

**Grand County Council  
Grand County Council Chambers  
125 East Center Street  
Moab, Utah**

**January 5, 2016**

The Grand County Council met in Special Workshop Session on the above date in the Council Chambers of the Grand County Courthouse located at 125 East Center Street, Moab, Utah. Chair Elizabeth Tubbs called the meeting to order at 2:30 p.m. In attendance were Council Members Elizabeth Tubbs, Chris Baird, Jaylyn Hawks, Lynn Jackson, Rory Paxman, and Mary McGann along with Grand County Clerk/Auditor Diana Carroll and Council Administrator Ruth Dillon. Council Member Ballantyne was absent.

**Workshop**

**A. Workshop on Developer Financing Tools and Understanding Utah Finance Authority (Joe Spencer, Utah P3, LLC and Brandon Johnson, Farnsworth Johnson, PLLC)**

Brandon Johnson presented information regarding proposed financing tools to promote economic and community development for members of the Utah Finance Authority.

Chairman Elizabeth Tubbs called the Regular Session of the Council meeting to order at 4:00 p.m. In attendance were Council Members Elizabeth Tubbs, Chris Baird, Jaylyn Hawks, Lynn Jackson, Ken Ballantyne, Rory Paxman, and Mary McGann along with Grand County Clerk/Auditor Diana Carroll and Council Administrator Ruth Dillon. The Pledge of Allegiance was led by Elaine Gizler.

**Nominations and Appointments of Council Chair and Vice Chair for 2016 (Chairwoman Tubbs)**

Chair Tubbs opened the floor to nominations of Council Chair and Vice Chair for 2016. Council Member Chris Baird nominated Council Members Elizabeth Tubbs and Jaylyn Hawks for Chair and Vice Chair respectfully. The vote resulted in 7 votes in favor of the nomination.

**Approval of Minutes (Diana Carroll, Clerk/Auditor)**

- B. December 15, 2015 (County Council Meeting)**
- C. December 21, 2015 (County Council Special Meeting)**

**MOTION:** Motion by Council Member Chris Baird to approve the minutes of the December 15 & 21, 2015 County Meeting with the recommended changes. Motion seconded by Council Member Jaylynn Hawks carried 7 – 0.

**Ratification of Payment of Bills**

**MOTION:** Motion by Council Member Chris Baird to approve payment of bills presented in the amount of \$1,122,089.97. Accounts payable check numbers 90586 - 90835 totaling \$946,126.55 and payroll in the amount of \$175,963.42 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Rory Paxman carried 7 - 0 by roll-call vote.

**Council Administrator Report**

Ruth Dillon reported that office staffing changes are going well and that she attended a CDBG meeting.

**Citizens to Be Heard**

Floyd Dean spoke regarding traffic in general on Spanish Valley Drive and Spanish Trail Road would like to see improvements on those roads.

**Discussion Items**

- D. Calendar Items and Public Notices (Bryony Chamberlain, Council Office Coordinator)**

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

**E. Approving Additions to the 2015 Property Tax Abatements and Cancelations (Chris Kauffman, Treasurer)**

**MOTION:** Motion by Council Member Mary McGann to approve the additional 2015 property tax abatements and cancellations as presented, and authorize the Chair to sign all associated documents Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

**F. Approving Proposed Contract Award for Ambulance Billing Services (Andy Smith, Emergency Medical Services Director)**

**MOTION:** Motion by Council Member Chris Baird to approve the proposed contract award to Health Services Integration (HSI) for ambulance billing services, pending legal review, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

**G. Approving Contract Award for Grand County Public Defender (Ruth Dillon, Council Administrator)**

**MOTION:** Motion by Council Member Chris Baird to approve the contract award to Torgerson Law Offices for Public Defender Services for 5 years from January 18, 2016, with the option of yearly written renewals at the end of the term, depending on successful completion of full scope of services; and authorize the Chair to sign all associated documents. Motion seconded by Council Member Mary McGann carried 7 – 0.

