

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

**January 19, 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. Chairman Elizabeth Tubbs called the Council meeting to order at 1:15 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.

**Conference Call Hosted by Congressman Chaffetz: Public Lands Initiative**

Congressman Jason Chaffetz and staff were present via telephone conference call to get Grand County input on the proposed public lands initiative. Grand County Council will forward comments and recommendations during the public comment period.

**Workshop**

**A. Workshop on the Development Review Process while Preserving Adequate Opportunity for Public Comment (Brent Bateman, Office of the Utah Property Rights Ombudsman)**

Brent Bateman from the Office of the Utah Property Rights Ombudsman presented several bullet points to discuss with Council regarding development review and public comment issues. The discussion occurred until 3:45 p.m.

The Regular Session of the Grand County Council was called to order at 4:00 p.m. by Chair Elizabeth Tubbs on the above date in the Council Chambers of the Grand County Courthouse located at 125 East Center Street, Moab, Utah. 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 Council Member Chris Baird.

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

**B. January 5, 2016 (County Council Meeting)**

**MOTION:** Motion by Council Member Chris Baird to approve the minutes of the January 5, 2016 Council Meeting. Motion seconded by Council Member Mary McGann 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 \$354,353.79. Accounts payable check numbers 90838 - 90954 totaling \$181,783.91 and payroll in the amount of \$172,569.88 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 attended a USU Moab hosted meeting and the Planning Commission meeting regarding affordable housing changes to the Land Use Code.

**Department Reports**

**C. 2015 Canyonlands Field Airport Report (Judd Hill, Airport Manager)**

Airport Manager Judd Hill gave presentation summarizing the activities at Canyonlands Field in 2015.

Facilities Maintenance Supervisor Marvin Day reported that the Courthouse is up to date on ADA accessibility and compliance.

Community Development Director Zacharia Levine gave an update on a recent County Resource Management Plan workshop.

## **Presentations**

**D. Presentation on Museum of Moab, Postponed from December 15, 2015 (John Foster, Director)**  
Museum of Moab Director John Foster gave a report of activities at the Museum in 2015 including exhibits, improvements, and programs.

**E. Utah State University Extension, Grand County Report for 2015 (Michael Johnson, County Director, USU Extension/Grand County)**

USU Extension County Director Michael Johnson gave an overview of some activities during 2015 including horticulture, agriculture, youth programs, parenting and financial programs.

## **Discussion Items**

**F. Discussion on Calendar Items and Public Notices (Bryony Chamberlain and Ruth Dillon, Council Office)**

- 1. 2016 Retreat Ideas and Date**
- 2. Affordable Housing Workshops and Dates**

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

**G. Approving Proposed 2016 Standard Cooperative Agreement for Utah State University Extension Educational Work (Michael Johnson, County Director, USU Extension/Grand County)**

**MOTION:** Motion by Council Member Chris Baird to approve the 2016 Standard Cooperative Agreement between Grand County and Utah State University to fund extension educational work in Grand County and authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

**H. Approving Bid Award and Two-Year Lease Agreement for Two, 2016 772GP All-Wheel Drive Motor Graders (Bill Jackson, Road Supervisor)**

**MOTION:** Motion by Council Member Chris Baird to approve the lease of two 2016 772GP all-wheel drive motor graders from Honnen Equipment Company with an annual lease payment of \$45,361.44 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

**I. Approving Bid Award for Purchase of a Crafcro Asphalt Crack Sealer (Glen Arthur, Assistant Road Supervisor)**

**MOTION:** Motion by Council Member Chris Baird to approve the bid for the purchase of a Crafcro Asphalt Crack Sealer, Model EZ1000 series 2 in the amount of \$45,977 to Wheeler Machinery and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

**J. Approving Bid Award for Printing of the 2016 Moab Area Travel Council 12-Page Booklet Insert (Elaine Gizler, Travel Council Director)**

**MOTION:** Motion by Council Member Mary McGann to approve the bid award for \$30,816.00 to Journal Graphics Printing of 350,000 copies of the Moab Area Travel Council 12-page booklet insert and authorize the Chair to sign all associated documents. Motion seconded by Council Member Lynn Jackson carried 7 – 0.

