



**GRAND COUNTY
COMMISSION REGULAR MEETING**

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

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**MINUTES
1 June, 2021**

The Grand County Commission met in a regular meeting on 1 June, 2021. The meeting was streamed/attended electronically. It was also broadcast and saved on YouTube. Commissioners in attendance were Evan Clapper, Jacques Hadler, Trish Hedin, Kevin Walker, Sarah Stock and Gabriel Woytek. Also present were County Commission Administrator Chris Baird, County Commission Associate Administrator Mallory Nassau, and Renee Baker, Personnel Service Director. Commission Chair Mary McGann and Clerk/Auditor Quinn Hall were absent.

4:00 p.m. Call to Order

Vice Chair Woytek called the meeting to order at 4:00 pm

Citizens to Be Heard

None, another at 6:00 PM

Approval of Minutes (Tara Collins and/or Mallory Nassau)

A. May 18th, 2021 (Regular County Commission Meeting)

Motion by Jacques Hadler to approve the minutes of 18 May, 2021.

Motion Seconded by Evan Clapper

Discussion (none at this time)

Motion passes 6-0

Ratification of Payment of Bills

Motion by Kevin Walker to ratify payment of bills totaling \$625,820.36 and payroll totaling \$251,528.01 for a combined total of \$877,348.37

Motion Seconded by Jacques Hadler

Discussion (none at this time)

Motion passes 6-0

Commission Member Disclosures

Jacques Hadler- Employee for Moab Cyclery as consultant, recusing on discussion and vote on Agenda Item I regarding E-Bikes

General Commission Reports and Future Considerations

Evan Clapper-

- Meet and Greet with Catherine Hansen, USU Extension

Jacques Hadler

- Meeting with Moab Museum, open to public today 6/1
- Attended Rec SSD Meeting
- Attended Chamber of Commerce, main topic housing
- Attended Nosie Demo at Sandflats
- Attended Sustainable trails meeting, etiquette and messaging
-

Trish Hedin

- No Scheduled Meetings
- Attended, SCIC (Seven County Infrastructure Coalition) meeting- reactivated the Eastern Utah Regional Connection placed on Active list,
- Attended another meeting on 5/28 Discussing the action at SCIC meeting
- Attended National Park Meeting about timed entry in the Southern Group.
- Attended Division of Water Rights Joint Meeting with Mark Stilson and Commissioner Stock reviewed the USGS 2019 study, critical areas where additional studies will happen.
- Couple Meetings with Thompson Springs Cleanup, June 11-15

Kevin Walker

- Attended a meeting with redistricting consultants, portal should be up in a week, open to public next meeting
- Attended Sustainable Trails meeting, with Commissioner Hadler.
- Attended meeting with BLM, problems with dispersed camping, stay on the trail messaging push
- Attended the Nosie Demo at Sandflats
- Attended Meeting with National Park Service, with Commissioner Hedin. Commissioner Hedin asked about the messaging around waste management.

Sarah Stock

- Attended Moab Area Regional Watershed partnership meeting, potential for national ground water funding and grants.
- Attended Division of Water Rights Joint Meeting with Mark Stilson, and Commissioner Hedin, need for monitoring and path forward.
- Meeting with Nicole Nielson, Division of Natural Resources, discussing stream restoration projects on Pack creek and Mill Creek.
- Meeting with SEHUD, Ginger and Johnathon, to discuss Human Waste, grant received for a SCAT Machine, looking for a place to park it, future contributions for ongoing maintenance from the County, where to create another spot for WAG bags.
- Meeting with Rocky Mountain Power and Commissioner McGann regarding the Blue Skies Program + Solar Subscriber in addition the Community Renewable Energy plan.
- Attended, SCIC (Seven County Infrastructure Coalition) meeting- concerns with the Bookcliffs Highway being back on the project list.

Gabriel Woytek

- Attended Four Corners Behavior Health Meeting , 2022 Budget, 2022 Area Plan, Medicaid expansion + increased access to services, rent out current office space, ground breaking on 6/9 for new building 85-90% is vaccinated.

