



GRAND COUNTY COMMISSION REGULAR MEETING

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

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MINUTES 15 October 2024

The Grand County Commission met in a regular meeting on October 15th, 2024. 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 were Commissioner Chair Jacques Hadler, Commission Vice Chair Kevin Walker and Commissioners Bill Winfield, Mary McGann, Evan Clapper, Trisha Hedin, Mike McCurdy. Also attending in person was acting Commission Administrator Quinn Hall, Clerk/Auditor Gabriel Woytek and County Attorney Stephen Stocks.

3:00 p.m. Call to Order Regular Meeting

Department Reports

Building Department (Chief Building Inspector Bill Hulse)

Grand Center (Grand Center Director Yordy Eastwood)

Weeds Department (Weeds Supervisor Izzi Weimholt)

Chair Hadler called a recess at 3:40 p.m.

Closed Session

At 4:01 p.m., motion by Commissioner Walker to enter a closed session for the purposes of discussing pending or reasonably imminent litigation.

Motion seconded by Commissioner McCurdy

Motion passes 7-0

At 4:35 p.m., motion by Commissioner McGann to exit the closed session

Motion seconded by Commissioner McCurdy

Motion passes 7-0

4:37 p.m. Thompson Springs Special Service Fire District (see separate agenda)

4:38 p.m. Chair Hadler reconvened the Regular Meeting

Pledge of Allegiance

4:39 p.m. Citizens to be Heard

Katie Murphy spoke in support of pursuing FLAP grant funding to support the Spanish Valley Pathway project.

Presentations (none scheduled)

Agency Reports (none scheduled)

Commission Member Disclosures (none at this time)

Commissioner McCurdy disclosed that he is a developer of an Alternative Dwelling Overlay project and that his wife is a county employee who carries county health benefits for his family. In reference to the proposed ICA with Metro Title, McCurdy disclosed that this company employs multiple family members.

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

General Commission Reports and Future Considerations

Jacques Hadler

- Update on eBike scoping/commenting period

Evan Clapper

- EMS meeting, budget discussions

Bill Winfield

- Fire Annexation meeting
- Budget Advisory Board meetings
- Airport Board meeting
- Utah Watershed Council meeting

Mary McGann

- Housing Task Force meeting
- Travel Council Advisory Board meeting

Trisha Hedin

- Met with Headwater Economics regarding free services available for community planning assistance for wildfire

Mike McCurdy

- Attended Mill Creek Workshop
- Applicants sought for Transportation Special Service District, which is currently pursuing an emphasis on stormwater mitigation efforts

Kevin Walker

- Working with attorney on response to State Auditor's Office

Elected Official and Staff Reports

County Attorney Stephen Stocks

- Attended Prosecutors best practices conference in SLC
- Working on refinement of legal review

Acting Commission Administrator Hall

- UAC Conference
- Impact Fee Analysis Initial meeting 9/24 at 4pm
- Meeting with consultants for Land Use Plan update

6:01 p.m. Citizens to be Heard (none at this time)

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

1. 2022 FMA Moab Detention Basin Scoping Grant (Richard Lory, Transit Coordinator and Grant Writer, City of Moab)

Presentation

Grand County to serve as a pass-through entity for grant awarded in 2022, by virtue of having a Hazard Mitigation Plan in place.

Motion by Commissioner McCurdy to approve the 2022 FMA Moab Detention Basin Scoping Grant

Motion seconded by Commissioner Hedin

Discussion

Lory explained that this grant only funds preliminary project scoping and a FEMA cost-benefit analysis.

Motion passes 7-0

2. Special Event Grants (Ben Alter, Economic Development Department)

Presentation

Grant program supports new and existing annual events that attract visitors to the Moab area. Grant applications are received by the Moab Area Travel Council (TCAB), brought before the Travel Council Advisory Board and, following the board's recommendations, are voted on by the Grand County Commission.

During its regular August and October meetings, the TCAB discussed and resolved on October 8, 2024 to recommend a number of grant rewards, presented and included in the suggested motion.

Powow application was processed late, remaining special event grant funding that is available was recommended to support.

Motion by Commissioner Winfield to fund the Red Canyon Powow for \$15,000 in Special Event Grant Funding

Motion seconded by Commissioner McCurdy

Discussion

Commissioner Winfield stressed that recipient events should be working towards more financial independence in how they operate, with less reliance on these grants. Winfield added that the powwow was an interesting and unique event that drew a lot of visitors from outside of the County. Attorney Stocked stressed the importance of grant recipients of these TRT funds clearly demonstrate their effort in attracting outside visitors. Alter described the post event evaluation process which takes this analysis into account.

