



GRAND COUNTY COMMISSION REGULAR MEETING

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

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MINUTES 6 May 2025

The Grand County Commission met in a regular meeting on May 6th, 2025. 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 were Commission Chair Bill Winfield, Commission Vice-Chair Melodie McCandless and Commissioners Jacques Hadler, Brian Martinez, Mary McGann, Trisha Hedin, Mike McCurdy. Also attending in-person were Commission Administrator Mark Tyner, Associate Commission Administrator Quinn Hall, County Attorney Stephen Stocks and Clerk/Auditor Gabriel Woytek.

3:00 p.m. Grand County Board of Equalization (see separate agenda)

Closed Session

At 3:22 p.m., Motion by Commissioner Hadler to enter closed session for the purposes of discussing the purchase, sale, or exchange of real property

Motion seconded by Commissioner McCandless

Motion passes 7-0

At 3:53 p.m., Motion by Commissioner McCurdy to exit closed session

Motion seconded by Commissioner Martinez

Motion passes 6-0, Hedin abstains

At 4:02 p.m., Chair Winfield called to order the regular meeting

Pledge of Allegiance

Citizens to Be Heard

Lee Shenton, president of the local chapter of the Utah Friends of Paleontology, described the process for raising \$26,000 in public donations for use at the Utah Raptor State Park, and the plan for the use of such funds, including a Utah Raptor skeleton, custom video, and interpretive displays.

Former Grand County Trail Mix chairperson Colin Topper spoke in support of opening some non-motorized trails to e-bike use but also expressed opposition to the blanket opening of all local mountain biking trails to e-bike use. Topper stated that the input letter previously submitted by the Trail Mix committee was a very

carefully thought out and statement of compromise that took into account all potential user conflicts that can arise from increased use and new use. Partial openings of non-motorized trails would offer a best of both worlds scenario by showing a good faith effort to introduce a new use and measure potential impacts and conflicts.

Samantha Derbyshire, vice-chair of Grand County Trail Mix, spoke in opposition to the revised letter of support being considered in Item 12. Derbyshire stated that the proposed opening of all trails would constitute a free for all, would compromise the integrity of precious trails, and that the area already has an increasing number of e-bike friendly trails in order to address accessibility concerns. Derbyshire stated that more research was needed to understand all ramifications associated with increased e-bike use.

Merrick Golz, owner of Coyote Shuttle, stated that in his 20 years of experience with e-bikes, other outdoor adventure-oriented communities which have welcomed e-bike use have seen increases in visitation and access, and Grand County should be motivated to keep up with this trend in order to stay competitive.

Presentations

Gap on Highway 128 Bike Path (UDOT Project Manager Brent Hadfield)

Utah Department of Transportation Project Manager Hadfield described the current status of the Colorado River Trail Gap project, which is currently in the design process. Project funded with Utah Trails Network (UTN) funding. Current design to be all retaining walls and no structural elements. Project budget is \$12.5 million (\$10m from UTN, \$2.5 from Bureau of Reclamation), designed by Horrocks Engineering. Trail gap currently exists from mile marker 2.382 to 3.027. Trail to be set 12 feet wide with a one-foot buffer zone. Examples displayed of design to be constructed. Design slated to be completed by February 2026, with construction estimated to be completed August 2026 to March 2027, which involves some challenging environmental limitations and restrictions associated with wildlife protections. Grand County agreement to be drafted, which includes ongoing trail maintenance, and must be completed before construction begins.

Department Reports

Personnel Services (Personnel Services Director Tess Barger)

Barger gave an overview of 2025 projects being executed by her department. Main projects include improvements of hiring processes, leadership training, and revision of the employee handbook, all of which were explained in detail. Future goals for the department include a countywide digital timekeeping system, risk management efforts, and Human Resources Information System (HRIS) implementation. Reports from Safety Accident Review Committee to be offered to the Commission. Commissioner McCurdy stressed the importance of updating the Employee Handbook. Status update given on recruitment process for Airport Director and Planning and Zoning/Engineer positions.

Commission Member Disclosures

Commissioner McCurdy disclosed that his wife works at the Grand County Sheriff's Office. Commissioner McGann disclosed that her son is an employee at Sand Flats Recreation Area.

