.

At 3:16 p.m., the video recording of the meeting was resumed

Commissioner Walker suggested that the bonus percentages between Workforce Housing and Affordable Housing Incentives are not well aligned, and perhaps there is not a large enough difference between the two. Staff explained the methodology for higher incentives proposed for affordable housing as compared to workforce housing, and explained the effort to avoid pushing incentives too far as it relates to introducing density into neighborhoods. Walker suggested that higher incentives attached to downzoning could be a potential avenue to ameliorate this conflict. Currently, only one development has shown interest in applying for the discussed MFR incentives, at a property located near the Steelbender trail. Commissioner Clapper expressed an interest in an update that introduces the idea of Subdivision requirements. Staff explained that state law prevents such requirements without the introduction of incentives.

Staff introduced the concept of the removal of the Project Boundary Buffer requirement, which requires a 20-foot buffer for new subdivisions from protected zones, which has become irrelevant and burdensome for housing development projects. The Planning Commission voted unanimously to recommend this adjustment, with the caveat that consideration be given to a buffer when a subdivision is 20 or more lots. The Commission expressed general support for proceeding with this measure.

Staff explained efforts associated with facilitating the new state Water Rebate Program, which requires a local ordinance imposing specific landscape standards for new construction. Staff explained that they seek compatibility and consistency with Moab City as they pursue the establishment of such an ordinance.

Staff gave an overview of contemplated updates to Article 3 for Accessory Structures, ADUs, and Temporary Uses. Temporary Uses were first considered among this group as a way of addressing future uses related to film. Staff currently focused on an update oriented towards just ADUs and Accessory Structures, to be in alignment with latest state code which clarifies incentives and appropriate definitions. Commissioner Walker suggested that the impact related to higher ADU density could be mitigated through requirements for property owners to reside on site. Commissioner Winfield sought clarification on the discussion regarding Temporary Uses. Staff explained that flea markets, live music events, and film production uses aren't currently well defined for a path to permitting under the current Land Use Code.

Staff explained that HDHO revisions are currently in the drafting process to soon be considered by the Commission. The Commission agreed that one more chance for further discussion before consideration of

these revisions would be worthwhile, but that the last workshop presented a clear picture of the Commission's intent.

Chair Hadler called a ten minute recess at 3:57 p.m.

4:07 p.m. Thompson Springs Special Service Fire District Board Meeting (see separate agenda) (52:35)

4:10 p.m. Chair Hadler Called the Meeting to Order (55:40)

Pledge of Allegiance

4 p.m. Citizens to Be Heard (56:15)

Grand County resident John Gould expressed his concern regarding the potential sale of County property on Murphy Lane, stated that he is suspicious of the intent of the potential buyers, and suggested that this public source of cobble stone is vital to property owners in mitigating erosion and that this resource should remain available to the public. Gould questioned whether the Commission had seen development plans from Kane Springs Preservation and Development.

Grand County resident Pete Gross concurred with the previous commenter, expressed concern about unintended consequences related to disruption of the geology at the Murphy Lane site and stated that the County should not consider selling this property.

Presentations (none scheduled)

Department Reports

Active Trails and Transportation (Madeline Logowitz, Director of Grand County Active Trails and Transportation) (1:00:35)

Logowitz gave an overview of Department activities, including a description of its positive impacts on local quality of life and the economy. An overview was also given of the departmental structure, which consists of trails, responsible recreation, and the trail mix advisory committee.

Overview given of 2023 Trail Maintenance projects, including grants received and a chart displaying hours spent on different local trail networks, as well as photos displaying significant trail maintenance projects. Logowitz described the upcoming Kestrel Run Trail which is nearing completion, as well as the new Spanish Hills non-motorized trail system in San Juan County which is being designed to accommodate middle and high school NICA races and is currently in the NEPA process. Commissioner Hedin expressed that the establishment of a shooting range in the area will be necessary as that is the current predominant use that will be displaced as a result of that trail system being built.