Motion passes 7-0

3. 2024 Property Tax Abatements and Cancellations through 10-8-2024 (Treasurer Kauffman)

Presentation

Each year, in accordance with State Law, Grand County accepts applications for property tax relief from veterans with a service-related disability, persons who are legally blind and low-income individuals who are over age 64, a surviving spouse, disabled or experiencing extreme hardship. County approval is mandatory for most of these reductions and the state reimburses a portion of them.

Every year, some taxes are canceled or adjusted by the Commission for a variety of reasons. Some taxes are incorrectly assessed, others may not be cost-effective to collect and courts may order reductions due to appeals of valuation. There was a substantial increase in total tax relief compared to 2023. This appears to be due in large part to valuation increases and the new Moab City tax. There was not a substantial increase in the number of applications for tax relief. When taxes go up on residential properties and more is owed, tax relief also generally increases. In addition to a reappraisal of Castle Valley, many residences across the county had their values increased because the State found that they were too low. The Moab City tax resulted in a significant increase to all residences within the City.

The fiscal impact is \$472,302.56, of which \$117,430.35 is reimbursed by the State, leaving an actual net fiscal impact amount of \$354,872.21. This impact is spread across all taxing entities, generally in proportion to their share of overall property tax. Additionally, tax abatements and exemptions are factored into the property tax rate through the collection rate. Therefore, taxing entities will experience little actual loss of revenue from tax relief, but all other taxpayers will see a small increase in what they pay.

Motion by Commissioner Hedin to approve the 2024 property tax relief and cancelations through 10-8-2024, as presented

Motion seconded by Commissioner Walker

Discussion (none at this time)

Motion passes 7-0

6pm Citizens to be Heard

4. Denial of Tax Relief Applications through 10-8-2024 (Treasurer Kauffman)

Presentation

Each year, in accordance with State Law, Grand County accepts applications for property tax abatement from veterans with a service-related disability, persons who are legally blind and low-income individuals who are over age 64, a surviving spouse, disabled or experiencing extreme hardship. All of these programs have criteria that applicants must meet in order to be eligible. Each year some applications are denied and the State Tax Commission (USTC) has advised that the County Commission (BOE) should officially deny applications rather than the office that accepts them. As of 10-8-2024, Grand County has received 2 signed applications that do not meet the eligibility requirements. State law protects the privacy of information submitted in a tax relief application, so the applications have not been provided in the public packet but have been sent to the Commissioners individually. The applications have been assigned a number so they can be discussed without disclosing any identifying information. The USTC Tax Relief Standards of Practice are attached which cover all of the eligibility criteria. One of the applications was over the income limit set by the County in 2022. That limit is 120% of the State limit. The second applicant's vision did not meet the criteria for legal blindness.

Motion by Commissioner Walker to approve the denial of tax relief applications numbered 1 and 2 for 2024 as presented

Motion seconded by Commissioner McGann

Discussion

Discussion regarding the potential for graduated relief options based on different income levels.

Motion passes 7-0

5. Pretrial Services Grant Application (Jail Commander Shan Hackwell)

Presentation

Grand County does not currently have a pretrial services program in place. Through assistance and aid of grant funds, Grand County can establish a pretrial services program. Grand County is a 5th class county, which consists of rural isolated communities that experience a high influx of visitors and is geographically far from accessible resources. With the implementation of a pretrial services program, local courts can order appropriate pretrial release with individualized supervision based on specific needs and public safety risk assessment. Having a Deputy assigned to pretrial services as their special assignment, allows them to focus on all aspects of supervision, including client communication with proactive reminders and drug or alcohol testing/monitoring. Utah Bail Forfeiture Grant Funds will be used to hire and employ one additional law enforcement officer, whose special assignment will be designated as the Pretrial Services Deputy. The monetary assistance will pay the base salary of the Deputy for one year, along with the required on-call pay. Grant funds will also be utilized to purchase the equipment required.

Motion by Commissioner Winfield to approve the Pretrial Service's Grant Application

Motion seconded by Commissioner McCurdy

Discussion

Discussion regarding the great benefit the position will have to the community and individuals facing the potential for incarceration.

Motion passes 7-0

6. Federal Lands Access Program (FLAP) grant projects (County Engineer Dan Stenta and Roads Supervisor Bill Jackson)

Presentation

The Federal Lands Access Program (FLAP) is a cyclic grant program administered by the Federal Highways Administration (FHWA). Funding is made available for improvements to a “road, bridge, trail, or transit system” that is located on, adjacent to, or provides access to Federal lands, for which maintenance responsibility is vested in state, county or local government. Funding can be used for transportation planning, engineering, preventative maintenance, reconstruction, or new construction projects on eligible routes.

