



**GRAND COUNTY
COMMISSION REGULAR MEETING**

**Grand County Commission Chambers
Held virtually on Zoom
Moab, Utah**

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**MINUTES
15 March, 2022**

The Grand County Commission met in a regular meeting on March 15th, 2022. The meeting was offered in a hybrid format with virtual participation as well as in-person attendance in the Grand County Commission chambers. It was also broadcast and saved on YouTube. Attending the meeting in-person were Grand County Commissioners Evan Clapper, Trisha Hedin and Mary McGann. Attending virtually were Commissioners Jacques Hadler, Sarah Stock and Kevin Walker. Also attending in-person were Grand County Commission Administrator Mallory Nassau, Associate Commission Administrator Quinn Hall, Grand County IT Director Matt Cenicerros, and Clerk/Auditor Gabriel Woytek. County Attorney Christina Sloan, Grand County Strategic Development Director Chris Baird were in attendance virtually.

4:06 pm Call to Order

Motion by Commissioner McGann to nominate Jacques Hadler as Chair

Motion seconded by Commissioner Hedin

Motion passes 5-0, Commissioner Hadler abstaining

Motion by Commissioner Walker to nominate Mary McGann as Vice-Chair

Motion seconded by Commissioner Stock, passed 5-0, Commissioner McGann abstaining

Citizens to Be Heard (none at this time)

Presentations (none scheduled)

Department Reports (none scheduled)

Approval of Minutes (Gabriel Woytek, Clerk/Auditor)

A. March 1, 2022 (Regular County Commission Meeting)

Motion by Commissioner McGann to approve the minutes from March 1st, 2022.

Motion Seconded by Commissioner Walker

Discussion (none at this time)

Motion Passes 6-0

Ratification of Payment of Bills

Motion by Commissioner McGann to approve and ratify payment of bills in the amount of \$761,890.81 and payroll in the amount of \$320,454.49 for a combined total of \$1,082,345.30.

Motion Seconded by Commissioner Clapper

Discussion (none at this time)

Motion passes 6-0

Commission Member Disclosures (None at this time)

General Commission Reports and Future Considerations

Jacques Hadler

- Participated in interview committee for Responsible Recreation Coordinator, hired Anna Sprout
- General Plan Open House 3/3/2022
- Reported on Trail Mix meeting, Forest Service/Trail Mix meeting regarding Whole Enchilada mountain biking trail system, Motorized Trail Committee meeting
- Attended Thompson Springs Special Service District Water Board meeting

Trish Hedin

- Attended Grand Conservation District meeting
- Attended Grand County Local Homeless Council
- Attended Planning Commission meeting
- Attended meeting with USGS and Marc Stilson of Utah Division of Water Rights regarding ground and surface water monitoring in valley, monitoring gauge at Pack Creek

Sarah Stock

- Attended meeting with General Plan consultant Bill Grimes
- Attended Public Lands Committee
- Attended Community Renewable Energy Program Board meeting, signed NDA with Rocky Mountain Power
- Seven County Infrastructure Coalition update, SCIC voted to end planning efforts for Bookcliffs Highway
- Attended Grand County Noxious Weeds meeting
- Attended Moab Mosquito Abatement District meeting, new IPM grant for aedis egyptii mosquito species
- Received tour of new Utah State University-Moab facility
- Attended Council on Aging meeting

Mary McGann

- Attended Solid Waste Special Service District meeting
- Attended Airport Board Meeting
- Attended meeting about County support for future film production
- Attended welcome ceremony for Team Rubicon

Kevin Walker

- No updates at this time, meetings attended already reported on

Evan Clapper

- Attended Cemetery District board meeting
- Attended Sand Flats Stewardship Quarterly Meeting

- Attended EMS Special Service District meeting

Elected Official Reports

County Attorney Christina Sloan

- HB 146 not effective until May '22
- Getting committee together to address new strategies for addressing noise
- Complaints regarding helicopters and motorized parachutes, second helicopter operator now at Canyonlands Field, Commission has no authority to regulate/prohibit this activity

Clerk/Auditor Gabriel Woytek

- Busy getting up to speed with processes in Clerk's Office – Accounting software, GRAMA requests, grant reports, etc.

Commission Administrator Report

Commission Administrator Mallory Nassau

- Attended Indigent Defense Commission meeting
- Attended meeting with Free Health Clinic and Southeastern Utah Department of Health regarding potential joint project for USU campus, details to come

General Business- Action Items- Discussion and Consideration of:

B. Approval of Special Event Permit for Jeepster Commando at the Old Spanish Trail Arena (Angie Book, Director Old Spanish Trail Arena)

Presentation

Staff gave overview of event; vintage car event with show, trail rides, social gathering, 150 participants

Motion by Commissioner McGann to approve the 2022 Jeepster Commando Special Event Permit under the currently approved special event Ordinance.

