



## GRAND COUNTY COMMISSION REGULAR MEETING

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

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### MINUTES 19 December 2023

The Grand County Commission met in a regular meeting on December 19<sup>th</sup>, 2023. The meeting was held in-person in the Grand County Commission Chambers, with hybrid virtual participation available via Zoom. It was also broadcast and saved on YouTube. Attending the meeting in-person was Commission Chair Jacques Hadler, Vice-Chair Kevin Walker and Commissioners Mary McGann, Bill Winfield and Mike McCurdy. Also attending in-person were Associate Commission Administrator Quinn Hall and Clerk/Auditor Gabriel Woytek. Commissioners Evan Clapper and Trisha Hedin, County Attorney Stephen Stocks and Commission Administrator Mallory Nassau were in attendance virtually.

**3:30 p.m. Chair Hadler called the meeting to order**

#### **Years of Service Presentation**

The following Grand County employees were recognized for their service to the County:

**Attorney's Office:** Cristin Hofhine (5 years) and Terri Hines (20 years)

**Grand Center:** Diana Chaires (5 years) and Jenny McDougall (5 years)

**Family Support Center:** Corina Spence (10 years)

**Library:** Jessica Magleby (15 years)

**Maintenance:** Vesta Higgs (10 years)

**Roads:** Tawny Boy (15 years) and Cody McKinney (15 years)

**Roads Retirements:** Bud Johnson (46 years) and Stan Madsen (33 years)

**Sheriff's Office:** Jenny Swenson (15 years), Gary Croasmun (15 years), Josh Staples (5 years), Haley Mosher (5 years), Jared Palmer (5 years), Hollan Moore (5 years), Aaron Fry (5 years)

**Department Heads:** Andrea Brand (25 years), Angie Book (5 years), Elizabeth Weimholt (5 years), John Cortes (30 years)

**Chair Hadler called a recess at 3:38 p.m.**

**Chair Hadler reconvened the meeting at 3:56 p.m.**

Sand Flats Recreation Area (SFRA) Director Andrea Brand highlighted the 25-year anniversary of the SFRA becoming self-sustaining. Brand shared some reflections on her accomplishments as the SFRA Director.

**4:02 p.m. Thompson Springs Special Service Fire District Board Meeting (see separate agenda)**

**4:05 p.m. Chair Hadler reconvened the Regular Meeting (35:30)**

**Pledge of Allegiance**

**Citizens to Be Heard (38:05)**

WabiSabi Board Member Kevin Clyde encouraged the Commission to sponsor WabiSabi for the Community Development Block Grant, and questioned its decision not to sponsor non-profit organization proposals, which require the support of a governmental entity, and by his account have not been off the table for Commission consideration in the recent past.

Grand County resident Lori McFarlane expressed that it is harder and harder for working people to live in Moab, especially with what she described as recent decreases in visitation, and added that the community needs to do whatever it can to encourage workers to stay and to thrive. McFarlane encouraged investment of TRT dollars on traditional promotional activity so that it might help boost the local economy and thus also its workforce.

Grand County resident Rory Paxman spoke with concern regarding what he sees as a downturn in tourism, stating that his own business is 20% down. Paxman requested that the Commission consider increases in spending on traditional tourism promotion.

Grand County resident Howard Trenholme spoke regarding his request for a report on Transient Room Tax dollar expenditures as required by the state. Trenholme expressed frustration regarding the lack of spending on traditional tourism promotion with qualified tax revenues.

**Presentations**

**Audit Committee/Risk Management Report (49:30)**

Cody Deeter gave an overview of the internal audit process with 2023 focus and results. Internal control measures were reviewed for the Old Spanish Trail Arena, Airport, Justice Court, and Library.

Commissioner Winfield stated that the internal audit report itself should be included in the agenda packet materials, the internal audit report should explicitly state that Grand County had to restate its financial statements and should include guidelines on what specific aspects should need to be improved in response to the errors that came to light.

Commissioner Walker stated that he doesn't think the job of the internal audit is to review the external audit, but to examine internal controls.

Commissioner McCurdy spoke to the need for OSTA to begin implementing payment receipt through a credit card service, and stated that he looks forward to working with the Clerk/Auditor's office to explore this option.