General Commission Reports and Future Considerations

Jacques Hadler

- Attended discussion regarding Arches Timed Entry, PLPCO, NPS SE Utah Group Superintendent Pace, and Utah Tech reps regarding implementing new monitoring tech
- Introductory meeting with new advertising agency Madden
- Meeting with the Moab City police chief and city councilman Topper regarding dangerous e-bike use in town, and education efforts to be implemented

- Attended Utah Raptor State Park soft opening event
- Meeting regarding County organizational structure, potential addition of a public information officer and/or economic development staff in the Administrator's Office
- Discussion regarding TRT reserve fund, presentation to be given at next MTAB meeting regarding HB 456

Trisha Hedin

- County Fair board meetings
- Attended soft opening at Utah Raptor State Park
- Canyon County Partnership meeting in Orangeville
- Joint Planning and County Commission meeting to discuss revision of HDHO
- Dolores Travel Management Plan Cooperators meeting

Bill Winfield

- Discussion regarding alarming trends in sales and use tax collections, and actions that must be anticipated in contracting the budget
- Story regarding water quality at Arches National Park and concern regarding this negative messaging

Brian Martinez

- GWSSA meeting, presentation by Marc Stilson
- Southeast Colorado River Advisory Board meeting
- Meeting with Representative Kennedy
- Visit to view water resources in Thompson Springs
- Joint Planning and County Commission meeting to discuss revision of HDHO
- Dolores Travel Management Plan Cooperators meeting
- Weed board meeting
- Discussion regarding TRT reserve fund, presentation to be given at next MTAB meeting regarding HB 456

Mary McGann

- Utah State University advisory board meeting

Mike McCurdy

- Joint Planning and County Commission meeting to discuss revision of HDHO
- Attended a variety of local spring events with personal acknowledgment of event holders

Melodie McCandless

- Attended Arroyo Crossing open house
- Municipal Advisor committee review
- Joint Planning and County Commission meeting to discuss revision of HDHO
- Emergency Sand Flats Committee meeting
- Economic Opportunity Advisory Board meeting, 13 applicants for RCG and RCOG grants
- UAC Legislative Management Conference, privacy policy to be implemented
- Community Renewable Energy Agency Board meeting

Elected Official Reports

Clerk/Auditor Gabriel Woytek

- Office restructure to be presented and proposed to Commission for approval before November, current vacancy will be filled and some restructuring of roles to be piloted.

County Attorney Stephen Stocks

- Attended Utah Prosecutors Conference

Commission Administrator Mark Tyner

- Expressed appreciation to the Commission for all the hard work and involvement that they put in

General Business - Action Items, Discussion and Consideration of:

4. Approval of Consent Agenda Items

- A. Approval of Meeting Minutes for April 15, 2025**
- B. Ratification of Payment of Bills**
- C. Ratification of Letter of Support Emery Telephone BEAD Grant**
- D. Ratification of Letter of Support Three Canyons Ranch**
- E. Ratification of AEAS Sponsor Signature Authority Certification Delegation – Airport Signer**
- F. Ratification of Digital Media Advertising Contract with Allgear Digital**
- G. Reimbursement for FAM Tours**
- H. Ratification of ICA for Star Hall Roof Replacement**
- I. Ratification of ICA for HVAC Replacements Caused by Hail Damage at County Facilities**
- J. Approval of the Independent Contract Agreement with Snob Productions for the 2025 Grand County Fair**
- K. Approval of the Independent Contract Agreement with JTS Media for the 2025 Grand County Fair**
- L. Approval of the Independent Contract Agreement with Shires Bounce Rentals for the 2025 Grand County Fair**
- M. Board Member Applicant Considerations for the Grand County Fair Board**
- N. Contract for Non-Motorized Trails Master Plan Consultant**

Motion by Commissioner McCurdy to approve the Consent Agenda, as ready by the chair

Motion Seconded by Commissioner McCandless

Discussion (none at this time)

Motion passes 6-0, Hadler absent

5. Promotional Spending and TRT Compliance - Maximum Reserve Fund Balance
(Commissioner Martinez)

Presentation

During the April 8th Moab Tourism Advisory Board, the potential non-compliance issue concerning Grand County's Transient Room Tax (TRT) reserve account was discussed. As the financial report presented by the Clerk/Auditor indicated, there is a current reserve TRT fund of \$3,591,795.

Utah State Code §17-31-3, states: "accumulated unappropriated surplus in the reserve fund, as determined before the county's adoption of a tentative budget, may not exceed 50% of the total transient room tax revenue for the current fiscal year."

