



**GRAND COUNTY
COMMISSION REGULAR MEETING**

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

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**MINUTES
5 April 2022**

The Grand County Commission met in a regular meeting on April 5th, 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 were Grand County Commissioners Evan Clapper, Trisha Hedin, Jacques Hadler and Kevin Walker. Commissioner Sarah Stock attended the meeting virtually. Also attending in-person were Commission Administrator Mallory Nassau, Associate Commission Administrator Quinn Hall, and Clerk/Auditor Gabriel Woytek. Strategic Development Director Chris Baird was in attendance virtually. County Commissioner Mary McGann joined the meeting virtually at 4:37pm. County Attorney Christina Sloan joined the meeting virtually at 4:39pm.

4:05 pm Call to Order

Citizens to Be Heard (none at this time)

Presentations (none scheduled)

Department Reports

- A. Report on the Neighborhood Planning and Strategies Timetable – Updates to the General Plan (John Guenther and Elissa Martin, Planning and Zoning)

Presentation

Staff described current status of General Plan process, as presented in packet.

Recitation of Pledge of Allegiance

Approval of Minutes (Gabriel Woytek, Clerk/Auditor)

- B. March 15, 2022 (Regular County Commission Meeting)

Motion by Commissioner Hedin to approve the minutes from March 15th, 2022.

Motion Seconded by Commissioner Walker

Discussion (none at this time)

Motion Passes 5-0 (McGann absent)

Ratification of Payment of Bills

Motion by Commissioner Hedin to approve and ratify payment of bills in the amount of \$1,017,018.73 and payroll in the amount of \$324,274.48 for a combined total of \$1,341,293.21.

Motion Seconded by Commissioner Walker

Discussion (none at this time)

Motion passes 5-0 (McGann absent)

Commission Member Disclosures (none at this time)

General Commission Reports and Future Considerations

Jacques Hadler

- Joint Moab City/Grand County Coordination Meeting
- Met with Jake Bornstein, John Curtis' chief of staff, on visit to Moab
- Chamber of Commerce meeting
- USU-Moab ribbon-cutting
- Luncheon with Sheriff
- Responsible Recreation Committee meeting

Trisha Hedin

- Recreation Special Service District meeting
- Grand Water and Sewer (GWSSA) meeting, Ken's Lake level above average
- Planning Commission meeting
- Annual Zone 7 Conservation District meeting in Green River
- Luncheon with Sheriff
- Utah Support Advocates for Recovery Awareness open house
- Meeting with DWR Engineer Marc Stilson regarding Pack Creek gauge

Sarah Stock

- Moab City meeting relating to regional haze, future consideration for Grand County to engage
- Grand County received groundwater monitoring grant in collaboration with other entities in the valley
- BLM listening session for Castle Valley
- Moab Area Watershed Partnership meeting
- Meeting with Forestry, Fire, and State Lands, new MOU to be approved
- Moab Mosquito Abatement District meeting
- Bear's Ears land trade meeting
- Community Renewable Energy Program meeting, program design to be presented to public this summer

Kevin Walker

- Joint Moab City/Grand County Coordination meeting
- Bear's Ears land trade meeting
- Responsible Recreation Committee meeting

Evan Clapper

- Arches Special Service District meeting, applied for expansion permit for north side of river

Mary McGann

- To offer full update at next meeting

Elected Official Reports

Grand County Clerk/Auditor Gabriel Woytek

- Auditing consultants came and performed work

Grand County Attorney Christina Sloan

- Internal Working Group on Noise pollution concerns, to go public soon

Commission Administrator Report

Commission Administrator Mallory Nassau

- Update on Special Event permitting platform
- Indigent Defense Commission
- Marc Stilson to present at 4/19 Commission meeting, offer quarterly opportunities to inform public

General Business - Action Items, Discussion and Consideration of:

- C. Approving a new Commissioner to fill Gabriel Woytek's seat (at-large) (Jacques Hadler, Commission Chair)

Presentation

Chair Hadler named 3 applicants for interim appointment – Josie Kovash, Bill Winfield, and Dan Stenta

Motion by Commissioner Hedin to appoint Josie Kovash to fill the vacant at-large seat of the Grand County Commission, and swear them into office.

Motion Seconded by Commissioner Stock

Discussion

Commissioner Hedin pointed out Kovash's role on the County Planning Commission and familiarity with pressing needs in the county. Commissioner Stock also pointed out Kovash's qualifications relating to pressing planning issues, 'quiet streets' efforts, committed engagement throughout community. Commissioner Walker pointed out quality of all three candidates, Kovash's focus on quality of life issues which is a central concern of constituents. Commissioner McGann mentioned discomfort with potential appointment of Winfield as a candidate running in upcoming election. Commissioner Clapper expressed gratitude to qualified applicants for their interest. Commissioner Walker reiterated stance regarding avoiding appointment of a candidate running in upcoming election, mentioning past exceptions to this rule and their rationale.