Logowitz gave an overview of 2023 Outreach and Volunteer events, with 344 volunteer hours contributed in 2023, to date. Overview given of current challenges facing the Trails Department, which include user-created resource damage and user conflict, and are being addressed by a number of efforts including the Trail Ambassador Program, Human Waste Initiative, Business Stewardship Program and Business Training Program, future plans for an online training component, visitor-focused educational programs and

development of the Wander App that will allow for local control of local information for visitors, with round 1 of beta testing to begin in August 2023. Commissioner Clapper suggested the possibility that Trail Ambassadors might collaborate with land management agencies in sharing information and educating users regarding abuses such as pirate guiding, treasure hunting, and other illegal activities. Commissioner Walker expressed his gratitude for the great work in educating visitors and the large amount of work beginning in roughly 2018 to address this critical need.

Canyonlands Regional Airport (Airport Director Tammy Howland) (1:31:25)

Howland explained that there were 23,307 enplanements in 2022, defined as passengers departing from the Airport. 11,929 enplanements so far in 2023, which outpaces 2022 trends. In 2022, an airport layout plan was initiated, last two CARES grants were closed out which helped to cover operations, maintenance, payroll, and debt service. Snow Removal Equipment building and private hanger nearing 100% completion during the coming months. Fee study completed in February of 2023 which mostly confirmed appropriate nature of present fee schedule. New system recently installed for accurately tracking all aircraft coming in and out of the airport and can serve for tracking aircraft in the general Moab area. 2023 projects include a fencing project currently out for bid, grant projects to be considered as an action item in this meeting, fire suppression water tank upgrade from 5,000 to 20,000 gallons, new TSA explosive detection system, land lease established for new Redtail Aviation Fixed Base Operator building, new water pump to be acquired for water system which has recently experienced repeated failures, and tabletop emergency scenario planning exercise. Update given of current staffing levels. Application for alternate Essential Air Service has gone through general counsel and awaiting final approval, with Skywest committed to extending service until new airline is in place, with DOT funding in place to cover the interim period.

Commission Member Disclosures

Commissioner Clapper disclosed his involvement with the Craggin' Classic special event, which is applying for Local Consent and included in this meeting's Consent Agenda.

General Commission Reports and Future Considerations (1:55:20)

Jacques Hadler

- none at this time

Trisha Hedin

- Working on development of upcoming Water Workshop Series
- Attended Moab Irrigation Company meeting, service providers to be included in workshop series
- Visit to Elmgreen Ranch in the Bookcliffs with UDAF to discuss potential conservation easement
- Attended meeting with La Sal Mountain Alliance to discuss concerns regarding potential Under Canvas development
- Meeting with Moab City officials to discuss potential collaboration and concerns
- Attended GWSSA meeting, currently an opening on Grand County Water Conservancy District, Ken's Lake at 2500 acre feet (1500 at this time in 2022), soil moisture has decreased sharply to 19% at 9500 ft
- Attended Children's Justice Center Advisory Board meeting

Bill Winfield

- Update given regarding Cisco fire incident
- Attended Film Alliance meeting to strategize for extending State Rural Film Incentive

- Meeting with Moab Valley Fire Protection District regarding annexation process
- Attended Airport Board meeting, Upcoming Hangar dedication at the Airport for Bill Groff
- Attended Southeast Utah Association of Local Government Board meeting, Revolving Loan Fund program quickly put together in time for use in Grand County

Mary McGann

- Gratitude expressed for successful Grand County Fair and Moab Free Concert Series, both beneficiaries of TRT dollars
- UMTRA site successfully removed all 14 autoclaves without incident