Commissioner Winfield stated that the Internal Audit Committee, which in his mind has been non-functional, is still in need of a financial advisor to oversee the reporting that should be presented to that committee throughout the year, and added that any mistakes that come up across the County should be addressed through these processes.

### **Department Reports** (none at this time)

### **Commission Member Disclosures** (none at this time)

Commissioner McCurdy disclosed that his wife is an employee of the Grand County Sheriff's Office.

Commissioner McGann disclosed that her son works at the Sand Flats Recreation Area.

### **General Commission Reports and Future Considerations** (1:04:50)

#### **Jacques Hadler**

- Hosted a meeting in Grand County with State Legislators
- Attended Trail Mix Committee meeting, discussion regarding tweaking quorum and at-large voting rights
- Singletrack magazine named Trail Mix the National Trail Organization of the year
- Attended Moab Area Chamber of Commerce meeting
- Attended City/County meeting focused on Highway 191 corridor planning and cost sharing
- Thompson Springs Special Service District water board, discussion regarding compliance with state drinking water requirements
- Motorized Trail Committee meeting, discussion regarding lack of engagement with MTC and the County's position on public lands issues
- Attended Moab Community Childcare Christmas Event

#### **Trisha Hedin**

- Attended two GWSSA meetings, pending rate increases for upper tier of water users, finalized White Ranch water right purchase
- Attended Conservation District meeting, Cory Farnsworth from USU Extension starting a Master Gardener class
- Attended 14-million-ton removal celebration from UMTRA site, attended by emissaries from Washington DC

#### **Bill Winfield**

- Attended Utah Film Alliance meeting, upcoming 100-year gala to take place on January 11<sup>th</sup>
- Attended Moab Community Childcare Christmas Event
- Attended SEUALG board meetings, RLF funds are available to local businesses, outreach effort needed
- Attended Southeastern Advisory Council to the Colorado River, working on conservation plans in anticipation of new agreement by 2026
- Attended Airport Board meeting, Contour Airlines to begin service on February 1<sup>st</sup>, 2024
- Attended Internal Audit Committee meeting
- Mayor Langianese and City Councilor Jason Taylor also attended visit with State Legislators

#### **Mary McGann**

- Recognized Bega Metzner for her appointment on association of Film Commissioners International
- Moab Housing Task Force meeting, update on current and upcoming projects

- Legislative outreach
- Internal Audit Committee meeting
- Travel Council Advisory Board meeting, presentation given by Love Communications regarding marketing efforts
- Attended Solid Waste Special Service District meeting
- Economic Development Advisory Board meeting, good avenue to increase collaboration with Moab City
- Attended 14-million-ton removal celebration from UMTRA site, attended by emissaries from Washington DC

**Mike McCurdy**

- Attended 14-million-ton removal celebration from UMTRA site, attended by emissaries from Washington DC
- Attended Grand County Holiday party
- Attended Recreation SSD board meeting
- Attended Canyonlands Natural History Association board meeting, discussion regarding potential large solar farm project in Grand County and upcoming Marvel film production
- Future Discussion: work with Rec Board on securing funding to fix front doors at OSTA

**Evan Clapper**

- Attended Cemetery Board Meeting
- Attended Sand Flats Stewardship Committee Meeting
- Attended Canyonlands Healthcare Special Service District

**Kevin Walker**

- Attended Council on Aging meeting, effort to release a survey with presentation to Commission regarding available housing options for seniors
- Meeting with City, planning collaborative effort around Highway 191, continued discussion about how to divide up funding
- Bears Ears plan stalled in Washington DC

**Elected Official and Staff Reports**

**Grand County Sheriff Jamison Wiggins**

- November numbers presented: 2,462 calls into dispatch, 503 were 911 calls, deputies responded to 511 calls for service, 199 traffic stops, 17 arrests, 45 papers served, 6 SAR calls, description given of major recent drug bust of 120 pounds of narcotics, which made national news

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

- 1. Ordinance Approving Revisions to the Airport Board Bylaws** (Airport Director Tammy Howland) (1:40:45)

**Presentation**

Howland gave an overview of the proposed action.