- Attended the SEUHD Board Meeting - Updated housing regulations, environmental health of dwellings, vaccination efforts are opening up new relationships with new entities, 60 volunteers in 3 county area to help vaccine efforts. 58% in Grand County have received one dose of the vaccine, Health Department can shift focus more to Environmental Health.
- Attended AOG Meeting - No update on the 40 million the AOG requested AARPA Funds, SB95 reopened for a new round a funding through GOED.
- Meet and Greet with Catherine Hansen, USU Extension, discussing visioning on the USU role.
- Attended a strategic planning meeting

No future considerations.

Elected Official Reports

Christina Sloan

- New Chief Deputy Attorney starting tomorrow reviewed background.
- Two weeks ago, New Public Lands Patrol Deputy started, Josh Honour + 2 BLM Rangers.
- Noise Testing Demo- Good participation from Sheriff's Office, one testing location, got to as many vehicles as possible with the Noise Expert, was able to do 3 half days of training with Law Enforcement. Official Data coming, 35 vehicles tested. Bret Edge, Moab City Police was able to attend and the City Law Enforcement will go through same training in late summer, hoping to get Josh Green, Compliance Officer as well.
- Won the Creekside AUD Appeal, waiting on the HDHO appeal ruling from Administrative Law Judge.

Commission Administrator Report

Chris Baird

- Financial update, 2019, 2020 and 2021 Data through 3/2021. YTD Running 153% over 2019 data with various taxes, 2020 outlier data due to closures, looking at a lot of growth, if continues it would be higher growth than it was for 20 years, generally around 20 % year to year. Saw an uptick starting in Jul 2020.
- Discussion with Carly Castle of Moab City and UDOT proposed Hotspot transit match to help contribute to the pilot transit project in Moab City. Roughly 1 million local funds needed, there may be Federal Transit Authority (5311 Funding) to offset ½ of local contribution. If split with city/ county \$250,000, and may be able to pull out of the Tourism Side of TRT Funding, This project will not provide substantive congestion relief, targeting to providing services to visitors. Work with Moab City about upcoming agenda items.
- Finalized and closed the hospital bond, Grand County was conduit issuer on the Hospital Expansion Project.

Mallory Nassau

- Purchasing Policy wrap up, voting later tonight
- Updating Surplus Policy
- Redline of Commission General Policy + Procedure, moving to the 3 pm start change.
- Mention of New Staff
 - o John Gunther – Planning and Zoning Director

Department Reports

- B. Report on Weed Department (Izzi Weimholt, Weed Department Director)
 - Gave general department report for 2020 projects.

- Awarded Weed Board of the Year for the African Rue response,
 - Answered Questions from Commissioners regarding projects
- C. Report on Planning & Zoning Department (John Guenther, Planning & Zoning Director)
- Introduction and Discussion of Future Planning Projects

Agency Reports

- D. Report on Moab to Monument Valley Film Commission (Bega Metzner, Film Commission Director)
- 2020 was not slow for the film commission, large amount of projects in town.
- E. Report on Utah State University Extension new faculty (Andree Walker Bravo, USU Director of County Operations)
- Discussed the USU Extension goals and Grand County faculty changes.
 - Introduced Kristina Young, Horticulture and Natural Resources + 4H Coordinator, gave background about personal education, founder of Science Moab.
 - Catherine Hansen , pending Director of Grand County Extension, prior 4H Coordinator gave personal background – interested in bringing back County Fair
 - Commissioner Hadler asked the last time there was a County Fair. Moved from County Fair to more of a 4H youth fair.

General Business- Action Items- Discussion and Consideration of:

- F. Approving Four Corners Community Behavioral Health FY2022 Area Plan (Melissa Huntington, Executive Director of FCBH)

Presentation:

Introduction of Melissa Huntington, new Executive Director, Kara Cunningham, Clinical Director and Belinda Hurst, Program Director for Grand County. Presented FY2022 Area Plan as outline in the Interlocal Agreement. Melissa discussed what the area plan included, presented to the FCBH Board last week, and now presented to individual Commissions. Major changes include, asked by the Department of Health to led in a Stabilization in Mobile Response, oversee the funding and development of this program in a larger geographic area and provide MCOT, Mobile Crisis Outreach Team and adding a case manager.

Motion by Evan Clapper signing of the FY2022 Area Plan for Four Corners Community Behavioral Health, Inc. and authorize all Council members to sign all associated documents.