Mike McCurdy

- Recognition given for successful inaugural Grand County Fair

Evan Clapper

- Attended Cemetery District Board meeting, flower box available for giving and taking
- Attended Canyonlands Healthcare Special Service District meeting, upcoming Park Service training to take place on district property near the Care Center
- Attended Emergency Medical Services Board meeting, audit presentation given, progress made on mental health care for EMS staff. 24 calls in 2023 that have resulted in a death compared to 26 in all of 2022. Medical Control Director Doug Murdock gave a presentation and was complimentary of the standard set for EMS in Grand County

Kevin Walker

- Attended Council on Aging meeting, many seniors experiencing difficulty with lack of housing availability
- Attended meeting with BLM, lithium extraction activity appears to be picking up, paving of Poison Spider parking lot delayed

Elected Official and Staff Reports (2:11:35)

County Sheriff Jamison Wiggins

- June 2023 numbers: 2477 calls into dispatch, 1183 of which were 911 emergency calls, deputies responded to 627 calls for service, 322 traffic stops, 22 arrests, served 49 papers, 8 Search and Rescue calls

General Business - Action Items, Discussion and Consideration of:

- 1. First Quarter 2024 Special Event Intent to Apply Submissions** (Special Events Program Manager Kate Finley) (2:13:00)

Presentation

Chair Hadler explained that each individual event under consideration was discussed in full at the pre-meeting workshop, with no objections declared to any of the Intents to Apply.

Motion by Commissioner Clapper to approve the following Special Event Intent to Apply submissions for the 1st Quarter of 2024: Arches Ultra, Moab's Red Hot Ultra 2024, Moab Run the Rocks, Skinny Tire Festival 2024, Canyonlands Half Marathon 2024, Easter Jeep Safari 2024, Behind the Rocks Ultra 2024, Amasa Trail Race and The Crystal Festival – Rock, Mineral, Gem, and Crystal Show

Motion seconded by Commissioner McCurdy

Discussion

Commissioner Walker entered into the record a brief summary of the discussion held during the workshop. Walker explained that the first quarter is a relatively quiet time of year filled mostly with running events. Two events are being considered for approval for quarter two, one of which is well established while the other is a popular and novel gem show event. Commissioner McCurdy stressed that reports and reviews be shared based on feedback from responding agencies. Chair Hadler expressed his utmost support and appreciation for the Easter Jeep Safari event and wished to quell any concerns or rumors in the community that the Commission would ever consider denying its permit.

Motion passes 7-0

2. Agreement with Red Cliffs Foundation for the management and administration of the Moab to Monument Valley Film Commission (Commission Administrator Mallory Nassau) (2:17:05)

Presentation

Elyse Park and Brian Hunnings, representatives of the Red Cliffs Foundation were in attendance in person, as well as Film Commissioner Bega Metzner in attendance virtually.

Motion by Commissioner McGann to approve the agreement with the Red Cliffs Foundation for the management and administration of the Moab to Monument Valley Film Commission.

Motion Seconded by Commissioner Winfield

Discussion

Chair Hadler explained that Commission held discussion at the June 6th, 2023 regular meeting regarding the proposed agreement and offered suggestions at that time for elements it felt needed to be included. Commissioner Walker sought clarification on whether input that he gave regarding strict compliance with BLM regulations was included, as he had not noticed this detail in the contract as drafted.

Motion by Commissioner Walker to amend the original motion, stipulating that the contract include the following language in Exhibit A: "Work with land management agencies to ensure that film production companies are aware of applicable rules and regulations regarding filming, and that those rules and regulations are obeyed".