Motion passes 6-0 (McGann present)

Josie Kovash sworn in as Grand County Commissioner, with Clerk/Auditor Woytek administering Oath of Office. Josie Kovash immediately assumed role on the dais as a voting member.

- D. Approving Commission board and committee liaison re-assignments and new Commissioner assignments (Quinn Hall, Associate Commission Administrator)

Presentation

Staff offered appointment updates as presented in packet

Motion by Commissioner Hedin to appoint commissioners to board assignments as presented and discussed.

Motion Seconded by Commissioner Clapper

Discussion

Brief discussion on future realignment possibilities as new roles are assumed on boards.

Motion passes 7-0

- E. Adopting Ordinance approving rezone request from Rural Residential to Small Lot Residential for property located at 4400 Spanish Valley Drive, Parcel number 02-0026-0040 (Elissa Martin, Associate Planner)

Presentation

Staff presented application as it appears in packet. Commissioner Hedin asked for clarification on future development plans, and an estimate for future lot cost, applicant offered that lots will be sold for an estimated \$150,000.

Motion by Commissioner Hedin to deny the request to rezone Grand County Parcel No. 02-0026-0040 to Small Lot Residential zoning.

Motion Seconded by Commissioner Walker

Discussion

Commissioner Hedin expressed concern about affordability of this development and preserving integrity of Rural Residential Zones. Commissioner Walker stressed that we use available tools to ensure affordability and primary residency amidst present housing inventory scarcity, expressed appreciation for logical and reasonable debate between developer and neighborhood. Commissioner Clapper mentioned growth trends and potential for community benefit through rezoning, but only if it addresses workforce housing needs. Commissioner Kovash mentioned incomplete General Plan update process and importance of that process concluding before approving such an application.

Motion passes 7-0

- F. Adopting Resolution approving the Final Plat of the Smith Minor Subdivision Affecting Parcel Nos. 02-0023-0005 and 02-0023-0009 (Elissa Martin, Associate Planner)

Presentation

Staff presented application as presented in packet.

Motion by Commissioner Walker to approve the Findings of Fact set forth in the staff report dated February 1, 2022 and the proposed Resolution approving the Final Plat of the Smith Minor Subdivision with the following conditions: The Owners shall record the Private Access Tract Maintenance Agreement simultaneously with the Final Plat.

Motion Seconded by Commissioner Hedin

Discussion

Commissioner Walker sought and received confirmation that there was no public comment in opposition to this application.

Motion passes 7-0

G. Approving the Final Plat and Subdivision Improvement Agreement (SIA) and Final Plat for Phase II of Viewgate Terrace Subdivision and HDHO development on Parcel 02-0VGT-0003 (Elissa Martin, Associate Planner)

Presentation

Staff presented application as presented in packet. Commissioner Walker sought clarification that application remains unchanged, staff confirmed that it is, with exception of underground water disposal system described in agreement.

Motion by Commissioner Clapper to adopt a Resolution approving the Final Plat and Subdivision Improvements Agreement for Phase II, Viewgate Terrace Subdivision and the Declaration of Covenants, Conditions, Restrictions, and Easements for the Underground Water Disposal System on Lots 1A, Phase I, and Lots 2 and 5, Phase II, Viewgate Terrace Subdivision, subject to the following conditions:

1. The Owner shall continually comply with the County Engineer's requirements, Ordinance Nos. 599 and 657, the HDHO Master Plan and the Amended and Restated Development Agreement;
2. The Owner shall record the SIA and the Declaration of Covenants, Conditions, Restrictions, and Easements for the Underground Water Disposal System on Lots 1A, Phase I, and Lots 2 and 5, Phase II, Viewgate Terrace Subdivision simultaneously with the Final Plat in the Recorder's Office; and

Motion Seconded by Commissioner Walker

Discussion

Commissioner Stock asked if development would include any children's play structures to accompany the proposed multi-family housing. Staff clarified that such a feature would be included in site plan, not in currently contemplated plat.

Motion passes 7-0

H. Discussion and possible action on the proposed Planning and Zoning priority list (Elissa Martin, Associate Planner)

Presentation

Staff presented potential code updates as outlined in the packet. Commissioner Stock sought clarification on how 'Housing A' initiative relates to 'Housing C.' Attorney Sloan endorsed 'Housing C' as overarching priority through interim Resolution and update of Nexus Study, and expressed concern regarding aggressive timelines for completion. Attorney Sloan also endorsed prioritizing expansion of HDHO Ordinance. Commissioner Walker sought clarification on overall plan for concentrating efforts between inclusionary zoning approach versus density bonus incentives and similar strategies.