Motion Seconded by Kevin Walker

Discussion- NONE

Motion Passes 6-0

- G. Approving Right-of-Way Grant Amendment from the Bureau of Land Management for the relocation and reclamation of a section of Blue Hills Road, associated with the expansion of the Airport (Andy Solsvig, Airport Director)

Presentation:

Andy presented this request of the Right-Of- Way as it pertains to the Blue Hills Road realignment process. This right-of- way is on BLM property.

Evan asked for an update on the archeological issues with the reroute.

Andy has notified the company to provide the last invoice to pay and close out portion of the project.

Evan asked if it as been cleared and if there was any impact from the project

Andy advised there was no impact and let the FAA know the findings, pending on the completed report.

Motion by Kevin Walker to approve a Right-of-Way Grant Amendment from the United States Department of the Interior, Bureau of Land Management, for the relocation and reclamation of a section of County Road 138 (Blue Hills Road).

Motion Seconded by Jacques Hadler

Discussion- NONE

Motion Passes 6- 0

- H. Approving relief for property tax, penalties, and interest for the years of 2018, 2019, and 2020 for Jerry & Byrdi Ward (Chris Kauffman, Treasurer)

Presentation:

Chris discussed that Jerry and Byrdi Ward are making request to reducing taxes for 2018,2019 and 2020. Taxpayer requests must come to commission, taxpayers inquired about tax relief abatements not eligible for 2018, 2019, 2020. Will be applying in 2021.

Chris has expressed concern of what precedent on providing relief on land in excess of 1 acre or the vacant land.

Jerry and Brydi Ward- spoke to the need of the relief for the property tax, penalties and interest for the years 2018, 2019, and 2020 and apply for abatement and take care of the 2021 taxes.

Trisha spoke to the character of Jerry and Brydi Ward and that they are hardworking and the need of the tax relief.

Kevin asked for clarification on the tax abatement process.

Chris spoke about best practice on Grand County abatements and the fairness to all tax payers.

Christina was also concerned about the precedent that may be set; the County has provided a way for the Commission to waive penalties and interest due to the hardship but has never seen the Commission waive the taxes.

Sarah asked if it could be separated out to grant full cancelation of taxes on the property plus one Arce and then grant relief else where.

Chris spoke on how it could be broken out.

Jacques asked how common an event this is.

Chris discussed that this is not every common because they can get in on the regular abatement program.

Kevin asked how often this request may come up.

Chris couldn't put a number on how many may come up in the future.

Evan discussed that he would be comfortable with a motion that was in line with the Circuit Breaker abatement program.

Kevin clarified that we have option to waive on the penalties and interest on the property in excess of one acre.

Chris stated that how it could be broken up to forgive penalties and interest and that it should be stated in the motion.

Sarah is inclined to remove the penalties and interest on everything since they have been trying to get this figured out since 2018.

Trisha discussed the hardship the taxpayers have been through.

Motion by Evan Clapper to grant full cancelation of all taxes, penalties and interest on the primary residence and one acre of land, and to cancel all penalties and interest on the remaining property.

Motion Seconded by Trisha Hedin.

Discussion: NONE

Motion Passes 6-0

- I. Adopting proposed Resolution permitting Class 1 Electric Assisted Bicycles on all paved pathways included within the North Moab Recreation Areas Alternative Transportation System (Christina Sloan, County Attorney and Chris Baird Commission Administrator)

Presentation:

Christina spoke to what the updated Resolution on the Class 1 Electric Assisted Bicycles and where and where not they would be allowed. Enforcement Issues may arise, continue to work on the issue.

Trail Mix approved with conditions, letter at page 182/183 in packet- most significant request 1 year period, no way to do a trial period with BLM, will review in one year and see where resolution stands. Trail Mix also requested signage.

Chris spoke to the jurisdiction and ownership of land, Grand County is responsible to signage and maintenance. Step up enforcement where E-Biked that are not allowed. City and County bike trail systems that intersect and rules should remain relatively the same; City is also considering a resolution. E-Bikes are becoming more and more popular and as long as they stay on the paved path. Grand County has a Title 5 right of way.

Kevin asked about the one-year trial period, Grand County by self does not allow E-Bikes on the trails and we are allowing the BLM to allow E-Bikes.

