



GRAND COUNTY COMMISSION WORKSHOP AND REGULAR MEETING

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

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MINUTES 2 August 2022

The Grand County Commission met in a workshop and regular meeting on August 2nd, 2022. 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 was Commission Chair Jacques Hadler, Trisha Hedin, Sarah Stock and Kevin Walker. Commission Vice-Chair Mary McGann entered the meeting in-person at 2:57 p.m. and Commissioner Evan Clapper entered the meeting in-person at 3:01 p.m. Also attending in-person were Commission Administrator Mallory Nassau, Associate Commission Administrator Quinn Hall, and Clerk/Auditor Gabriel Woytek. Commissioner Josie Kovash was in attendance virtually.

2:43 p.m. Grand County Water Community Information Session (audio begins at 18:57)

Presentation

Marc Stilson, Southeastern Regional Engineer, Utah Division of Water Rights, presented on the topic of surface water resources in Moab and Spanish Valley. Introduction to the concept of water volume. Overview of surface water capacity of sources in Moab and Spanish Valley. Overview presented of Mill Creek water rights. Most of Mill Creek surface flow is in use (by Moab Irrigation Company and GWSSA), other than in the winter. Grand County Water Conservancy District has a high water right to Mill Creek, which refers to surface flow that it can use in high water years. Overview of Pack Creek water rights. Pack Creek has a bigger impact on the groundwater resource in the valley than previously thought due to recent USGS study. Overview of water rights held on the Colorado River. Pre-Colorado Compact (1922) rights are well protected. Overview of areas of critical recharge. Largest users of Colorado River in the area are Canyonlands by Night, along with water trucks. Total surface water rights in the area total 24,260 acre feet.

Candace Hasenyager, Director, Utah Division of Water Resources, presented on the coordination of state agencies as it pertains to the Colorado River, the importance of the Colorado River to the state's water supply, current status of the Colorado River, challenges associated with protecting the Glen Canyon Dam infrastructure amidst record low water levels, overview and introduction to the Colorado River Authority of Utah, current areas of focus for Colorado River Management Plan and current work plan, citizen advisory councils, recent legislative changes to the Colorado River Authority structure. Discussion regarding the role and responsibilities of the Division of Water Resources. Upper basin states are relatively unified in their effort to protect Colorado River rights.

Commissioner Stock asked for clarification about the efforts by the Authority to protect river rights through banking and curtailment. Commissioner Walker asked if a junior Colorado River right could be viewed as a reliable source for Moab and Spanish Valley for the next thirty to fifty years. Hasenyager would not provide specific advice but clarified that the mission of the authority is to protect these rights.

4:01 pm Call to Order

Pledge of Allegiance

Chair Hadler offered the following statement for the record:

I would like to make a statement regarding an issue that came up in our last commission meeting, July 19, concerning appointments to the Economic Development advisory board. The County Attorney objected initially to the appointment motion as she mistook one of the candidates for a defendant in cases involving the attorney's office. After a brief postponement, and consultation with her staff, the County Attorney clarified that she was wrong. However, I want to acknowledge now that this error may have caused all three candidates embarrassment and stress. I feel that I, as chair, and the Commission as a whole did not handle this unfortunate situation well. I would like to offer sincere apologies to the candidates and their businesses for the lack of discretion and professionalism. We are grateful for their service on the Economic Development advisory board and want to emphasize again that they have the support of the Commission. I hope that we can take this as a learning experience and avoid anything similar in the future.

Chair Hadler also read the following statement on behalf of Grand County Attorney Christina Sloan, in reference to the same July 19 Commission Meeting:

I do own and regret my error in this case, and I agree that I did not handle it well. I should have asked the Commission to postpone without stating the reason until I had time to review. I regret if my error caused the candidates any stress, and I support the appointment of each to the Economic Development advisory board.

Citizens to Be Heard

Grand County resident Bill Winfield made a statement regarding the lack of respect and decorum by the Commission, expressed concern regarding the level of seriousness and professionalism being taken by the Commission and expressed gratitude for the public apology given to the citizens by the Chair.

Presentations (none scheduled)

Department Reports

Grand Center Report (Lorette Eastwood, Director, Grand Center)

Director Eastwood has served for 11 years at the Grand Center. An overview was given on the impact of the COVID-19 pandemic on operations at the Grand Center. 3,000 meals were served in 2021, along with the reactivation of socialization and exercise programming. Activities such as bingo and movie screenings have risen in popularity. The Grand Center continues to host various community events, expositions, fairs and foundation dinners. Health Department COVID-19 testing and vaccination drives continue to be hosted at the facility. Field trips with elderly citizens have also resumed. Completion of new roof on the facility is nearing.

Approval of Minutes (Gabriel Woytek, Clerk/Auditor)

July 14th, 2022 (Emergency Meeting)

July 19th, 2022 (Regular County Commission Meeting)

Motion by Commissioner Stock to approve the minutes from July 14th, 2022 and July 19th, 2022.