Motion to amend seconded by Commissioner McGann

Motion to amend passes 7-0

Discussion

Commissioner Walker sought clarification regarding the funding arrangement presented in the contract, which is an amount currently allocated from Transient Room Tax (TRT) funds. \$102,000 for salary and benefits is currently allocated from TRT funds, and this agreement proposes an equivalent \$147,000 total contribution over a prorated 18-month period. Strategic Development Director Chris Baird explained how the funding amount was currently derived based on TRT projections and represents the maximum contribution without cutting any funding for any other TRT-funded programs. Baird warned that if this contribution was not calculated to account for salary and benefits already paid in 2023, it could cause the expense line to go over budget. Commissioner Winfield highlighted the importance of the reporting requirements and community stakeholder pieces as a way of responding to ongoing community concerns regarding the arrangement. Winfield sought clarification as to whether the Film Commissioner would be an employee of

the Red Cliffs Foundation or the Red Cliffs Lodge Hospitality Company. Commission Administrator Nassau clarified that this contract would be with the Red Cliffs Foundation. Commissioner Hedin agreed that the reporting and stakeholder pieces were essential. Commissioner Clapper expressed that he believes that the Film Commission will benefit from additional resources, which are hard for the County to commit to, and have the potential to result in the positive advancement of area film activity. Commissioner Walker expressed general satisfaction with the way the proposed contract responds to real concerns that the community and Commission have articulated.

Amended motion passes 6-1, Hedin opposed

3. Memorandum of Understanding for Endangered Colorado River Fish Mural at the Moab Information Center (Commissioner Hedin and Brooke Williams, representative of the Utah Wildlife Federation) (2:33:25)

Presentation

Hedin gave an overview of the proposed mural of the native Razorback Sucker fish, to be installed at the Moab Information Center. Brooke Williams explained the effort to honor Utah's wildlife heritage. Commissioner Walker sought clarification regarding the proposed location, which is set to be at the Moab Information Center, despite mockups included in the packet suggesting a different location. Clerk/Auditor Woytek sought confirmation that the mural project is set to be funded in full by the Nature Conservancy.

Motion by Commissioner Hedin to approve the Memorandum of Understanding with the Utah Wildlife Federation and Chris Petersen for the endangered Colorado River fish mural at the Moab Information Center.

Motion Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

4. 2023 Mid-Year Budget Amendment (Strategic Development Director Chris Baird) (2:38:55)

Presentation

Baird gave an overview of the proposed budget amendment, including any major changes since the public hearing was held. The Local Assistance and Tribal Consistency Fund (LATCF) revenue line was increased due to two tranches being received in 2023, with contribution to capital projects adjusted accordingly. Adjustments made to account for match portions of potential upcoming Airport grant projects, totaling \$128,000.

Motion by Commissioner Walker to approve the resolution adopting an amendment to the 2023 Grand County Budget, including changes as presented by the Strategic Development Director and Budget Officer Chris Baird and including an amendment to include a transfer of \$128,000 from Fund 34 to Fund 56 for the purpose of local match funding for potential Airport Improvement Projects.

Motion seconded by Commissioner McGann

Discussion

Commissioner Hedin expressed concern regarding 2023 Commission travel allowance expenditures. Hedin stated that in-person travel around the State was very valuable, but stressed that Commissioners be very careful in spending taxpayer dollars and spend as wisely as possible when using public funds. Hedin stated that next year's Commissioner expense budget lines should be carefully considered and scrutinized. Commissioner McGann expressed gratitude to Baird for his work in preparing the budget amendment.

Motion passes 7-0

5. Utah Office of Tourism Cooperative Marketing Program Opt-In for UK/Ireland and Germany/Austria/Switzerland Markets (Economic Development Director August Granath and Assistant Marketing Director Melissa Stocks) (2:46:03)

Presentation

Melissa Stocks gave an overview of the proposed marketing plans. Germany/Austria/Switzerland is an audience that hasn't been targeted by Grand County in five years. Details given of proposed promotion package to be selected, in collaboration with other Utah Destination Management Organizations. Commissioner Walker inquired about the benefits associated with Cooperative Marketing Programs, which staff explained allows for greater customization of Grand County's marketing content. Commissioner Clapper sought clarification that this constitutes an increased spend that wasn't initially approved in the 2023 budget.