**H. Approving Proposed Rezone of Property from Rural Residential (RR) to Small Lot Residential (SLR), Located at 3552 Spanish Valley Drive (Directly East of Old Spanish Trail Arena) (Zacharia Levine, Community Development Representative)**

This application is submitted by the property owners, Gary and Judy Carmichael (Applicants), who are seeking a rezone from Rural Residential (RR) to Small Lot Residential (SLR). The area proposed for rezone consists of 20 acres of vacant land located on Spanish Valley Drive, north of Rim Village. Surrounding properties are zoned RR (1 unit/acre) and MFR-PUD (2,200 square foot condominium sites). In 1998, at the time of approval, the MFR-PUD was designated as the R-3 zone district and eventually became Rim Village.

The Grand County Planning Commission held a public hearing on November 11, 2015 and forwarded an unfavorable recommendation of the proposed rezone of the property from Rural Residential (RR) to Small Lot Residential (SLR) to the Grand County Council.

The following members of the audience spoke:

Bonita Kolb spoke in opposition of the rezone citing the Grand County Master Plan.

Dennis Silva spoke regarding the Grand County Master Plan and development of the area.

Cheryl Cook spoke in opposition of the rezone.

Planning Commissioner Mike Duncan spoke with concern of setting rezoning precedence.

Kenneth Kolb spoke in opposition of the rezone.

Floyd Dean spoke in opposition due to heavy traffic in the area.

Planning Commissioner Dave Tubbs spoke as a citizen and clarified information in a recent newspaper article.

Planning Commissioner Dave Cozzens spoke as a citizen in favor of the rezone.

Property Owner Judy Carmichael spoke regarding some concerns about setting precedence.

Michelle Hill spoke in favor of rezone.

Saxon Sharpe spoke in opposition of the rezone.

Council Member Baird spoke of the possibility of up-zoning to LLR with ½ acre lots to ensure affordable housing is addressed.

Council Member Jackson feels frustrated and would like to see a mechanism in place to assist residents who are trying to come up with solutions to Grand County's housing issue.

Council Member Tubbs agreed with Council Member Jackson.

Zoning is a legislative action to enact regulations of a general and permanent nature. The procedure for formal adoption of an ordinance includes required public notice of hearings and adoption along with the availability of the proposed content of the ordinance not less than forty-eight (48) hours before the County Council convenes

to act upon the ordinance. Action on this proposed rezone is postponed until the January 19, 2016 Council Meeting to allow staff to draft the content of the proposed ordinance.

**I. Approving Assignments of Council Members as Liaisons to District and County Boards, Commissions and Committees and to Other Agencies (Council Chair)**

**MOTION:** Motion by Council Member Chris Baird to approve the Board and Commission assignments as discussed. Motion seconded by Council Member Rory Paxman carried 7 – 0.

**J. Approving Volunteer Appointments to District and County Boards and Commissions:**

**1. Airport Board (Council Member Paxman)**

**MOTION:** Motion by Council Member Rory Paxman to approve appointments of Bill Hawley and Norm Knapp with terms expiring 12/31/2019 and the midterm appointment of Jody Patterson to serve on the Airport Board, with term expiring 12/31/2017, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Lynn Jackson carried 7- 0.

**2. Grand County Special Service Water District Board (Council Member Jackson)**

**MOTION:** Motion by Council Member Lynn Jackson to re-appointment of Gary Wilson and appointment of Rick Thompson to serve on the Grand County Special Service Water District Board with terms expiring 12/31/2019. Motion seconded by Council Member Mary McGann carried 7 -0.

**3. Housing Authority of Southeastern Utah (Council Member Hawks)**

**MOTION:** Motion by Council Member Jaylyn Hawks to approve the appointment of Katie Hanway to serve on the Housing Authority of Utah Board of Commissioners, with term expiring 12/31/2020 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Lynn Jackson carried 7 – 0.