Motion Seconded by Commissioner Hedin

Discussion (none at this time)

Motion Passes 7-0

Ratification of Payment of Bills

Motion by Commissioner Walker to approve and ratify payment of bills in the amount of \$906,454.37 and payroll in the amount of \$327,332.40 for a combined total of \$1,233,786.77.

Motion Seconded by Commissioner Stock

Discussion (none at this time)

Motion passes 7-0

Commission Member Disclosures (none at this time)

General Commission Reports and Future Considerations

Jacques Hadler

- Noise 2.0 committee meeting regarding new public engagement strategies
- Historical Preservation Commission, finalization of Land Acknowledgment Statement which is now to be reviewed by area tribal representatives, walking tour brochure in development for Moab, potential renaming of Pedestrian bridge after guardsmen
- Chamber of Commerce meeting, review of latest Transient Room Tax figures, discussion of Business Grant, review of Fourth of July event
- City/County meeting regarding potential workforce housing ordinances by both entities, discussion regarding lessons learned and alignment

Trisha Hedin

- Grand Water Sewer and Service Agency meeting, Spanish Valley resident offered to sell water share to GWSSA, Ken's Lake level at 2300 acre feet, allowing irrigation to continue without pumping
- Southeastern Utah Association of Local Governments (SEUALG) building committee meeting regarding new facility in Price
- Special Events Committee meeting, discussion regarding mission statement and values, phased implementation of new special events approval process
- Bison currently wandering into private lands in the Range Creek area, introducing some conflict amongst area landowners

Sarah Stock

- Community Renewable Energy Program, discussion regarding hiring a consultant for public communications
- Moab Mosquito Abatement District, seeking new director, Aedes aegypti mosquito found near city ballfields, critical that residents diligently empty standing water in order to reduce mosquito breeding ground and avoid mass fogging in the community

Kevin Walker

- Awaiting Labyrinth Canyon Travel Plan

Evan Clapper

- Meeting with Canyonlands Health Care SSD and Emergency Medical Services SSD regarding Health Care Sales Tax split and preparation for upcoming budget season

Mary McGann

- Solid Waste SSD Meeting, interview process for new director underway, new human waste drop off locations, public education curriculum in development
- UMTRA steering committee meeting, update to future site plan to commence in September
- Upcoming event, 'A Night of Grief and Mystery', 9/17 at Star Hall, fundraiser for Moab Hospice
- Economic Development Advisory Board Meeting, comprehensive review of housing assistance funding, Community Housing Forum on 8/3
- Airport Board Meeting, Bill Groff stepped down after 15 years of service to the board, including several years as chair, current airplane models will be retired in 2023 which will require a number of changes to airport operations

Josie Kovash

- Mental Health Board meeting close to receiving certificate of occupancy for new Moab facility
- Public Health Board meeting, many vaccine doses available for ages 6 months and older, radon mitigation complete in 14 Grand County Homes, discussion regarding use of opioid settlement monies

Elected Official Reports

Grand County Clerk/Auditor Gabriel Woytek

- Tax Valuation Notices sent to county property owners, those in need of assistance directed to Treasurer's Office for information on relief and abatement programs, Appeal deadline September 15, those property owners who have not received a notice should contact the Clerk/Auditor's Office, property owners encouraged to sign up for emailed notices.
- Attended UAC Summer Clerk's conference, to participate with Lt. Governor's office in the completion of an Election Handbook.

Commission Administrator Report

Commission Administrator Mallory Nassau

Recent visit to Grand Center to become

Associate Commission Administrator Quinn Hall

- Implementation of CivicClerk software and website redesign coming this week

General Business - Action Items, Discussion and Consideration of:

A. Grand County Annual Statement of Continued Compliance with the Uranium Mill Tailings Removal Action Project (UMTRA) for July 2021 – July 2022

Motion by Vice-Chair McGann to table Item A

Motion Seconded by Commissioner Clapper

Discussion (none at this time)

Motion passes 7-0

B. Approval of the Non-Disclosure Agreement forms for the MOAB! Tourism Grant and STAR Business Grant evaluation committees

Presentation

Director Granath described the reasoning behind the proposed action, as applicants wish to keep financial information confidential.

Motion by Commissioner Clapper to approve the non-disclosure agreement forms for use by Grand County Economic Development in facilitating their STAR Business Grant and MOAB! Tourism Grant evaluation and selection processes.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 7-0

C. Approval of a contract for an “Interactive Destination Map” with Wander App Inc. (August Granath, Economic Development Director)

Presentation

Granath discussed need to develop a reliable mapping service to assist with Travel Council efforts. 3 bids received. Total cost of proposed contract \$14,000, within budget, contract passed legal review. Data collection will be useful in understanding visitor behavior and for promoting responsible recreation stewardship. Commissioner Walker sought clarification on ownership of data provided on app, Granath clarified that by ownership he meant ability to edit and control the product and the content it displays. A representative from Wander App further clarified this relationship. Commissioner Stock spoke to the importance of aligning with the Canyonlands Natural History Association and Bureau of Land Management in developing content for this app, and Granath confirmed that Active Trails and Transportation maintains open communication with all relevant land management agencies. Commissioner Walker sought confirmation that the app would allow Grand County to highlight motorized trails, and that the app would include trails located within national parks. Commissioner Walker also sought confirmation that there would be no advertisements contained within the app, and it was confirmed that sponsorships would be available but no native advertisements would be displayed. Commissioner Kovash sought clarification regarding the annual cost associated with the service, and also inquired about the intention of this service as a resource for particular audiences or as a viable alternative to already existing analogous services. Audience segmentation strategy and a targeted audience approach has not been contemplated at this time. Commissioner Kovash inquired about who will be supplying content like text and photographs contained within the app, and what metrics will be used to measure the success of the service. Granath clarified that this is a year-by-year commitment and user metrics will be tracked and presented for analysis.

