



GRAND COUNTY COMMISSION REGULAR MEETING

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

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MINUTES 6 November 2024

The Grand County Commission met in a regular meeting on November 6th, 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 Commission Chair Jacques Hadler, Commission Vice Chair Kevin Walker and Commissioners Bill Winfield, Trisha Hedin, Evan Clapper, and Mary McGann. Also attending in person was acting Commission Administrator Quinn Hall, Clerk/Auditor Gabriel Woytek, and County Attorney Stephen Stocks. Commissioner McCurdy attended the meeting virtually.

2:01 p.m. Budget Workshop

Tentative Budget Overview

Summary given of budgeting process thus far, including meetings of the Budget Advisory Board in tandem with the gathering a preparation of budgets arising from expense requests by department heads. Current tentative budget includes a budgeted draw of \$800,000 from the fund balance, due to a historical underspend of at least that amount. Presentation regarding current status of tentative budget with deficit to cover through budget cuts, and pending expenses not yet included in the budget.

Sheriff Wiggins discussed the importance of Grand County picking up the tier 2 URS contribution, which is not yet currently included in the budget.

New Positions/Reclassifications, Cost of Living Adjustment, and Elected Official Salary Assessment

Tess Barger gave a presentation of all official new position requests with associated supporting narrative and budgetary impacts, submitted by department heads for consideration in 2025. 2.5% cost of living adjustment proposed to be included in the tentative budget as allowed by room made by budget cuts.

2025 Revenue Projections

Budget Officer Steven Vowles gave a range of possible revenue projection methodologies for consideration, ranging from pessimistic to optimistic in approach.

Fund Balance Update

Vowles displayed a summary of the current reserve balance in each budgetary fund.

At 4:08 p.m., Chair Hadler called a recess

4:16 p.m. Grand County Commission as Land Use Appeal Authority

Decision on Motion to Intervene

Attorney Stocks explained the process to date regarding the receipt of a zoning interpretation and subsequent motion to dismiss. Stocks recommends acceptance of motion to intervene to allow for property owners to speak on their own behalf in the face of potential losses based on the Commission's ultimate decision. Upcoming briefing schedule discussed.

Motion by Commissioner Walker to grant the motion to intervene for Kane Creek Preservation and Development

Motion seconded by Commissioner Hedin

Discussion

Interveners (KCPD) will be involved in the briefing schedule and make comment during consideration and presentation of zoning interpretation.

Motion passes 6-0, McCurdy absent

4:22 p.m. Chair Hadler called to order the Regular Meeting

Pledge of Allegiance

4 p.m. Citizens to be Heard (none at this time)

Chair Hadler allowed Clerk/Auditor Woytek to make his Elected Official report at this time, without objection:

Clerk/Auditor Woytek gave a report on how administration of the General Election went, with acknowledgment of all the hard work that everyone contributed.

Later results reporting was a result of a careful and methodical approach focused on avoiding errors as well as reducing any long wait times or delays for voters coming in to participate. Preliminary turnout figures over 90%, with an overall positive community feel.

Summary given of uncounted ballot disposition, of which there were 53 total, and further action still to be taken in curing uncounted ballots, either by completion of provisional registration or through signature verification. Board of Canvassers to convene to certify results.

Presentations (none scheduled)

Department Reports (none scheduled)

Agency Reports

Arches National Park Visitor Access and Experience Plan

Southeast Group Director Lena Pace spoke to the Commission regarding upcoming public engagement opportunities related to the NEPA process. Pace stated that since the timed-entry system pilot has begun, she has witnessed a healthier Park, healthier City and a healthier County. Over the last 20 years or so, visitation to Arches National Park has increased by 73%. The National Park Service has taken several actions to address volume, but congestion and experience degradation has continued. Improved visitor experience reported upon implementation of timed entry. Socioeconomic study and that study found no net negative impact to the local economy, rather finding that the local economy continued to grow under the timed entry pilot. City of Moab wrote a letter of support last fall supporting the timed entry system, and NPS also has support from our concession holders and permit holders who operate businesses in the park. NPS has released a draft plan with a proposed alternative to continue the timed entry system on October 24th for a 30-day comment period, closing on Saturday November 23rd, the weekend before Thanksgiving. Virtual and in person public meetings upcoming, including a written public comment portal online. Final finding with path forward will be chosen after this comment period.