**4. Moab Area Travel Council Advisory Board (Council Member Jackson)**

**MOTION:** Motion by Council Member Lynn Jackson to approve the appointment of Howard Trenholme to serve on the Moab Area Travel Council Advisory Board, term expiring 12/31/2019, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

**5. Moab Mosquito Abatement District Board (Council Member Ballantyne)**

**MOTION:** Motion by Council Member Ken Ballantyne to approve the re-appointments of Michael Binyon and Tim Graham to serve on the Moab Mosquito Abatement District Board, with terms expiring 12/31/2019 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Mary McGann carried 7 – 0.

**6. Planning Commission (Council Member McGann)**

**MOTION:** Motion by Council Member Mary McGann to approve the appointment of Robert O'Brien and Christine Green to serve on the Planning Commission, with terms expiring 12/31/2019 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Lynn Jackson carried 7 – 0.

**7. Solid Waste Management Special Service District Board (Council Member McGann)**

**MOTION:** Motion by Council Member Mary McGann to approve the re-appointment of Pam Hackley to serve on the Solid Waste Special Service District Board, with term expiring 12/31/2019 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken /Ballantyne carried 7 – 0.

**Consent Agenda- Action Items**

**K. Approving Retail Beer License for Moab Half Marathon for The Other Half – Finish Line Festival Event Scheduled for October 23, 2016**

**MOTION:** Motion by Council Member Ken Ballantyne to approve the Consent Agenda as presented. Motion seconded by Council Member Chris Baird 6 – 0 (Council Member Paxman stepped out momentarily).

**Public Hearings- Possible Action Items**

**L. Public Hearing to Hear Public Input on Proposed Conditional Use Permit Application for Edge of the Desert RV/Campground Located at 1251 Mill Creek Drive (Zacharia Levine, Community Development Director)**

Community Development Director Zacharia Levine read into the record the Grand County General Plan and Land Use Code both as amended to date. This application is submitted by property owner and project developer, Richard and Sharon Relph (Applicants). The subject site is zoned Highway Commercial (HC) and consists of approximately 2.44 acres at 1251 Mill Creek Drive. Adjacent properties are zoned HC and Large Lot Residential and include commercial and single-family residential use.

The Planning Commission reviewed the application in a public hearing on December 9, 2015 and voted to forward a recommendation to the County Council for approval subject to the following conditions:

1. **Mobile Home Amortization** – Existing mobile homes will be removed from the site within 5 years of the date of CUP approval.
2. **Right of Way** – No parking will be permitted within the County Road Right of Way.
3. **Compatibility** – Due to the proximity to residential properties, three policies shall be instituted:
  - a. No outside burning.
  - b. Noise curfew of 10:00 p.m. to 7:00 a.m., and
  - c. Screening will be required along the eastern border.

There were no comments and the public hearing closed. Written comment will be accepted until 5:00 p.m. on the January 13, 2016.

### **General Council Reports and Future Considerations**

Council Member McGann

- o Council Member Tubbs will attend the upcoming Planning Commission

Council Member Ballantyne

- o Requested a future consideration discussion regarding the issue between the BLM and the organizers of the Moab Marathon.

Council Member Jackson

- o Requested follow-up with the BLM on the RMP.

Council Member Hawks

- o Stated there is progress being made regarding housing issues.
- o Homeless Coordinating group collected over \$12,000 for the Salvation Army during the holidays.

Council Chair Tubbs

- o Discussed snow removal on the Geyser Pass Road.
- o Will participate in interviews for the Fire Warden.

Council Member Paxman

- o Airport Board – Boutique Air will begin March 1, 2016.
- o Jim McGann was named Fire Fighter of the Year for 2015.

Council Member Baird

- o The Six County Infrastructure Coalition will review the Bookcliff Road Study and vote on forwarding a letter to the legislature regarding an EIS.

### **Adjourn**

The meeting was adjourned at 6:40 p.m.

  
Grand County Council Chair

**ATTEST:**

  
Diana Carroll