Motion by Commissioner McGann to approve the opt-in form with KBC Travel Marketing PR & Representation and the Utah Office of Tourism for \$5,350 of marketing activity targeting the UK and Ireland markets and the opt-in form with Harwardt PR and Marketing and the Utah Office of Tourism for \$9,300 of marketing activity targeting the Germany, Austria, and Switzerland markets.

Seconded by Commissioner McCurdy

Discussion

Commissioner Clapper stressed the importance of using direct marketing to bolster the visitor economy, which supports a wide variety of services that the community relies upon, including Emergency Medical Services and the long-term senior care center.

Motion passes 7-0

6. Billboard Designs for Grand County leases along Highway 191 (Economic Development Director August Granath and Assistant Marketing Director Melissa Stocks) (2:55:50)

Presentation

Staff presented drafts of two proposed billboard designs, as shown in the packet. Commissioner Clapper expressed a preference for the design that emphasized the message of 'Welcome to Moab.' Commissioner Walker stated that the local community would likely prefer an emphasis on reducing visitor impact rather than the 'welcome' messaging. Commissioner McGann shared a recent experience of hosting visitors who stated that there was not enough messaging regarding the limitation of noise and that noise impacts in the area have increased. McGann added that there are already welcome signs in the area. Commissioner Winfield stressed the importance of being welcoming to visitors, and suggested that it was an offensive gesture to hammer this message that directed people to have less impact. Winfield questioned the effectiveness of a billboard in changing behaviors and suggested that the County rely on law enforcement for such efforts. Stocks sought confirmation that one option could be to split the two designs between the two billboard

locations. Commissioner McCurdy expressed a preference for the welcome messaging and would like to avoid message that could potentially be off-putting to visitors. Commissioner Walker stated that the visitor experience continues to be degraded, and that if the County cares about residents and visitors alike it should in every way possible emphasize slowing down. Walker stated that Moab being insufficiently welcoming is not a problem that needs to be addressed.

Motion by Commissioner McGann to approve 'Please Keep Speed Down While Enjoying Our Town' option for the north billboard and option for the south billboard.

Motion seconded by Commissioner Hedin

Discussion

Granath suggested that the change in language in the proposed motion would not be a problem with the contracted design agency. Commissioner Winfield stated that the marketing dollars would be best spent elsewhere, and that sources of funding could be available for Highway patrol signage that serves to address vehicle speed and semitruck air brakes. Winfield added that he considers this purchase is a waste of tax dollars. Commissioner Clapper stated that this was a very effective way of using advertising dollars. Commissioner McCurdy stated he appreciates efforts to use specific messaging to reduce the impacts of visitation, but that encouraging visitation was still vital and messaging needs to reflect that. Commissioner Walker stated that visitation trends have consistently increased and that the local quality of life surveys administered by USU have consistently shown degradation in quality of life, which justifies the present motion to be voted on.

Motion passes 6-1, Winfield opposed

6 p.m. Citizens to be Heard (none at this time) (3:15:35)

Grand County resident Emily Campbell thanked the Commission for its action in supporting safety for families by approving billboard messaging focused on encouraging safe driving practices. Campbell added that by her analysis, the white text placed on the blue sky in the proposed billboard design fails ocular accessibility standards.

7. Resolution to Request a rename of Antrobus Way to Sky Place (Elissa Martin, Planning and Zoning Department) (3:17:20)

Presentation

Martin gave an overview of the proposed private road rename, located off of Juniper Drive. No objections from County Roads Department or County Recorder. 5-0 favorable recommendation forwarded from Planning Commission.

Motion by Commission Clapper to approve the proposed Resolution renaming private access tract Antrobus Way, to "Sky Place" and authorize the Commission Chair to sign all associated documents.

Motion seconded by Commissioner McGann

Discussion (none at this time)

Motion to passes 7-0

8. Secure Rural Schools Act Election of Funding (Strategic Development Director Chris Baird)
(3:20:05)

Presentation

Baird gave an overview of the proposed action. Change in federal legislation presents a new option which would ultimately result in less funding, so staff recommends staying with the direct payment at this time.