Discussion regarding the various funding options, including the Castleton Road project which has already received funding in the past for portions of it, in collaboration with San Juan County, and the increased likelihood of receiving funding for smaller projects like Castleton Road, given relatively limited available funding from this grant program.

Motion by Commissioner Walker that the Commission direct staff to prepare a 2024 FLAP grant request for the Castleton Road project with an approximate project budget amount of up to 12.8 million dollars, or as much as is deemed appropriate by staff

Motion seconded by Commissioner Hedin

Discussion

Staff described next steps for the application process.

Motion passes 7-0

7. Resolution - Accepting Subdivision Improvements - Wingate Village PUD (County Engineer Dan Stenta)

Presentation

Wingate Village is a subdivision with a PUD overlay comprised of 33 dwelling units reserved for affordable housing. The developer of the project was the Housing Authority of Southeastern Utah (HASU). The project is completely built out and all the infrastructure improvements have been in operation for some time now. The SIA performance bond was previously released, and the warranty period is over. The County LUC requires a formal resolution passed by the Commission to certify acceptance of all public improvements and assumption of maintenance responsibility for public roads. The necessary inspections have occurred and staff is recommending final acceptance and release of any remaining collateral.

Motion by Commissioner McCurdy to approve the attached Resolution accepting the completion of subdivision improvements for Wingate Village PUD and releasing subdivider of further obligations under the SIA.

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 6-0, Hadler absent

8. Plat Amendment Approval for Desert Sol (P+Z Director Amy Weiser)

Presentation

The applicant is requesting approval of a Plat Amendment located at 3060 Spanish Valley Drive to align with design changes to the townhomes. This submission is a Plat Amendment to create a 42-lot subdivision as part of an HDHO overlay processed with Grand County Land Use Code Section 9.8.1 Plat Amendments, Section 9.5 Final Plat, Article 5 Lot Design Standards, Article 4.7 High Density Overlay and Article 7 Subdivision Standards. The approved application would create 42 parcels with 80% (34 units) being deed restricted to rent to Actively Employed Moab residents. The remaining 20% would be available for purchase for residential use. The property is subject to a previously approved and recorded Development Agreement from a project titled Sandstone Cottages that intended to occupy the property with the same use.

Motion by Commissioner McCurdy to approve the Findings of Fact set forth in the staff report dated September 6, 2024 and the proposed Resolution approving plat amendment for Desert Sol, Amendment I.

Motion seconded by Commissioner Hedin

Discussion

Motion passes 6-0, Hadler absent

9. Lease for Lion's Back Resort to advertise its products digitally (on screens) in the terminal at CNY Airport (Airport Director Tammy Howland)

Presentation

The owner and developer of Lion's Back Resort expressed a desire to advertise its project digitally in the terminal at the Canyonlands Regional Airport. At the time when this idea was brought to the attention of airport management, Grand County had an established fee for advertising but did not have any policies in place to regulate it or equipment for digital advertising. Lion's Back was willing to provide their own equipment for the opportunity to advertise in the terminal. Prior to this request, airport management had not received any interest in advertising space. This request was brought to the airport board and after much discussion and debate, it was decided to let Lion's Back advertise since the airport board is very close to establishing policies, but the proper equipment may not be available until funding can be made available in 2025. The lease is for no more than one year with a clause to terminate the lease at any time. This will allow the airport and Lions Back to enter into a new agreement once the new advertising policies are approved. During the discussion, it was determined by the airport board to put a hold on any new request for advertising until an airport operated system can be installed in the terminal. Lion's Back is restricted from allowing advertising for other entities on their equipment.

Extensive discussion was made about the detailed policies relating to advertising displays at the airport, and associated potential revenue streams.

Motion by Commissioner Winfield to approve the lease for Lion's Back Resort to advertise digitally at the Airport terminal.

Motion seconded by Commissioner McCurdy

Discussion

Motion passes 4-3, Walker, McGann, and Hedin opposed

10. USU Contract Amendment (Attorney Stocks)

Presentations

In July 2022, the County signed an agreement with USU to expand its Business Consulting Services. However, due to various factors, the position has been vacant for most of the original term of the agreement. As the Agreement is nearing expiration, it is impractical to recruit for a position that could expire in a few months. After discussions with representatives from USU, The County is optimistic that USU will be able to recruit and retain someone to fill the position for a full three-year term. The position was briefly filled, and the additional \$20,000 contribution will cover the expenses incurred during that period.