Motion Seconded by Commissioner Clapper

Discussion

Clarification of 150 vintage vehicles participating, participants likely to exceed 150. Commissioner Walker requested that in the future, number of vehicles and overall participants be clarified during application process

Motion passes 5-1, Stock in opposition

C. Approving the two (2) year extension of the on-call engineering services contract (Bill Jackson, Grand County Roads Supervisor and Chris Baird, Grand County Strategic Development Director)

Presentation

Staff explained need for renewal of contract. Commissioner Clapper asked if this arrangement still preferable to hiring in-house services, Bill Jackson explained that most of engineering charges are incurred through Planning and Zoning reviews. Agreement represents a 23% increase in cost. Upcoming projects in Road Department will make heavy use of these services.

Motion by Commissioner Clapper to approve the independent contractor's agreements for Jones and Demille, and Horrocks Engineering for on-call services effective through Dec. 31, 2022.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 6-0

D. Approving a Conditional Use Permit (CUP) for a Home Business and associated Farmstand located at 4051 Easy Street in Moab, UT located on Parcel No. 02-011A-0002 (Elissa Martin, Associated Planner)

Presentation

Staff reviewed application as presented in packet. Applicant desires to sell produce and farm products from on-site farm. Existing garage to be converted to farmstand. CUP would allow up to three employees not living on-site. Conditions to approval offered by staff to be included in potential motion. Commissioner Hedin requested clarification on second potential condition attached to motion, staff outlined strategies that could be used by applicant to address neighborhood impact. Commissioner Walker requested clarification on permanence of applying CUP. Attorney Sloan recommended that an automatic annual review be tied as a condition to motion. Attorney Sloan explained that a high bar exists for disallowing a conditional use, application presented more akin to use-by-right. Commissioner Hedin asked about road setbacks and if they are available for parking, staff confirmed that they can be used so.

Motion by Commissioner Walker to adopt the Findings of Fact from the Staff Report dated February 8, 2022 and approve the Easy Bee Home Business and associated Farmstand Conditional Use Permit for Grand County Parcel No. 02-011A-0002 with the following conditions to mitigate reasonably anticipated detrimental effects of the proposed use: 1. To minimize the impact of noise and prevent excessive light from the operation of the home business, the Easy Bee Farmstand shall be open to the public for business during designated daylight hours, between sunrise and sunset; and 2. To minimize the impact of traffic along Easy Street and parking onsite, Easy Bee Farmstand shall manage business activities throughout the day in such a manner to distribute the amount and flow of traffic related to the business; and 3. Applicant shall complete an annual statement of compliance provided by the applicant to ensure that all conditions are satisfied.

Motion Seconded by Commissioner Stock

Discussion

Commissioner Stock expressed support for sustainable agriculture initiatives and efforts to support them. Commissioner Walker suggested that Planning and Zoning should include annual review in all CUP applications. Commissioner Hedin spoke to examining and addressing overall impacts to development in Rural Residential zones, stated that traffic has already become heavy on Easy Street. Commissioner Walker pointed out current effort to update Land Use Code to address these potential conflicts.

Motion passes 5-0, Commissioner Hedin abstaining

E. Approving Voluntary Appointment to the EMS Special Service District Board (Commissioner Clapper)

Presentation

City Council Member Derasary seeking appointment to citizen opening on EMS board after vacating the board as City Council representative.

Motion by Commissioner Clapper to approve the appointment of Rani Derasary to serve on the EMS Special Service District Board, with term expiring December 31, 2022.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 6-0

F. Approving Voluntary Appointment to the Canyonlands Health Care Special Service District Board (Commissioner Hadler)

Presentation

Commissioner Clapper presented materials as presented in packet.

Motion by Commissioner Clapper to approve the appointment of Lou Irby to serve on the Canyonlands Health Care Special Service District Board, with term expiring December 31, 2025.

Motion Seconded by Commissioner Stock

Discussion

Motion passes 6-0

G. Approving Commission Office Manager job title change to Commission Coordinator (Mallory Nassau, Commission Administrator)

Presentation

Staff explained that due to demanding nature of this position, update to title would better reflect demands of the position. No changes in compensation.

Motion by Commissioner Hedin to approve the retitle of the Commission Office Manager to Commission Coordinator.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 6-0

H. Approving Notice of Vacancy and Intent to Appoint a Replacement for at-large County Commissioner (Chair Hadler)

Presentation

Chair Hadler stated prepared notice for the record.

Motion by Commissioner Hedin to approve notice of vacancy and intent to appoint a replacement for at-large County Commissioner.

Seconded by McGann

Discussion (none at this time)

Motion passes 6-0

I. Approving Grand County Face Covering Policy (Mallory Nassau, Commission Administrator)

Presentation

Modified policy to aligned with CDC recommendations rather than Utah Department of Health guidelines

Motion by Commissioner Hedin to approve repealing and replacing the Grand County Face Covering Policy effective March 11, 2022.

Motion seconded by Commissioner Clapper

Discussion

Commissioner Clapper clarified that these guidelines will not supersede federal guidelines governing the airport. Commissioner Stock highlighted that those who are COVID positive must wear face coverings, and that those exposed should get tested for COVID-19.