Motion by Commissioner Walker to elect to receive the Secure Rural Schools Act payment using Title I, which is a 50/50 split allocation between the Grand County School District and the Transportation Special Services District.

Seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

9. Submission of Grant Application for Airport Improvement Project (AIP) 3-49-0020-0462023. Relocate Taxiway A1, Apron Expansion, Reconstruct Apron, Taxi lane Expansion (Design Only) (Airport Director Tammy Howland) (3:21:43)

Presentation

Howland gave an overview of the application and accompanying project concepts and timeline. Recent federal funding passed allows for greater flexibility to roll three different designs into one large project proposal. If approved, construction would not commence until 2024.

Motion by Commissioner Winfield to approve submission of Grant Application for AIP project 3-49-0020-046-2023.

Seconded by Commissioner McCurdy

Discussion

Commissioner Walker sought clarification regarding the need to relocate Taxiway One, which is associated with the recent runway expansion and created the need for wider safety areas and ultimately a shorter runway. Howland explained that the local match was 9.63% of the project cost. The amount on the application is a general overestimation, and is anticipated to be about \$850,000 total. Commissioner Walker expressed concern regarding the upcoming funding horizon for the airport as CARES Act funds are no longer available, and what the long-term options will be available for funding the Airport. Passenger facility charge is planned to be applied for with the FAA and will be eligible to be used for local match funds. Upcoming Master Plan revision will be a good opportunity to talk about long term prognosis. Howland explained that Airport Improvement Projects are an FAA entitlement that isn't sought out, but is a baseline source of funding that is always available for the Airport in making improvements necessary for continued compliance.

Motion passes 7-0

10. Ordinance: Revisions to the Airport Rules & Regulations (Airport Director Tammy Howland)
(3:33:30)

Presentation

Howland gave an overview of the proposed action, which makes needed tweaks and adjustments to an otherwise effective and newly created document.

Motion by Commissioner McCurdy to adopt the Ordinance that repeals Ordinance 624, and approves revisions to the Airport Rules & Regulations.

Seconded by Commissioner Winfield

Discussion

Commissioner McCurdy sought clarification on the inclusion of an express fire lane parking prohibition. Howland explained that this gives airport staff the ability to enforce at times when this practice gets out of hand. Without a policy in place, the airport has no ability to restrict this from happening. Commissioner Walker sought confirmation that there was not anything controversial or noteworthy to the general public, aside from the fire lane detail. Howland confirmed that there was not.

Motion passes 7-0

Consent Agenda – Action Items (3:36:55)

11. Approval of Consent Agenda Items

A. Meeting Minutes for June 20, 2023, And June 28, 2023

B. Ratification of Payment of Bills

C. Contract Award for Can-Am 4 Passenger UTV And Yamaha Motorcycle for the Sand Flats Recreation Area from Weller Recreation Inc. Of Kamas, Utah, State Contractor MA 3977

D. Soundproofing for The Children's Justice Center

E. Delegation of Fire Management Authority for Cisco Incident

F. Annual Trail Maintenance Agreement Between Grand County Active Transportation & Trails Division (GCATT) And US Forest Service (USFS)

G. Independent Contractor Agreement for Two Way Communications for Radio Systems

H. Resolution: Warranty Bond Release, Hideaway Estates Subdivision

I. Resolution: Warranty Bond Release, Riley's Roost Subdivision

J. First Amendment to Independent Contractor Agreement Between Grand County and Finley Holiday Film Corp.

K. Local Consent for Moab Craggin' Single Event Permit

L. Local Consent for Outerbike Single Event Permit

M. Ratifying Emergency Purchase of a Water Tank for The Airport

N. Lease for TSA (Transportation Security Administration) At the Airport Terminal.

O. Ratifying the Billboard Space / Face Lease Contract Between Grand County and Venture Management LLC

P. Ratification of Safe Streets for All (SS4A) US DOT Grant Application and Letter of Cooperation with City of Moab

Q. Annual Children's Justice Center Utah State Contract with The Attorney General's Office

R. Road Maintenance Agreement Between Grand County and Cerato Terminal LLC

S. Transportation Special Service District Commission Representative Change from Commissioner Walker to Commissioner McCurdy