The current media plan for Grand County is \$1,100,000. This falls short from the \$1,682,000 budgeted for advertising in 2025. The media plan is an integral component of the broader strategic plan. It provides direction on how funds are to be allocated. The Moab Office of Tourism Director's job description includes

the responsibility for creating the annual marketing plan, monitoring its progress, and allocating appropriate proportions for administration and marketing efforts.

The Clerk Auditor's office provided the following information:

Based on beginning of year projections currently entered in the budget, along with incorporation of HB456 and assuming the Commission adopts a 4.5% rate, TRT revenue for the County's fiscal year is estimated to be \$8,308,619. Estimated 50% reserve limit: \$4,154,309.50. Current reserve balance: \$3,591,795. Maximum amount that could be transferred to fund balance reserve, assuming perfect projections: \$562,514.50. Current projected amount to be allocated for promotion uses (with HB456): \$3,373,299.31 2025 YTD expenses in advertising lines is \$105,479. The required promotional TRT expenditure needed to stay within the estimated 50% reserve limit is \$2,810,784.81 (2025 estimated promo revenue less amount remaining under limit).

Motion by Commissioner Hadler to approve a media plan in an amount up to \$2,500,000 to be created by Madden with the assistance of the Moab Office of Tourism and pending approval of Moab Tourism Advisory Board.

Motion seconded by Commissioner Hedin

Discussion

Commissioner McGann expressed concern regarding language in the motion requiring approval of the MTAB for what ultimately is the Commission's authority.

Substitute motion by Commissioner Hadler to approve a media plan in an amount up to \$2,500,000 to be created by Madden with the assistance of the Moab Office of Tourism

Substitute motion seconded by Commissioner Hedin

Substitute motion passes 7-0

6. Media Agency Contract (Madden Preprint Media, LLC) (Moab Office of Tourism Director Ben Fredregill and Finance Director Steven Vowles)

Presentation

Grand County, on behalf of Moab Office of Tourism, submitted a request for proposals and received 18 responses. Madden was selected by a committee. The current action is to sign a contract for services and engage. Representatives from Madden introduced themselves and were available for questions. Vowles offered an update on the process of contract finalization.

Motion by Commissioner McCurdy to accept the contract for media services from Madden Preprint Media, LLC

Motion seconded by Commissioner McCandless

Discussion (none at this time)

Motion passes 7-0

7. Award RFP for Public Relations Agency (Alison Harford, Moab Office of Tourism)

Presentation

Harford explained that a selection committee reviewed 27 total proposals received and completed a scoring process (outlined in the attached RFP), narrowing the pool down to six agencies. This scorecard is included in the agenda materials. The selection committee then narrowed the pool of six to two (Campstories and Brouhaha), after discussing the list of services and scope of work outlined in each of the proposals (outlined in the attached "Selection Committee meeting" document). The selection committee ultimately recommends Campstories as the public relations agency for the Moab Office of Tourism. Harford explained that Campstories was identified as a preferred partnering vendor by selected media agency Madden.

Motion by Commissioner Hadler to award the Public Relations Agency contract to Campstories, and authorize the Chair to sign all associated documents and contracts upon completion of legal review.

Motion Seconded by Commissioner McCandless

Discussion (none at this time)

Motion passes 7-0

8. Selection of Municipal Advisor

Presentation

The county conducted a facility and staff needs assessment in 2018 and 2019, which has become input for a current effort by a county committee to revisit facility needs, specifically for public safety facilities that have been highlighted as a critical need (in 2018 and today). The Sheriff's office has raised the subject of how other counties have utilized H.B. 488 as a revenue source to pay for their Public Safety facilities (refer to the 2216 Sales Tax in 59-12-2216 of Utah state code).

A key step in this current effort is to hire a Municipal Advisor (MA) to help in planning and developing financing options. We entered a solicitation for MAs in Utah's Procurement Portal (U3P) and we received 3 bids, 1 of which was eliminated and the other 2 are presented here: Zions Public Finance, Inc. and Crews & Associates, Inc.

Motion by Commissioner Martinez to engage Crews and Associates, Inc. as a Municipal Advisor to assist Grand County with financial planning and future bond issuance as defined in the county's ongoing facility needs assessment and as approved by this commission.

Motion Seconded by Commissioner McCurdy

Discussion

McCandless spoke to the importance of moving forward with potential revenue options associated with the 2216 Sales Tax.