Motion by Commissioner Walker to:

1. approve the list of priorities in the Planning & Zoning staff report, dated 3/30/2022, for immediate action as described in the proposed timetable and;
2. direct staff to continue to work with the LUC update advisory committee to develop ordinances and draft code language for such priorities and;

3. direct staff to work with BAE Urban Economics to develop a scope of work and cost estimate to update the assured housing nexus study and;
4. with the understanding that the initiative labeled 'Housing C' shall be of highest priority for completion

Motion Seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 7-0

- I. Approving Emergency Purchase of Administrative Roof Replacement at The Old Spanish Trail Arena (OSTA) (Angie Book, Director OSTA and Chris Baird, Strat. Dev. Director)

Presentation

Staff described need for OSTA roof repair as presented in packet. State contractor being used which precludes the need for a competitive bid process.

Motion by Commissioner Hedin to approve the agreement for the emergency replacement of the administrative roof of the Old Spanish Trail Arena with Garland/DBS, Inc. in the amount of \$124,971, to be drawn from the General Fund's Capital Buildings budget.

Seconded by Commissioner Walker

Discussion

Commissioner Clapper expressed need to establish a schedule for facility maintenance needs. Chris Baird clarified that maintenance staff was working on generating inventory of such needs.

Motion passes 7-0

- J. Approving billboard lease agreement for billboard located at 675 N Main (August Granath, Economic Development)

Presentation

Staff presented details of current billboard design and placement, and the agreement as presented in packet. Commissioner Hadler clarified that rate is unchanged in new contract, design subject to change. Commissioner Walker emphasized importance of maintaining and potentially acquiring new billboard opportunities.

Motion by Commissioner Walker to approve the agreement with Scott Newton/Velo Newguz, LLC to lease the north side of the billboard located at 675 N Main Street at a rate of \$6600.00 per year for 2 years.

Motion seconded by Commissioner Clapper

Discussion

Commissioner Stock voiced support for refreshing current imagery and utilizing local artists for future billboard designs.

Motion passes 7-0

- K. Approving Housing Authority of Southeastern Utah (HASU) and Grand County Grant Contract (Ben Alter, Economic Development)

Presentation

Staff presented contract details as presented in packet.

Motion by Commissioner Clapper to approve the Grant Contract Agreement between HASU and Grand County for the administration of the Rural County Grant Part B FY22 award.

Motion seconded by Commissioner Walker

Discussion

Commissioner Hedin offered congratulations for staff achievement in attaining this grant opportunity.

Motion passes 7-0

- L. Approving County Strategic Plan (John Guenther, Planning and Zoning)

Presentation

Staff presented details of proposed adoption as presented in packet.

Motion by Commissioner Clapper to adopt the County Strategic Plan dated March 29, 2022; and that Staff develop an implementation plan and report back with suggested strategies.

Motion seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 6-0, Commissioner Stock unable to vote due to technical difficulties

Consent Agenda – Action Items

- M. Approving commission chair's signature on letter regarding proposed Bear's Ears National Monument and State Institutional Trust Lands (SITLA) land swap
- N. Approving commission chair's signature on letter of support for Recreational Trails Program (RTP) grant
- O. Ratifying the chair's signature on a Memorandum of Understanding (MOU) between the Bureau of Land Management (BLM) Moab and Price field offices and Grand County as a cooperating agency
- P. Adopting a Resolution expressing support for S. 7928/H.R. 5338 to address shortcomings in the radiation exposure compensation program and urging congress to continue its obligation to support uranium workers

Motion by Commissioner Hedin to adopt the consent agenda as presented

Motion seconded by Commissioner Clapper

Discussion (none at this time)

Motion passes 7-0

Discussion Items

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

Public Hearings- Possible Action Items

R. Public Hearing and Possible Action on the Proposed Disposition of Real Property Parcels
26S22E358401, 26S22E358402, 27S22E014200, and 0003900000D0 - Owned by Grand County and
Located within San Juan County, Utah (Chris Baird, Strategic Dev Director)

Presentation

Staff presented details on potential property sales as presented in packet. This action is not a commitment to sell. Commissioner Walker asked if San Juan County had been contacted regarding possible sale of these parcels within their jurisdiction, in the interest of existing efforts to foster collaboration and communication.

Public Hearing opened by Chair Hadler at 6:22pm, to remain open until 5pm on Wednesday, April 13th.

Chair Hadler adjourned meeting at 6:23pm

Jacques Hadler
Chair, Grand County Commission

Gabriel Woytek
Grand County Clerk/Auditor