Motion by Commissioner McGann to approve the Consent Agenda as read by the Chair

Seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 7-0

No objections to moving the Public Hearing up to this point

12. Land Use Code Amendment to revise the PUD density bonus (3:40:40)

Elissa Martin described the proposed amendment, as presented in detail in the packet. Martin included an adjustment in the affordable housing incentive so that there is a larger differential in comparison with the workforce housing incentive, per discussion from the pre-meeting workshop. Based on workshop discussion, current iteration of the amendment includes Small Lot Residential and Large Lot Residential Affordable Housing 'Incentive 1' increasing from 60% to 75% and 'Incentive 2' increasing from 80% to 100%.

Chair Hadler opened the public hearing at 7:01 p.m.

No public comment received at this time.

Chair Hadler left the hearing open until 5 p.m. on Wednesday, July 26th.

Discussion Items

13. Elected Official Travel Expenditures and Reimbursement for County Business (3:48:40)

Chair Hadler clarified that the approved budget amendment included substantial increases to some individual Commissioner's discretionary budget lines.

Commissioner McGann stated that collaboration with the State Legislature is vital, and that in-person visits are the most effective. McGann added that Commissioner's must be very aware of every dollar spent, and very accountable and transparent with the use of those funds. McGann stressed the importance of submitting agendas and documentation associated with county-related travel.

Commissioner Clapper stated that the current budgeted lines were perhaps set so low due to COVID, and pointed out that newly electeds didn't craft their own budget. Clapper stated that he is fine with people using personal vehicles, and that the federal reimbursement rate is a justifiable standard. Clapper added that the Commissioners sharing information about their travel is important in order to maintain consistency and communication among the Commission.

Chair Hadler stated that there was little travel during his first two years on the Commission due to COVID.

Clerk/Auditor Woytek stated that the policy change granting round trip federal mileage reimbursement when a personal vehicle is used has perhaps led to expenditures that look inflated relative to the past, that the Clerk/Auditor's office appreciates when all documentation related to travel is presented up front, but that the Clerk/Auditor's office is happy to work with County staff and electeds to ensure compliance.

Commissioner Winfield gave a statement on the topic, stating that politics is about relationships, and that building relationships requires that you show up. Winfield stated that the volume of travel that he has taken this year reflects his strong effort to build vital relationships and repair damaged relationships that benefit Grand County and his constituents. Winfield stated that many of his constituents have encouraged him to continue these efforts. Funding appropriations that his efforts have brought to fruition include \$14.3 Million for Utah Raptor State Park, approximately \$5 Million in B&C Road funding, and relaying information regarding \$2.8 million in LATCF funding. Winfield stated that he has followed policy, that travel reimbursement forms should be revamped for ease of use and greater transparency, and that he has taken on a considerable amount of County related travel expenses out of his own pocket. Other rural County Commissioners have travel budgets and resources far exceeding the amounts being scrutinized at this time. Winfield added that the County's authority is at the grace of the State, and thus acknowledgment and close association only makes sense.

Commissioner McCurdy agreed with the sentiment shared regarding a need for appropriate accountability. McCurdy stressed that all of his expenses were well justified, expressed concern about the underhanded nature of questioning these expenses, and stated that he felt he was being unfairly questioned about trying to do better for the County.

Commissioner Hedin shared her own experience running a state program with very strict reporting and documentation standards for all business expenses and stressed the need to carefully account for every penny.