Chris noted it was a bit of a grey area, since we do have this right of way; Grand County made the decision to move to a non-motorized trail system here and the entire pathway is not under the Title 5 right of way and there maybe more processes needed.

Kevin asked if it was just up to Grand County that we could pass it for the 1-year trial period and the impression from Chris and Christina and that the BLM will not allow the 1-year trial period.

Chris said that if the BLM saw a problem they may need to open NEPA and public comment, it might be looked as trial period, but not officially.

Christina spoke about some other resort communities use and success of the E-Bike allowance.

Evan unscored that it was an alternative transportation method from the north end asked if a joint resolution has been discussed

Christina thinks a joint resolution is a good idea but not on the table right now and could be discussed at next city meeting.

Evan would like to see it, or maybe not take action tonight to wait of the City resolution so that rules are uniform on the pathway.

Kevin is worried that a joint resolution may bog things down a bit for the County.

Chris noted that a contingency could be added into the resolution tonight. City resolution draft is more technical on their needs, State defaults that Class 1 E-Bikes are allowed where regular bikes are allowed unless local government bans them. Which the City originally did.

Chris noted that we do have an inter-local agreement with the City on the maintenance of the pathway

Sarah asked if the default is that E-Bikes are allowed on County owned sections because we have never outlawed them, what would be the point of passing the resolution if it triggers NEPA.

Chris noted that Grand County is not the owner of the land, due to the funding that was received and that they are on federal property.

Sarah feels like there are a few things that we can get caught up on, and that E-Bikes should be allowed on the Paved Pathways.

Evan noted that some funding can be carved out budget for the signage on the trail.

Motion by Kevin Walker to approve the proposed Resolution permitting Class 1 Electric Assisted Bicycles on all paved pathways included within the North Moab Recreation Areas Alternative Transportation System with in the un-incorporated of Grand County or on land owned by Grand County..

Motion Seconded by Evan Clapper

Discussion: Chris mentioned that E-Bikes are not automatically approved, and there is still processes in place to get there.

Kevin noted that there are good arguments for allowing E-bikes and valid concerns and needs to be monitored carefully, and not allowing E-Bikes on single track trails

Gabe noted that this is a conservative and cautious step moving forward and may enable some alternative transportation options.

Motion Passes 5-0-1 (Abstained: Jacques Hadler)

6:19 pm Citizens to Be Heard (none at this time)

- J. Adopting Resolution amending the appointment process and terms of the Administrative Control Board of the Thompson Springs Special Service District Bylaws (Chris Baird, Commission Administrator)

Presentation: Chris discussed the history of the Water Board and election and appointment process, that was most recently (1992) updated. Spoke with the board members that have been appointed. This update would fix any statutory issues and place a voting Commission member on the board. No real push back from the members of the board, there is a petition in Thompson to reform the board.

Christina and Chris worked on resolution together for the Commission Appointment process, still at five members, with assumption that Trisha would take on the Commission voting member.

Motion by Trisha Hedin, to approve the Resolution amending the appointment process and terms of the Administrative Control Board of the Thompson Springs Special Service District, and to appoint Commissioner Hedin to serve on the board, with a term expiring 12/31/2021 and authorize noticing and requirement for board positions 1-4.

Motion Seconded by Jacques Hadler

Discussion: Chris discussed that state law allows for stipend to the board members up to \$5000, it may need to be considered by the board to keep board members on the Thompson Springs Boards.

Trisha stated that board is putting a lot of time in.

Evan questioned if the level of compensation would be decided on the board

Chris stated yes and Commissioners are not allowed to receive that stipend.

Motion Passes 6-0

- K. Approving termination of Public Road Easement Entry No. 399818 (Bill Jackson, County Roads Supervisor)

Presentation:

Bill stated that we needed to clean up this easement to help assist in a project that San Juan County is working on. Grand County has the easement on 5 miles of the road for the project, unknown why we had the easement dating back to 1983.

Kevin asked if the easement went along the entire length of the Loop Road or if it was just a small section.

Bill clarified that it was about five miles.

Christina asked how it corresponds with the maintenance we do on the Loop Road.

Bill stated that we have an agreement with San Juan and we handle the snow removal only on the Loop Road including this section.