Motion passes 6-0

Commissioner Walker requested Item P be pulled from Consent Agenda, granted by Chair Hadler.

Commissioner Walker proposed adding an additional sentence to proposed letter to make mention that the Bookcliffs Highway would likely divert tourism from Carbon and Emery counties.

Motion by Walker to approve letter to the Seven County Infrastructure Coalition regarding the Bookcliffs Highway, with proposed edits offered verbally and presented digitally to staff.

Seconded by McGann

Discussion

Attorney Sloan clarified that documents confirming official withdrawal from planning process of Bookcliffs Highway have been received.

Motion passes 6-0

Consent Agenda – Action Items

J. Ratifying the Chair’s signature on the Utah Rural County Grant Part B Contract

K. Ratifying the Chair’s signature on an enterprise agreement renewal and introduction with Environmental Systems Research Institute Inc.

- L. Ratifying the Chair's signature on a letter to Governor Cox requesting H.B. 146 veto**
- M. Approving local consent for the South Shell Station off-premise beer license**
- N. Ratifying the Chair's signature on a work order and agreement with Jones and DeMille Engineering for the Natural Resources Conservation Service Pack Creek EWP**
- O. Approving Commissioner appointment to the Old Spanish Trail Arena Advisory Board**

Motion by Commissioner Walker to adopt the consent agenda as presented

Motion seconded by Stock

Discussion (none at this time)

Motion passes 6-0

Discussion Items

Q. Discussion on the Utah State University, Moab time capsule (Commissioner McGann)

Discussion of efforts by USU, as part of new facility, to prepare a time capsule to be opened in 2072, to reflect realities of 2022. Commissioner McGann would like to include hard copy of bill establishing Utah Raptor State Park. Commissioner Clapper suggested a remnant from UMTRA tailings pile, a token reflecting current outdoor recreation trends. Commissioner Walker suggested aerial photos of valley to show status in development, vial of water from Matrimony Springs.

R. Discussion on Bears Ears land exchange (Commissioner Walker)

Commissioner Walker discussed SITLA land exchanges associated with establishment of Bear Ears National Monument. Authority on these decisions above purview of local field offices. Many parcels proposed to be traded for are in Grand County. Nada Wulff Culver, Deputy Director of Policy and Programs of BLM, to visit in Grand Junction, Commissioner McGann suggested meeting to discuss this potential land swap with this high-level official. Commissioner Walker displayed proposed land exchange map, highlighting exchanges in Grand County vs. San Juan County, potential conflicts with future potential conservation designations, parcel adjacent to Lion's Back area, extension nearer to Pack Creek area, Westwater area. Federal government has to agree with land exchange, which is where Grand County Commission might have more influence. Cash for land trade could be alternative for federal government. Commissioners Clapper and Hadler support pursuing cash for land exchange. Commissioner Hadler pointed out potential conflict with mountain biking trails off Highway 313. Commissioner Stock especially concerned with Lion's Back, Hell's Roaring, Ten Mile, stated that is in our favor to have BLM managing these lands with a larger holistic vision, which SITLA does not prescribe to.

S. Calendar items and special events (Quinn Hall, Associate Commission Administrator) (no presentation at this time)

Public Hearings- Possible Action Items

T. Public hearing to consider and solicit oral and written comment on an ordinance approving a rezone request for Small Lot Residential (SLR) Zoning to property located at 4400 Spanish Valley Drive on Parcel No. 02-0026-0040 (Elissa Martin, Associate Planner)

Presentation

Staff presented rezone request as shown in packet materials.

Chair Hadler officially opened the Public Hearing

Michelle Peterson requested clarification from staff that Planning Commission recommended denial of this application. Area landowner desires preservation of rural characteristics, including livestock for food and recreation. Referred to potential scarcity of water, capacity for roads not maintained by Grand County, risks to safety on Beeman Road with increased traffic.

Dr. Sorenson, area landowner and resident, representative of Moab Veterinary Clinic, spoke to lack of capacity of area roads. Would like land maintained for livestock uses.

Ronda Gotway Clyde opposes rezoning of Rural Residential Zones, wants to see preservation of lands that could be used to support local food system.

Sam Cunningham, resident of 4545 Spanish Valley Drive, asserted that proposed lot sizes would not prevent oversized homes being built, spoke to the need for preserving rural characteristics, asserted that this request was a variance, not a rezone, stated that older residents unable to participate virtually are opposed to this development in their neighborhood

Mitch Peterson spoke to lack of compatibility of this application with existing livestock uses.

Commissioner Stock commented that increasing density does not necessarily lead to more affordable housing costs, citing developments in Moab City as an example.

Chair Hadler stated that the Public Hearing is to remain open until 5pm on March 23, 2022.

Citizens to be Heard (6:15pm) (none at this time)

Calendar items and special events (Quinn Hall, Associate Commission Administrator)

Staff provided overview of upcoming events.

Closed Session(s) (if necessary)

Adjourn

Chair Hadler adjourned the meeting at 6:20pm.



Jacques Halder Grand
County Commission Chair



Gabriel Woytek Grand County
Clerk/Auditor