**K. Adopting Proposed Ordinance Approving 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), Postponed from January 5, 2016 (Zacharia Levine, Community Development Director)**

**MOTION:** Motion by Council Member Lynn Jackson to adopt the proposed ordinance approving the proposed rezone of property located at 3552 Spanish Valley Drive from Rural Residential to Small Lot Residential, based on rezone criteria and authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne.

Council Member Jackson comments addressed valid citizen comments on a difficult decision, affordable housing issues and Spanish Valley Drive access.

Council Member Baird addressed workforce housing in Spanish Valley, density, and the unwillingness of the applicant to commit to affordable housing.

Council Member McGann said it has been a hard issue, but cannot support the up-zone.

Council Member Paxman agreed with comments that have been made and feels Small Lot Residential will help the housing issue.

Council Member Hawks reiterated that the Council has committed to additional hours to amend the Land Use Code to fix housing issues.

Council Member Tubbs said the Council needs to work out the how to deal with issues of affordable housing and recommends following the recommendation of the Planning Commission.

Motion failed 3 – 4 with Council Members Baird, Tubbs, Hawks and McGann voting in opposition of the motion.

**L. Adopting Proposed Resolution Approving a Conditional Use Permit Application for Edge of the Desert RV/Campground Located at 1251 Mill Creek Drive (Zacharia Levine, Community Development Director)**

**MOTION:** Motion by Council Member Mary McGann to adopt the proposed resolution approving conditional use permit application for Edge of the Desert RV/Campground located at 1251 Mill Creek Drive 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 the 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.
  - c. Screening will be required along the eastern border.

Motion seconded by Council Member Lynn Jackson carried 7 – 0.

**M. Adopting Proposed Proclamation Recognizing January 24-30, 2016 as Grand County School Choice Week (Chairwoman Tubbs)**

**MOTION:** Motion by Council Member Jaylyn Hawks to adopt the proposed proclamation recognizing January 24 – 30, 2016 as Grand County School Choice Week and authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne failed 2 – 4 with Council Members Tubbs, Paxman, Jackson and McGann opposed with Council Member Baird abstaining from the vote.

**N. Approving 2015 Council Discretionary Funds of Up to \$7,000 for December 2015 Conflict Defender Invoices (Diana Carroll, Clerk/Auditor)**

**MOTION:** Motion by Council Member Chris Baird to pay up to \$7,000 out of Discretionary Funds for the 2015 conflict attorney expenses as discussed. Motion seconded by Council Member Rory Paxman carried 7 – 0.

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

**1. Library Board (Council Member Ballantyne)**

**MOTION:** Motion by Council Member KB to appoint Daniel McNeil and Jenna Woodbury to serve on the Library Board, with terms expiring 12/31/2019 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Chris Baird carried 7 – 0.

**2. Noxious Weed Control Board (Council Member Paxman)**

**MOTION:** Motion by Council Member Rory Paxman the re-appointment of Mearl Sheldon to service of the Noxious Weed Control Board, with term expiring 12/31/2019 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Lynn Jackson carried 7 – 0.

**3. Transportation Special Service District Board (Council Member Jackson)**

**MOTION:** Motion by Council Member Lynn Jackson to approve the appointment of Dave Adams to serve on the Transportation Special Service District Board, with term expiring 12/31/2019 and authorize the Chair to sign all associated documents. **MOTION:** Substitute Motion by Council Member Chris Baird to appoint William

Love to serve on the Transportation Special Service District Board, with term expiring 12/31/2019. Motion seconded by Council Member Mary McGann. Council Member Bair said there needs to be diversity of opinion on boards.

Council Member Jackson agreed, but noted Mr. Love would like to see the TSSD board dissolved.

Council Member McGann and Hawks both agreed on the need for diversity.

Substitute Motion failed 3 – 4 with Council Members Ballantyne, Jackson, Tubbs and Paxman opposed. The original motion carried 5 – 2 with Council Members McGann and Baird opposed.