Motion passes 7-0

9. Resolution Amending the Grand County Purchasing Policy to Include a "Local Option" Clause (Commissioner Martinez)

Presentation

Martinez offered this small update to the purchasing policy to include language that allows a preference for a local purchase option by adding definitions for Local Vendor, Non-Local Vendor, and adding provision K:

"K. Notwithstanding any contrary provisions, preference in purchasing goods and services for less than \$50,000 will go to Local Vendors as long as the price of goods and services sought is not more than 10% greater than comparable goods and services from non-local vendors."

Motion by Commissioner Hadler to approve the amended purchasing policy as presented, to include a local purchasing option, as outlined in Exhibit A.

Motion Seconded by Commissioner Hedin

Discussion

Commissioner Martinez clarified that the geographic parameters introduced in this action were designed to exclude Grand Junction, CO for consideration as a location for what would be considered a local vendor.

Motion passes 7-0

10. Consideration of Ordinance Adjusting Transient Room Tax (TRT) to Allowable Limit
(Commission Administration)

Presentation

In order for a 3-6th class county to be eligible to apply for the Outdoor Recreation Mitigation Grants, a county must collect the maximum allowable amount (79-9-101 (new) or HB456 Line 955-958). HB 456 increases the allowable TRT rate from 4.25% to 4.5%. Increase will likely result in \$400,000-\$500,000 in additional TRT revenue.

Motion by Commissioner McCurdy to approve an ordinance increasing the Transient Room Tax (TRT) to 4.5% in accordance with HB456.

Motion Seconded by Commissioner McCandless

Discussion (none at this time)

Motion passes 7-0

6pm Citizens to be Heard

Pete Gross spoke in support of the 150-foot-tall alternative cell phone tower install at Black Ridge, and spoke in opposition to the revised letter to the BLM supporting widespread e-bike use, stressing that the Commission should heed the collaborative recommendation reflected in the previous letter.

Kirstin Peterson recommended maintaining the current letter that the Commission approved which recommended a cautious approach to expanding e-bike access to non-motorized trails. More evaluation is needed to determine whether e-bikes are appropriate in all locations. Peterson also spoke in support of the 150-foot-tall alternative for the Black Ridge cell phone tower.

Kirstin Peterson spoke in opposition to the letter in action item 12, stating that more time was needed to evaluate impacts of e-bikes, and also expressed support for a 150 ft cell phone tower at Black Ridge.

Clif Koontz spoke in support of opening access to e-bikes on currently designated non-motorized trails.

David Wilson spoke in opposition to blanket access for e-bikes into all non-motorized trails that were hard fought by the mountain biking community to be established. Letter already approved by the Commission was well thought out through collaboration and discussion by a variety of stakeholders.

AJ Throgmorton spoke in support of the revised letter presented in item 12, which he stated will boost inclusivity to those with physical limitations.

At 6:11 p.m., Chair Winfield called a recess to the regular meeting and opened a separate meeting for the Community Development Block Grant Second Public Hearing (see separate hearing minutes)

At 6:15 p.m., Chair Winfield reconvened the regular meeting

11. Approval of letter to legislators regarding AmeriCorps VISTA Program (Commissioner Hedin)

Presentation

Commissioner Hedin explained the background for the proposed letter, with the AmeriCorps program having a very deep impact in Grand County over the years. Commissioner Hadler spoke to his own experience witnessing the energy and enthusiasm that AmeriCorps volunteers have contributed to the community.

Motion by Commissioner Hadler to approve the letter to legislators regarding the AmeriCorps VISTA Program

Motion Seconded by Commissioner McGann

Discussion

Hedin explained that the letter was updated to reflect the amount of current AmeriCorps volunteers in the community. Commissioner McGann stressed the importance of AmeriCorps volunteers to the local non-profit community.

Motion passes 7-0

12. Approval of letter to BLM regarding Class 1 E-bike Use on Designated Mountain Bike Trails (Commissioner Martinez)

Presentation

Commissioner Martinez explained that the new letter reaffirms Grant County's commitment to accessible outdoor recreation and a thriving local economy, expressing a new position that advocates for class one e-bike access on all mountain bike trails listed in the BLM's scoping document as a as a viable alternative. Martinez explained that the previously proposed pilot did not properly conform to the NEPA process. Martinez expressed that the previous letter supported policy that slams the door on visitors and maintain unnecessary restrictions on an alternative use with increasing demand.

Commissioner Hadler noted that the scoping period had been closed on November 8, 2024. Hadler added that the previously letter had passed unanimously without any controversy, and that this action served to politicize a topic that had already been discussed and approved by collaboration from several agencies. Hadler stated that e-bikes were not approved for ADA accessibility. Hadler stated that the original letter was proposing to open up the single most popular mountain bike trail to e-bike use, that he considers himself an

advocate for e-bike use, but that it has to be introduced to new areas thoughtfully. Hadler stated that it is important for the Commission to heed advice from collaborating advisory boards when they offer expert recommendations.