Christina does not have any issues vacating this portion of road; just not sure this is the correct legal process. The way statute is written we would need to have a public hearing to vacate. It may only need to sign an agreement or have a public hearing on the easement due to the public interest and take the extra step.

Bill doesn't know why we need the easement, Christina agrees.

Chris said that a Public Hearing could be held at the next meeting to do this correctly.

Evan clarified that the this easement is not in Grand County.

Motion by Kevin Walker to postpone action on this item for a public hearing at the June 18th meeting.

Motion Seconded by Evan Clapper.

Discussion

Motion Passes 6-0 Postponed.

L. Postponed

M. Approving agreement with the Utah Department of Transportation and Colin Fryer for speed radar sign on Highway 128 (Chris Baird, Commission Administrator)

Presentation:

Chris discussed Colin Fryer has requested this speed radar sign and that UDOT cannot enter into agreements with private parties, so this would be a three party agreement. Colin will reimburse the County and UDOT will maintain it.

Kevin asked if it was flashing sign or if it was also a ticketing system.

Chris clarified it is just a flashing sign like the ones within City Limits.

Sarah wanted to clarify if the agreement included that Colin would reimburse the County.

Chris noted that the agreement states that Colin will reimburse the County at 100%

Motion by Jacques Hadler to approve the cooperative agreement with the Utah Department of Transportation and Colin Fryer for a solar power radar speed driver feedback sign on SR-128.

Motion Seconded by Kevin Walker

Discussion: None

Motion Passes 6-0

- N. Adopting Resolution repealing and replacing Grand County's Purchasing Policy (Mallory Nassau, Assoc. Commission Administrator and Chris Baird, Commission Administrator)

Presentation:

Mallory discussed the changes and updates to the resolution after the Commission Workshop on 5-18-2021.

Chris Baird added that the policy would be up to the Commission wishes on how the monthly report for those purchases that are on the Pre-Authorized Procurement List and over \$5,000.

Evan is okay with the Capital Procurement List, asked how the report would show up. Separate from the bills or with the monthly bills.

Mallory noted that it could be given with the Commission Admin report sections.

Chris Baird added that would be up to the Commission wishes on how the monthly report for those purchases that are on the Pre-Authorized Procurement List and over \$5,000.

Mallory needs to clean up the flow chart that is in the exhibit and formatting.

Motion by Evan Clapper adopt the Resolution repealing and replacing Grand County's Purchasing Policy with the terms and conditions discussed and authorize the Commission Administrator's Office to edit the policy accordingly.

Motion Seconded by Kevin Walker

Discussion: Chris Baird clarified the edits moving the definitions, cleaning up the flow chart and formatting.

Gabe Woytek thanked Mallory for all the hard work on the updated policy.

Motion Passes 6-0

Consent Agenda- Action Items

- O. Ratifying the Chair's signature on an Invasive Species Mitigation (ISM) grant agreement with the Utah Department of Agriculture and Food
- P. Declaring office supplies and equipment as surplus and authorizing disposal by resale, donation, auction or scrap
- Q. Approving the application of public interest use to unclaimed property (bicycles) for donation, sale or recycling
- R. Ratifying the Chair's signature on a letter to Brad Horrocks, Chair of the Seven County Infrastructure Coalition regarding the proposed Bookcliffs highway.
- S. Ratifying the Charis's signature internet security training agreement and subscription three year renewal with KnowBe4, in the amount of \$4,800.

Motion by Kevin Walker to adopt the consent agenda as presented.

Motion Seconded by Trish Hedin

Discussion: NONE

Motion Passes 6-0

Discussion Items

- T. Calendar items and special events (Mallory Nassau, Associate Commission Administrator)
 - City County Joint Fireworks for 7/4/2021- Upcoming joint resolution,
 - o Discussion on the resolution and community outreach.
 - Joint City County Workshop on 6/22/2021 at 6:00 PM- Millcreek Plan

Vice Chair Woytek read out for the record the consent agenda items titles that where previously approved.

Vice Chair Woytek adjourned the meeting at 7:05pm.

ATTEST:

DocuSigned by:
Mary McGann
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Mary McGann
Chair, Grand County Commission

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Quinn Hall
Grand County Clerk / Auditor