**Motion by** Commissioner McCurdy to adopt the Ordinance that repeals Ordinance 645 and Resolution 3138, and approves revisions to the Airport Board Bylaws.

**Motion seconded by** Commissioner Walker

**Discussion** (none at this time)

**Motion passes 6-0, Hedin absent**

**2. Approval of 2023 Class B Road Maps** (GIS Specialist James Murphy, Grand County Roads Supervisor Bill Jackson) (1:43:20)

**Presentation**

Murphy gave an overview of the purpose and approach associated with updating the Class B Road Maps. Statistics given regarding Class B roads within Grand County: 180.91 miles of paved roads, 230.60 of gravel roads and 1,108.60 of natural surface roads coming to a grand total of 1,519.86 miles of road. Major Changes: 1.2 miles of paved surface lost in annexation by City of Mill Creek Drive, added 1.26 miles at Moon Ridge in Bookcliffs area, small road totaling .5 mile added in Steel Ridge area. One small revision still needed is the removal of 1/20<sup>th</sup> of a mile of private road that was included in the analysis in error. Figures presented include this revision.

**Motion by** Commissioner Walker to approve the 2023 Grand County Class B Road Map, including revision as stated by staff

**Motion Seconded by** Commissioner McGann

**Discussion**

Walker clarified that this map helps to determine funding levels from the state, and some discussion followed regarding the frequency of this update. Jackson stated that it happens as needed based on the amount of change that has taken place.

**Motion passes 7-0**

**3. Resolution: Peak View Subdivision, Phase II Final Plat (Parcel No. 02-0027-0024)** (Jenna Gorney, Planning and Zoning) (1:49:00)

**Presentation**

Gorney gave an overview of the proposed action. Amended and restated Master Plan approved by the Commission on June 20, 2023, which granted a 6-month extension. Site improvements include shared use path and common area trail system with associated easements. Major drainage improvements to be associated with Phase 5.

**Motion by** Commissioner Winfield to approve the Findings of Fact set forth in the staff report dated December 12th, 2023, and adopt the proposed Resolution approving the Peak View Phase II, Final Plat, with the following conditions:

1. The Owner shall record the SIA simultaneously with the Final Plat in the Recorder's Office; and
2. 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.
3. The Owner shall continually comply with the County Engineer's requirements and Ordinance No. 612 (HDHO Rezone) and Ordinance 679 (Amended HDHO Master Plan and Development Agreement).

**Motion Seconded by** Commissioner McCurdy

**Discussion** (none at this time)

**Motion passes 7-0**

**4. Ordinance: Arroyo Crossing, Amendment to the Planned Unit Development (PUD) Master Plan** (Jenna Gorney, Planning and Zoning) (1:56:00)

**Presentation**

Gorney gave an overview of the proposed action, for which a public hearing was opened at the previous Commission meeting during which a full staff report was offered.

**Motion by** Commissioner Walker to adopt the Ordinance approving the Amended Planned Unit Development (PUD) Master Plan for Real Property within the Arroyo Crossing development, which aims at revising the development stipulations for the Cottages and Apartment developments to better accommodate site conditions and housing placement.

**Motion seconded by** Commissioner McCurdy

**Discussion** (none at this time)

**Motion passes 7-0**

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

**5. Adoption of the Amended 2023 Budget and the 2024 Budget** (Clerk/Auditor Woytek) (2:04:05)

**Presentation**

Amended and proposed budgets were presented in full detail at Public Hearing presentation. Clerk/Auditor explained that details regarding any revisions made to these budgets since the public hearing have been clearly noted in a document included in the agenda packet, with far right columns offering explanation.

**Motion by** Commissioner McGann to approve the resolution amending the 2023 Grand County Budget, adopting the 2024 Grand County Budget as well as the associated TC-800C resolution approving a 2024 property tax increase for the Grand County Public Library and Moab Mosquito Abatement District.

**Motion seconded by** Commissioner Walker

**Motion by** Commissioner Winfield to amend the allocation of TRT funds in the amount \$566,376 currently allocated to Parks, Trails and Recreation and reallocate it into paid media overseen by the Economic Development Department, as well as increase the contribution to the Moab Valley Fire District out of the general fund balance, for a total of \$200,000.