Commissioner McGann stated that she is an e-bike enthusiast but that opening access everywhere will create a situation when access will be hard to roll back if unforeseen conflict occurs.

Chair Winfield stated that e-bike representatives were not happy with the original letter, and that this new letter only proposes to offer an alternative path to all options being considered. Winfield added that this action served to promote inclusivity in a space that was overly exclusive to advanced mountain bike enthusiasts, and that the Porcupine Rim and Slickrock trails at one point were opened up and shared with analog mountain bike users.

Commissioner Hedin reiterated the importance of using the expert volunteer advice of the advisory boards that offered recommendations for the first letter. Commissioner McCurdy said that he supports the expansion of all forms of uses on trails, and that this is necessary to keep the local economy strong.

Commissioner McCandless stressed that public lands should be free and open for all public uses and that it was the BLM's job to complete research and assessments to determine and gauge negative impacts.

Commissioner Martinez added that as a cooperating agency, Grand is allowed to offer comment at any point. Martinez added that the Motorized Trail Committee did approve this new letter. Commissioner Hadler stated that the Trail Mix Committee did have significant disagreement about what the comment from Grand should be, and that the final letter represented the best compromise possible. Hadler added that e-bikes were a fast moving and emerging technology and therefore a measured approach must be taken into opening access for them everywhere, as well as pointing out the fact that e-bikes are heavier and faster machines that will definitely have high wear and tear impacts on the trails. Commissioner Hedin stated that the reality in natural resource management is that every place is not made for every user group and that different systems must be parsed out.

Motion by Commissioner Martinez to approve the letter to BLM regarding Class 1 E-bike Use on Designated Mountain Bike Trails

Motion Seconded by Commissioner McCurdy

Discussion (none at this time)

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

13. Approval of letter to BLM – Proposed Communications Tower on Black Ridge (Chair Winfield)

Presentation

Chair Winfield explained the request to support San Juan County in their efforts to install a new cell phone tower that would also benefit Grand County.

Motion by Commissioner McCandless to approve the Letter of Support to the BLM for a proposed communications tower on Black Ridge, with removal of references to a 250-foot tower height

Motion Seconded by Commissioner McCurdy

Discussion

Commissioner Hedin sought clarification on what cell phone reception improvements this tower would offer, which would ultimately be closer to La Sal to Monticello and not south Spanish Valley. Chair Winfield stressed that it was not Grand's place to demand at what height a tower should be in San Juan County's jurisdiction.

Motion passes 7-0

Discussion

Discussion on HB 256 – Municipal and County Zoning Amendments

Commissioner McCurdy explained that this bill allows a municipality or county that regulates short-term rentals to use a listing or offering on a short-term rental website like VBO or Airbnb as evidence that short-term rental took place for enforcement purposes. McCurdy inquired about the status of current enforcement efforts and whether Title 5 for business licensing would need to be altered or a new ordinance or resolution written. Staff explained that GovOS software was currently being used to track and address illegal overnight rental activity. Description given of current overall efforts by code compliance in enforcing illegal overnight rental activity, where voluntary compliance is first sought, and is complaint driven. Further discussion ensued regarding appropriate tax collection procedures for overnight rental activity. Attorney Stocks explained that the current complaint driven process makes it hard to prosecute individual cases. Further discussion ensued about giving the code enforcement staff person a more focused and prioritized emphasis on what they are looking to enforce.

Purchase of Real Property

No discussion at this time. Intended topic to be addressed in a formal action item at a future Commission meeting.

Closed Session

At 7:23 p.m., Motion by Commissioner McCandless to enter closed session for the purposes of discussing pending or reasonably imminent litigation

Motion seconded by Commissioner McCurdy

Motion passes 7-0

At 8:49 p.m., Motion by Commissioner Hadler to exit closed session

Motion seconded by Commissioner McCurdy

Motion passes 7-0

Chair Winfield adjourned the meeting at 8:50 p.m.

Bill Winfield

Bill Winfield
Chair, Grand County Commission

Gabriel Woytek

Gabriel Woytek
Grand County Clerk/Auditor

Audit trail

Details

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- Bill Winfield (bwinfield@grandcountyutah.net)

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2025/05/21
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