Commissioner McCurdy responded that he had paid out of pocket for some unaccounted receipts from earlier in the year and otherwise has stayed in line.

Commissioner Winfield agreed that procedures should be improved and that Commissioners must rise to a higher level of leadership, avoid unprofessional communication, and come up with a system that everyone agrees to.

Commissioner McGann defended herself regarding the suggestion that she has acted unprofessionally and spoke to her efforts in building relationships with lawmakers and other officials at the state and federal levels. McGann stated that it is unfair to suggest that the Commission has not been active and involved at the state level.

Commissioner Walker agreed that measures to improve accountability and transparency regarding Commission expenditures would be appropriate.

14. Discussion on Fire Danger and Fireworks Concerns (4:16:05)

Hedin brought up recent and ongoing public concerns regarding fire danger and the use of private fireworks. Hedin held a discussion with Rudy Sandoval, Southeast Area Fire Management Officer with the DNR Office of Fire, Forestry and State Lands, who made the suggestion that the ability to control firework use is limited to the ability to effectively enforce, and explained that he cannot make a unilateral decision to enact a fire ban.

Commissioner Walker, due to concerns expressed by the public and recent fire events, said that it is time to consider any actions possible that would limit ignition sources. Walker clarified that the State Forester follows a rigid set of rules in enacting something like firework bans and it is not a judgment call. Walker suggested that there was an overlooked section of state code that refers to flexibility in picking times to enact bans and limit ignition sources. Hedin added that enforcement of bans such as fireworks is extremely

difficult, as seen by Moab City which has in place a fireworks ban, yet widespread fireworks activity happens anyway. Winfield clarified that a wide variety of agencies are involved in any decision to implement fire bans.

Closed Session(s)

15. Strategy Session to Discuss the Purchase, Exchange, or Lease of Real Property

Motion by Commissioner Winfield to enter closed session for the purpose of a strategy session to discuss the purchase, exchange, or lease of real property.

Motion seconded by Commissioner McCurdy

Motion passes 7-0

Action Item

16. Disposition of Parcel #02-0008-0059 (Strategic Development Director Chris Baird)

Presentation

Baird gave a description of the proposed action. Comments from Public Hearing period displayed in packet. Disposition does not entail an obligation to sell, but is required to declare the property surplus and entertain proposals for transaction.

Motion by Commissioner McGann to not declare parcel # 02-0008-0059 as surplus and to designate the method of disposition as considered via Requests for Proposals (RFP).

Motion seconded by Commissioner Hedin

Discussion

Commissioner Walker stated that the potential hauling of fill material from the site would be too disruptive to residential area and that this not a good way to achieve needed affordable housing. Walker stated that he wishes to avoid the pursuit of this idea being a continued use of Staff resources, but suggested that the County could work with developers to create affordable housing at a more appropriate location. Chair Hadler stated that he voted against bringing this action up for consideration and his feelings have not changed that it is not suitable.

Commissioner Winfield stated that there is no harm in following through with the proposed action with no obligation to sell. Commissioner McGann stated that the County has spent enough time on this consideration and that the developer could be approached about building affordable housing at a more suitable location. Commissioner McCurdy stated that this is his neighborhood and he is concerned about the noise impacts and disruption, but those impacts are outweighed by the need for affordable housing that the community has.

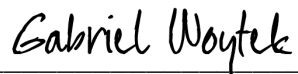
Commissioner Clapper stated that if the County were to consider moving forward, that it would need to be accompanied by some sort of subdivision to maintain its use as a borrow pit for the County Roads Department. Commissioner Walker reiterated his position that there are other avenues for facilitating affordable housing.

Motion passes 4-3, McCurdy, Winfield, and Clapper opposed

Chair Hadler adjourned the meeting at 8:33 p.m.



Jacques Hadler
Chair, Grand County Commission



Gabriel Woytek
Grand County Clerk/Auditor