**Motion seconded by** Commissioner McCurdy

**Discussion**

Winfield stated that he wants to sustain the economy for the workforce and local business, highlighted that in 2022, \$400,000 was transferred into Active Trails & Transportation and only \$86,000 was spent, and

suggested that there was no need to add another allotment of funds. Winfield added that it was clear that more promotional advertising is needed based on community demand.

Commissioner Walker stated that the Active Trails and Transportation Department does a lot of good and critical work, that residents feel negatively about tourism impacts, and that we should continue to attract visitors while also striving to minimize impact. Walker added that he would consider increasing the allocation to the Trails Department rather than eliminating.

Commissioner McCurdy referenced what he understands are unspent TRT funds in the Active Trails and Transportation fund balance, which doesn't support allocating more of those monies to that department's operating fund.

Commissioner Walker suggested that the idea that there is a large amount of unspent TRT funds in Fund 47 is not accurate.

Commissioner McGann referenced what she described as the recent pendulum that is experienced locally regarding feelings surrounding tourism impacts versus its purported benefits, and added the County cannot kill the goose that lays the golden egg, and must do what is need to protect lands for long term economic benefit. McGann added that the budget process began in early September and it was not appropriate to bring it up at this stage.

Chair Hadler offered support for Responsible Recreation activity and stated that he would be willing in the new year through a mid-year budget amendment to consider increased ad spending, if that seemed prudent.

Commissioner Hedin stated that she also desires tweaks and changes to the budget but that now is not the right time to continue to do so. Hedin added that she was in favor of spending more dollars on traditional promotion in the future, but that this budget should be considered set.

Commissioner Clapper stated that if adjustments do need to be made that the time should be taken to do so, and if there was strong support for any changes, then those could reasonably be considered.

Commissioner Walker referred to the increased allocation to MVF, and that this could be considered.

Commissioner Winfield stated that we are making a mistake by not putting more money into promotional advertising, which is not equivalent to not protecting the backcountry. Winfield added that it makes no sense to him to transfer TRT dollars to a department that appears to already have a significant amount of those funds unspent.

### **Motion to amend fails 2-5**

Walker and McCurdy expressed gratitude to all the effort put in to preparing the budget.

### **Original Motion passes 7-0**

### **Citizens to be Heard (2:34:10)**

Mimi Drozdetski, AmeriCorps VISTA serving in the Grand County Economic Development Department, stated that VISTA workers have been ignored during the budget process, and that the base living allowance offered by the federal government is inadequate and requires additional support. Drozdetski added that \$800 a month for housing and \$400 a month for food had been previously included in the budget as support for VISTAs, that the currently proposed \$200 per month grocery stipend is inadequate, and that the County is not showing that it values VISTA time and commitment.

**6. Adopting Ordinance approving Grand County Sheriff salary adjustment and a 3.2% Cost of Living Adjustment (COLA) for County Elected Officials effective January 1, 2024 (Personnel Services Director Renee Baker) (2:37:30)**

**Presentation**

Baker gave an overview for the proposed action. Those wishing to decline their COLA can submit a written statement to have that amount removed, but the COLA would remain stated in the budget. Attorney Stocks stated that the deferral of his own COLA was meant to be a trade for his own department's budget to his office's benefit. Commissioner Winfield asked why the COLA was tied to the Sheriff's salary increase, which Baker explained is due to standard procedure. Winfield added that he is not in favor of the COLA for Commissioners but he is in favor of the Sheriff's salary increase and would like to see the motion broken up to reflect two different actions.

**Motion by** Commissioner McGann to approve the Grand County Sheriff salary adjustment

**Motion seconded by** Commissioner Winfield

**Discussion** (none at this time)

**Motion passes 7-0**

**Motion by** Commissioner Walker to approve a 3.2% cost of living adjustment for all elected officials, effective January 1, 2024

**Motion seconded by** Commissioner McGann

**Discussion**

Commissioner McCurdy sought clarification that the motion encompasses all elected officials, including commissioners. Commissioner Walker stated that the COLA should always be included in the budget except in cases of extreme budgetary crises. Walker added that in the future, the level of elected salaries could be looked at within the context of a comprehensive study. Commissioner Winfield stated that the role of Commissioner is a public service, not a career, that state legislators take even less money, and that he would be much more comfortable accepting a COLA if the community were also able to do so.