Motion by Commissioner Walker to approve the contract with Wander App Inc. for the development of an “Interactive Destination Map.”

Motion Seconded by Commissioner McGann

Discussion

Commissioner Walker expressed excitement regarding the positive potential for this service and the suitability for this service as an advertising mechanism.

Motion passes 7-0

A. Grand County Annual Statement of Continued Compliance with the Uranium Mill Tailings Removal Action Project (UMTRA) for July 2021 – July 2022

Presentation

Director Russell McCallister offered an introduction and brief overview. Commissioner Stock inquired about the air quality monitoring data and if there is any up to date information about air quality for Spring 2022. McCallister confirmed that it has been within an acceptable level, in compliance despite a high wind spring, data to follow.

Motion by Commissioner McGann to approve the Grand County Annual Statement of Continued Compliance with the Uranium Mill Tailings Removal Action Project (UMTRA) for July 2021 to July 2022

Motion Seconded by Commissioner Walker

Discussion (none at this time)

Motion passes 7-0

D. Approval of the Special Event Permit for the 2022 COTAH Rally (August Granath, Economic Development Director)

Presentation

Granath presented application as shown in the packet. BLM speed limit and EPA stamp stipulations needed to be updated prior to approval approval at this meeting. Commissioner Hedin confirmed that the event would include 40 participants.

Motion by Commissioner McGann to approve the special event permit for the 2022 COTAH Rally pursuant to Ordinance No. 643 with the following conditions: 1) all motorcycles used or ridden in the special event shall be equipped with an exhaust muffler bearing the Federal EPA required labeling applicable to the motorcycle's model year, stating that the exhaust system meets the 82 dBA standard at 50 feet, as set out in the Code of Federal Regulations Title 40, Volume 24, Part 205, Subpart D and Subpart E, as required by Section 11.06.030(B) of Grand County's General Ordinances; and 2) the event organizer shall inspect all such motorcycles and certify compliance to Grand County in writing on or before the first day of the event; 3) the event organizer shall disqualify all such motorcycles not bearing the EPA stamp; 4) the event organizer shall comply with all Stipulations of its BLM SRP including a maximum speed of 25 mph on all BLM managed roads and trails; and 5) participants/motorcycles shall not exceed the maximum speed of 25 mph on all dirt roads in Grand County (aka County D Roads) unless otherwise posted.

Motion Seconded by Commissioner Hedin

Discussion

Commissioner Clapper highlighted that the event is sanctioned by the American Motorcycle Association which carries with it a number of regulations and that this event constitutes a good fit for area events. Commissioner McGann expressed appreciation for the good Samaritan clause in the event rules. Commissioner Walker agreed that this appeared to be a low-impact event in a relatively lower use area, and stated that he hopes that piecemeal approval of events will be discontinued.

Motion passes 7-0

E. Volunteer Appointment to the Noxious Weed Board

Presentation

Motion by Commissioner Stock to approve the appointment of Chris Marlor to Grand County's Noxious Weed Control Board with a term ending December 31, 2023.

Motion Seconded by Commissioner Hedin

Discussion

Commissioner Stock clarified that this appointment was a replacement for the previous Bureau of Land Management representative.

Motion passes 7-0

F. Appointment of a New Alternate Board Member of the Community Renewable Energy Agency

Presentation

Motion by Commissioner Stock to approve the appointment of Elissa Martin as an alternate board member for the Community Renewable Energy Agency Board and authorize the chair's signature on the related letter.

Motion Seconded by Commissioner Clapper

Discussion

Commissioner Stock clarified that it was customary to have one staff member and one elected official on this board, and that Martin will provide valuable continuity for representing Grand County.

Motion passes 6-0, Walker absent

Consent Agenda – Action Items

G. Grand County Children's Justice Center Annual Contract

Motion by Commissioner McGann to adopt the Consent Agenda as listed by the Chair.

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 7-0

Public Hearings- Possible Action Items (none scheduled)

Future Considerations

Vice-Chair McGann would like the consideration of improving interior acoustics in the large meeting room at the Grand Center and the potential designation of funds in the upcoming budget season for this purpose. McGann also highlighted that Grand County goes above and beyond in soliciting public comment and engagement during Commission meetings.

Citizens to be Heard (none at this time)

Chair Hadler adjourned meeting at 5:39pm

Jacques Hadler
Chair, Grand County Commission

Gabriel Woytek
Grand County Clerk/Auditor

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