Commission Member Disclosures (none at this time)

General Commission Reports and Future Considerations

Jacques Hadler

- Chamber of Commerce meeting
- Response to State Auditor's findings letter submitted

Evan Clapper

- No report at this time

Bill Winfield

- Observed presentation on Vail Indeed program
- Meeting in SLC with the Sutherland Institute regarding housing
- Airport Board meeting interviewed 8 candidates for one opening

Mike McCurdy

- Filled in at Budget Advisory Board Meeting

Trish Hedin

- Planning Commission meeting, presentation by CZB regarding future land use plan
- Mosquito Abatement District meeting

Kevin Walker

- No report at this time

Mary McGann

- Canyon Country Partnership Meeting
- Facilities Subcommittee meeting
- Economic Opportunity Advisory Board meeting

Elected Official and Staff Reports

Commissioner Hedin provided the following prepared statement:

I would like to make a statement regarding social media posts that have appeared in the last few months. There were a number of social media posts regarding my emails obtained via GRAMA request. In these

requests, it is noted that I sent emails from my personal account to my county email account. I am currently working with the county attorney to provide them access to any personal email that may relate to county business. I also want to take the time to apologize to our county attorney and his staff for a statement that I made on social media which implied that his actions were political in nature. This comment was irrational and inappropriate and it is not my intent to discredit the county attorney and/or his staff.

Attorney Stocks responded with the following prepared statement:

The Grand County Attorney's Office is working with Commissioner Hedin to address a request for county documents. We appreciate Commissioner Hedin's willingness to interface with my office to provide the requested documents.

Attorney Stocks stated that he attended a Seekhaven banquet where Judge Danalee Welch and Andrea Noyes were recognized for their service in prevention of domestic violence. Also attended UPC training with the Attorney General's Office.

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

1. Non-profit use exemption for parcel 01-0B19-0009 (Seekhaven Executive Director Abigail Taylor)

Presentation

Seekhaven gained ownership of this parcel on 7/18/2023. Grand County canceled the 2023 taxes for the portions of the year when the parcel was owned by Seekhaven. Seekhaven is now requesting a non-profit use exemption for 2024 based on the following: Seekhaven's intention for this parcel to include it in our expansion efforts to better serve victims of domestic violence and sexual assault.

Motion by Commissioner Walker to approve the non-profit exemption status for parcel 01-0B19-0009

Motion seconded by Commissioner Hedin

Discussion

Confirmation given that this action would automatically renew until the Commission took a new action to undo it.

Motion passes 7-0

2. Summit Food Service Contract for the County Jail (Jail Commander Hackwell)

Presentation

Hackwell explained that this contract is with Summit Food Service, for commissary items that they provide to the inmates. There is not an up-to-date, signed contract, so this contract is being requested to formalize that agreement.

Motion by Commissioner Walker to approve the Summit Food Service Contract for the County Jail

Motion seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

3. Resolution for the Conditional Use Permit for a General Daycare (Planning and Zoning Director Amy Weiser)

Presentation

The applicant, Tami Woodruff, is requesting a Conditional Use Permit for a General Daycare Center (more than 8 children at one time) on a parcel zoned Small Lot Residential (SLR). The applicant previously operated a daycare business at the corner of Murphy Lane and Millcreek Dr in a Highway Commercial zone, approved by Grand County with a 2007 Site Plan Review process. The applicant is requesting approval for a new location up Murphy Lane near the intersection of Mill Creek, not far from her previous location. The applicant recently placed a new manufactured home on the vacant property and has permission from the owner to live on site and operate a Daycare. A Conditional Use Permit is required for a Daycare, General, in the SLR zone. The applicant submitted a business license for a General Daycare Center, pending approval of this CUP.

Motion by Commissioner Winfield to approve the proposed Resolution approving the Conditional Use Permit for a General Daycare as per the staff report dated October 21, 2024.

Motion seconded by Commissioner Hedin

Discussion

Clarification made regarding maximum capacity of the daycare (16) and requirements for notifying neighbors of changes such as these.

Motion passes 7-0

4. Resolution for the Amended Final Plat for All American Acres Subdivision, Lot 14 Amendment 2 (Planning and Zoning Director Amy Weiser)

Presentation

The existing lots were created by the All-American Acres Subdivision and have not been altered since they were created. Both lots are developed with single family homes and accessory structures. If the adjustment is approved, both lots will still be in conformance with the zone and all structures will meet required setbacks.

Motion by Commissioner Winfield to approve the proposed Resolution approving the Amended Final Plat Amendment for all American Acres Subdivision, Lot 14, for the purpose of adjusting a shared property line between two adjacent lots as per the staff report dated October 22, 2024.

Motion seconded by Commissioner Hedin

Discussion

Staff confirmed that both property owners were in support of the proposed action.

Motion passes 7-0

5. Resolution for the Final Plat of the Marshall-Van Horn Subdivision (Trails Director Maddie Logowitz)

Presentation

The subject property consists of a 2.40-acre parcel, zoned Rural Residential (RR) and located at 2780 Roberts Drive. This subject parcel is being subdivided to create two lots. The north lot (Lot 1) will be 1.20 acres and the south lot (Lot 2) will be 1.20. A Road Dedication will be recorded with the plat that consists of a 0.20-acre portion of land along Roberts Drive, not requiring improvements at this time. This application qualifies as a minor subdivision due to the fact that it requires no public improvements and meets minor subdivision criteria as defined in LUC section 9.3.1.B. Since there are no required improvements, an SIA is not necessary.