**Motion by** Commissioner Winfield to amend the original motion to remove the 3.2% COLA for the Commission and approve the COLA for the rest of elected officials

**Amended motion seconded by McCurdy**

**Amended motion fails 3-4, Walker, McGann, Hadler and Clapper opposed**

Commissioner Hedin stated that declination of the COLA would save money for the County. Hedin added that a \$750 Commissioner travel budget ended up being \$7,500 this year, and that Commissioners McCurdy and Winfield could reduce their own travel budgets as a way to save money.

Attorney Stocks clarified that he did not set the 2023 budget with which he is operating.

Commissioner Winfield stated that travel is an entirely different part of the discussion, that reducing travel would mean that he won't be bringing in funding for his constituents, and that maybe other Commissioners need to travel more and doing the same.

**Original motion passes 5-2, McCurdy and Winfield opposed.**

Original motion serves to pass the proposed ordinance in the packet.

**7. Approving the 2024 Pay Plan (Renee Baker, Personnel Services) (3:04:30)**

**Presentation**

Baker gave an overview of the proposed action. Any future changes to plan would need to come through Commission action. Commissioner Winfield added a couple of points regarding some language inconsistencies throughout some of the Exhibits presented. Winfield stressed that he thinks the new Finance Director position must be filled by someone highly qualified.

**Motion by** Commissioner Walker to approve the Resolution Titled: Repealing and Replacing Resolution No. 3341 and Establishing the 2024 Pay Plan, effective January 1st, 2024.

**Motion seconded by** Commissioner McCurdy

**Discussion**

Confirmation given that any clerical inconsistencies in the presented drafts are not substantive and are clear to be corrected.

**Motion passes 6-0, McGann absent**

**8. Software License Agreement with Ajoules, Inc. for County Information Systems Software (COINS) (Clerk/Auditor Woytek and Associate Administrator Hall) (3:13:50)**

**Presentation**

Hall gave an overview of the proposed action.

**Motion by** Commissioner Walker to approve the software license agreement for the County Information Systems Software (COINS).

**Motion seconded by** Commissioner McCurdy

**Discussion**

Clerk/Auditor Woytek clarified that the contract included the appropriate legal review regarding the County's maintenance of its own data, as well as terms of length that line up suitably with the potential to transition to consolidated software.

**Motion passes 6-0, McGann absent**

**Consent Agenda – Action Items (3:17:45)**

**9. Approval of Consent Agenda Items**

**A. Ratification of Payment of Bills**

**B. Annual Google Workspace renewal**

**C. Resolution amending the Moab Tailings Project Steering Committee Bylaws**  
**D. Purchase of a new projector for the Grand Center**

**Motion by** Commissioner McCurdy to approve the Consent Agenda as read by Chair Hadler

**Seconded by** Commissioner Hedin

**Discussion** (none at this time)

**Motion passes 7-0**

**Discussion Items**

**10. Discussion regarding Thompson Springs Re-Plat (3:19:18)**

Commissioner Winfield discussed that he has worked with County Surveyor Blake and County Engineer Dan Stenta regarding the replat work that needs to happen in Thompson Springs. Winfield stated that the majority of issues appear to be surmountable, and proposes forming a committee that includes Commissioners, the Surveyor, Engineer, and Roads Supervisor to be able to generate and maintain forward progress for this effort, for which there was consensus approval.

**11. Transportation Alternative Program (TAP) Funding Opportunity (3:25:18)**

Commissioner Winfield stated that there was a fairly short time period to apply for this funding opportunity, which would include a 40/60 match that would be pulled from the County Roads fund balance, and that Holyoak Lane curb and gutter work would be a good candidate for this funding.