Discussion ensued regarding the process and challenges for filling the position, its appropriate stewardship at the USU campus, and guard rails written into the contract in the event that it does not become filled and executed to a satisfactory degree.

Motion by Commissioner Walker to approve the amendment to the Cooperative Agreement with USU, which allows for an extension of time and additional funds to fulfill the purpose of creating SBDC.

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 7-0

11. Westside Woodwork Contract Amendment (Attorney Stocks)

Presentation

Westside Woodwork received a STAR grant in November 2022. They are requesting an amendment to the grant to allow for the purchase of new equipment. This equipment is in line with the original grant's purpose and will help the company grow and expand its business.

Motion by Commissioner Hedin to approve the Second Amendment to Westside Woodwork Contract, which will allow for a change in the scope of the project to include equipment purchases.

Motion seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 6-0, McGann absent

12. Special Events Intent to Apply submissions for Q2 2025 (Commission Coordinator Alishia Oliver)

Presentation

The following event Intent to Apply (ITA) submissions were received by the deadline for Quarter 2 (2025) and deemed high impact, triggering Commission review and approval:

April Submissions

Amasa Trails, April 12, 2023, running event held on public lands, total daily attendance 300.

Cruise Moab 2025, April 20-27, 2025, Motorized/Expo event held at OSTA and on Public Lands, total daily attendance 600.

May Submissions

Moab Grenadier Rally, Motorized/Expo event held at OSTA and on Public Lands, total daily attendance 200.

June Submissions

Crystal Festival, June 6-8, 2025, Expo event held at OSTA, total daily attendance 570.

Motion by Commissioner Winfield to approve the following Special Event Intent to Apply Submissions:

Amasa Trail Race, Cruise Moab 2025, Moab Grenadier Rally with event date changed to May 1st through 4th, and Crystal Festival.

Motion seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 6-1, Clapper opposed

13. Transfer of Grand County Assets in Relation to Possible Fire Department Annexation (Attorney Stocks)

Presentation

Commissioner Winfield, Walker, and Hadler have been in ongoing discussions with the Moab Valley Fire District and related Grand County departments regarding the complexities of the annexation transition. The County does not want to approve the transfer of assets until the annexation is truly finalized.

(No action taken at this time)

Consent Agenda – Action Items

14. Approval of Consent Agenda Items

- A. Approval of Meeting Minutes for September 17th and October 1st, 2024**
- B. Ratification of Payment of Bills**
- C. Ratification of Letter of Support for UDOT Passing Lanes**
- D. Ratification Of Independent Contractor Agreement with Beh Brothers Construction, LLC For Infrastructure Improvements at Arroyo Crossing, Tract E (Funded Through Community Development Block Grant)**
- E. Ratification of The Billboard Lease Agreement with Venture Management LLC**
- F. Resolution - Manderfield Subdivision - Final Bond Release**
- G. Resolution - Accepting Subdivision Improvements and Release of Warranty Bond - Rim Village Vistas Phase 6**
- H. Volunteer Appointment to The Solid Waste Special Service District No. 1**
- I. Independent Contract Agreement with Arch Walker Enterprises for The Replacement Of The South Bay Roll Up Door at The Old Spanish Trail Arena.**
- J. UDWQ Grant Application to Extend Healthy Trails Coordinator Position**
- K. Volunteer Appointment to The Transportation Special Service District**

Motion by Commissioner McCurdy to approve the Consent Agenda, as read by the Chair.

Motion seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

Discussion Items

Appeal of Request for Zoning Interpretation

Attorney Stocks described the effort of preparing a briefing schedule and expectations for supplemental material to be considered regarding the zoning interpretation action called by Kane Creek Watch. Tentative plan discussed: Kane Creek Watch to submit their information by November 1st, Grand County Zoning Administrator to rule by November 15, rebuttal due by Kane Creek Watch by November 22nd, with a December 3rd meeting regarding final interpretation.

Closed Session

At 7:23 p.m., motion by Commissioner McGann to enter a closed session for the purposes of discussing the character, professional competence, or physical or mental health of an individual.

Motion seconded by Commissioner McCurdy

Motion passes 7-0

At 7:46 p.m., motion by Commissioner McCurdy to exit the closed session

Motion seconded by Commissioner Walker

Motion passes 7-0

Chair Hadler adjourned the meeting at 7:46 p.m.



Jacques Hadler
Chair, Grand County Commission



Gabriel Woytek

Grand County Clerk/Auditor