Motion by Commissioner Winfield to approve the Findings of Fact set forth in the staff report dated October 21, 2024, and the proposed Resolution approving the Final Plat of Marshall - Van Horn Subdivision, with the following conditions: Dedication of Right of Way, Existing shed will no longer meet side yard setbacks and must be moved to comply or removed

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 7-0

6. A Resolution approving the Interlocal Cooperation Agreement (ILA) with the City of Moab for joint administration of the Safe Streets for All (SS4A) grant award (County Engineer Dan Stenta)

Presentation

In 2023, the County and City jointly applied to the Federal Highways Administration (FHWA) for a \$600,000 planning grant under the Safe Streets and Roads for All (SS4A) program. The County Commission's letter of support for the grant application is attached. The scope of the work covered includes roadway planning assessments for Spanish Valley Drive and Spanish Trail Road (County) and a detailed planning assessment and preliminary design for Mill Creek Drive (City). Additional elements include drafting a Complete Streets ordinance, updates to the UTMP action plan, and equity assessments for future projects. Earlier this year we received notification that the application was successful. Terms of the grant are up to 80% (\$480,000) of the cost of the planning work is reimbursable with the County and City splitting the 20% match with a combination of cash and in-kind services. It was decided that the City should be the lead entity as they have a dedicated staff member and a larger component of the work. The City has executed a grant agreement with FHWA (attached) and is ready to solicit RFP's for a consultant to do the work. The Interlocal Cooperation Agreement (ILA) to be approved by this Resolution spell out the terms and conditions of the City and County's joint administration of this grant. The County Attorney reviewed the initial draft of the ILA, raised some concerns that have since been resolved with subsequent drafts, and has approved the attached final version of the ILA. The Planning Department and the Road Department are planning to split the County's cash match.

Motion by Commissioner Walker to approve the attached Resolution approving an Interlocal Cooperation Agreement with the City of Moab for joint administration of grant funds awarded by the Federal Highways Administration under the Safe Streets and Roads for All (SS4A) program to implement components of the 2022 Unified Transportation Plan.

Motion seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

7. Consideration of offer for County Administrator (Chair Hadler and Attorney Stocks)

Presentation

Chair Hadler gave an overview of the extensive hiring and interview process taken for the current candidate being considered. Attorney Stocks negotiated terms of a contract which include severance pay for someone moving his family to Moab from Alabama. Selected candidate Mark Tyner to begin on December 2nd.

Motion by Commissioner Hedin to approve and authorize the attorney to draft and the chair to execute a contract with Mark Tyner for the Grand County Commission Administrator position as outlined in the attachment.

Motion seconded by Commissioner Winfield

Discussion

Discussion regarding appropriate inclusion in 2025 tentative budget.

Motion passes 7-0

8. Letter of Support for the draft plan/environmental document for Arches Visitor Access and Experiences with Arches National Park (Commissioner Hedin)

Presentation

Response from Grand County to the National Park Service regarding the Arches National Park Arches Visitor Access and Experiences Plan. Commissioner Hedin stated that in light of Lena Pace's presentation at this meeting, she would attend a public comment event and redraft the current letter under consideration.

Action item tabled for consideration at a future meeting

9. Letter of Support for the nomination for a boundary increase for the Wolfe Ranch Historical District at Arches National Park (Commissioner Hedin)

Presentation

A nomination was sent to the National Register of Historic Places for additional documentation and a boundary increase has been prepared for the Wolfe Ranch Historic District within Arches National Park. Consistent with the requirements for nominating federal properties in the jurisdictions of federal agencies the purpose of this documentation is to evaluate all historic resources within the district and provide historic context to address periods of significance within the historic district. The nomination was completely reviewed by historian James Steely and was reviewed and approved by staff of Arches National Park and the Historic Preservation Services Program at the National Parks Service Regional Office.

Motion by Commissioner Walker to approve the Letter of Support for the nomination for a boundary increase for the Wolfe Ranch Historical District at Arches National Park.

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 7-0

Consent Agenda – Action Items

10. Approval of Consent Agenda Items

- A. Approval of Meeting Minutes**
- B. Ratification of Payment of Bills**
- C. 2024 USU Cooperative Agreement**
- D. Volunteer Appointment to the Canyonlands Healthcare Special Service District**
- E. Ratification of Letter of Support for the Brownfields Coalition**
- F. Ratification of the Office of Emergency Management – State Homeland Security Program (SHSP) Grant Award Letter**

Motion by Commissioner Walker to approve the Consent Agenda as read by the Chair (original item A not included in motion)

Motion seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 7-0

Closed Session

At 5:43 p.m., motion by Commissioner McGann to enter closed session for the purposes of discussing the character, professional competence, or physical or mental health of an individual

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 7-0

At 5:50 p.m., Motion by Commissioner McGann to exit the closed session

Motion seconded by Commissioner Walker

Chair Hadler adjourned the meeting at 6:00 p.m.



Jacques Hadler
Chair, Grand County Commission

Gabriel Woytek

Gabriel Woytek
Grand County Clerk/Auditor