**Public Hearings**

Gorney provided a general update regarding two withdrawn Alternative Dwelling Overlay (ADO) applications. 106 total units in the ADO pilot would be approved if tonight's considerations were given approval. One additional extension of an already approved ADO still to be brought forth for Commission consideration.

**12. Alternative Dwelling Overlay Rezone: 1441 Spanish Valley Drive (Parcel No. 02-0008-0089) (3:29:00)**

**Presentation**

Gorney gave an overview of the proposed ADO rezone. 4 RV dwelling sites proposed. Located along a main collector road in an area identified as a major future node, consistent with surrounding uses. Planning Commission forwarded a unanimous favorable recommendation. 2 public comments were received by neighbors in opposition to the rezone request.

**Chair Hadler opened the Public Hearing at 7:03**

Property owner Kevin O'Neill stated that he is proposing to do this because he has the extra space and wants to help to provide workforce housing.

**Chair Hadler left the Public Hearing open until 5pm on Wednesday, December 27<sup>th</sup>.**

**13. Alternative Dwelling Overlay Rezone: 1379 S. Arnel Ln. (Parcel No. 02-0007-0168)**  
(3:37:25)

**Presentation**

Gorney have an overview of the proposed rezone. Proposal not located in a preferred zoning district, but has been identified as an emerging future node with potential for increased density and uses. Planning Commission forwarded a unanimous favorable recommendation. No public comment received. Attorney Stocks clarified that Commissioner McCurdy, as the co-applicant, has recused himself from any discussion on this request and has refrained from contact with staff in his capacity as Commissioner.

**Chair Hadler opened the Public Hearing at 7:12 p.m.**

No public comment received at this time

**Chair Hadler left the Public Hearing open until 5pm on Wednesday, December 27<sup>th</sup>.**

**14. Ordinance approving the Overnight Accommodations Overlay (OAO)-RV/Campground for Parcel No. 24-0XST-0067, located off SR 313 (3:44:45)**

**Presentation**

Gorney gave an overview of the proposed action, reading into the record the full staff report and all associated details. Developers have stated that they wish to be involved in the discussion during this hearing. OAO request previously denied by the Commission. Commissioner Hedin asked that the entirety of public comments be entered into the record, and asked for detail regarding the conservation easement, employee housing, water availability and water rights, as well as historic flooding at Seven-Mile Wash. Gorney explained that the developers are aware of all requirements associated with water exploration and acquisition.

Commissioner Walker clarified the current uses that are vested within the current zoning. Walker added that he remained confused about the notes related to the proposed conservation easement, that he understood that no requirement can be imposed to ensure that the conservation easement is actually secured, that he feels that the Master Plan can indeed include ironclad guarantees, a position which the previous county attorney disagreed with. Walker added that he felt there should be a zoning category specific to glamping, which isn't the same as RV campground but lumped into that category at this point nonetheless.

The applicant, Matt Carius, explained his process for resubmitting the proposed development for Commission consideration, and stated that the currently proposed conservation easement is now fully ironclad. 5 employee housing units on site was a path chosen only because that is what is stated as required in the Land Use Code. Carius stated that the project would actually improve the ratio of housing to overnight accommodations, and would generate TRT revenue equivalent to a 200-room hotel.

Legal Counsel Brian Rosander added further justification and reasoning for why the application of a deed restriction for open space acts in an equivalent manner to a conservation easement.

Commissioner Hedin stated that her concerns lie with the business side of the development, especially regarding water availability, the unpredictable nature of the tourism economy, and workforce availability.

**Chair Hadler opened the Public Hearing at 8:14 p.m.**

Project engineer Paul Berg stated that the RV/Campground OAO category was applied for because the campground definition was the closest fit.

**Chair Hadler left the Public Hearing open until 5pm on Wednesday, December 27th.**

**Closed Session(s) (4:48:00)**

**Motion by** Commissioner McGann to enter closed session for the purposes of discussing pending or reasonably imminent litigation

**Motion seconded by** Commissioner McCurdy

**Motion passes 7-0**

**Chair Hadler adjourned the meeting at 9:01 p.m.**



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Jacques Hadler  
Chair, Grand County Commission



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Gabriel Woytek  
Grand County Clerk/Auditor