#### **Consent Agenda- Action Items**

**P. Approving Correction to 2016 Annual Council Meeting Schedule to Correct the Regular County Council Meeting from Wednesday, November 2, 2016 to Tuesday, November 1, 2016**

**Q. Approving 2016 Letter of Support for a Grant for the Moab Music Festival**

**R. Approving 2016 Letter of Support for Green River Medical Center (GRMC) Service Area Competition (SAC) Application**

**S. Ratifying Chair's Signature on State Contract with Honnen Equipment Company for the Purpose of Providing an Annual Lease of Extendahoe-Backhoe at \$891.37 Annually**

**MOTION:** Motion by Council Member Ken Ballantyne to adopt the consent agenda as presented. Motion seconded by Council Member Mary McGann carried 7 – 0.

#### **Public Hearings- Possible Action Items**

**T. Public Hearing to Solicit Public Input on Proposed Ordinance for a Rezone of Property from Large Lot Residential (LLR) to Multi-Family Residential -8 (MFR-8), Including Arroyo Crossing Master Plan, Located at 2022 Spanish Valley Drive, Moab, UT (North of Resource Boulevard) (Zacharia Levine, Community Development Director)**

Grand County Community Development Director Zacharia Levine read into the record the Grand County Land Use Code and General Plan both as amended to date. The application is submitted by Tom Shellenberger, on behalf of the property owner, KLH Development LLC (Applicant) for 38.95 acres of vacant land zoned Large Lot Residential (LLR). The applicant proposes middle-income housing following the recommendations of the Grand County and City of Moab Affordable Housing Plan.

Council Member Baird questioned the developer regarding the lack of a written commitment for affordable housing.

Council Member Hawks spoke regarding the access to Highway 191 and overnight rentals.

The public hearing opened at 6:55 p.m.

Kenneth (Last Name) spoke concerning the arroyo drainage.

Karen (Last Name) lives in Plateau Subdivision and spoke regarding density and traffic in the area and feels this development would over-whelm rural residents.

Kelly Denney spoke regarding drainage issues, lights and noise.

Lloyd McKinney lives below the development and is concerned about the drainage.

Michelle Hill spoke regarding drainage from culverts on Resource Blvd that drains into this property.

Joe (Last Name) lives on Buena Vista spoke regarding increased traffic.

Rochelle Denney spoke regarding increased traffic and affordable housing issues.

LuDean Merrit lives adjacent to McKinney property, spoke regarding the issue of drainage.

There were no other comments. The Public Hearing closed at 7:20 p.m. Written comments will be accepted until Wednesday, January 27 at 5:00 p.m.

## General Council Reports and Future Considerations

### Council Member McGann

- o Solid Waste is trying to get a compost facility.
- o UTV/ATV group will be working on signage in the city.

### Council Member Ballantyne

- o Attended Library Board meeting.

### Council Member Jackson

- o GWSSA announced snow pack is 180% of normal.
- o TSSD preparing a CIB application for Loop Road repairs.
- o TSSD will present economic report for the Book Cliffs.
- o Attended Travel Council meeting.

### Council Member Hawks

- o Attended Council on Aging meeting.

### Council Chair Tubbs

- o Attended Fire Warden interviews.
- o DNR video for State Lands.
- o Attended Conservation District meeting.
- o UMTRA funding award.
- o Utah Finance Authority.

### Council Member Paxman

### Council Member Baird

- o Castle Valley road closure.
- o Geysers Pass snow removal.

**MOTION:** Motion by Council Member Mary McGann to enter Closed Session at 8:12 p.m. to discuss pending or reasonably imminent litigation. Motion seconded by Council Member Chris Baird carried 6 – 1 with Council Member Hawks opposed. Present were Council Members Tubbs, Baird, Paxman, Hawks, Jackson, Ballantyne and McGann, Council Administrator Ruth Dillon, Clerk/Auditor Diana Carroll and Attorney Andrew Fitzgerald via telephone at 8:20 p.m. **MOTION:** Motion by Council Member Chris Baird to end the Closed Session at 8:40 p.m. Motion seconded by Council Member Lynn Jackson carried 7 – 0.

## Adjourn

The meeting was adjourned at 8:40 p.m.

  
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Grand County Council Chair

## ATTEST:

  
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Diana Carroll