



**GRAND COUNTY COMMISSION  
REGULAR MEETING**

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

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**MINUTES  
2 April 2024**

The Grand County Commission met in a regular meeting on April 2<sup>nd</sup>, 2024. The meeting was held in-person in the Grand County Commission Chambers, with hybrid virtual participation available via Zoom. It was also broadcast and saved on YouTube. Attending the meeting in person were Commission Vice Chair Kevin Walker and Commissioners Bill Winfield, Mary McGann, Evan Clapper, Mike McCurdy, and Trisha Hedin. Also attending in person were Commission Administrator Mallory Nassau, Clerk/Auditor Gabriel Woytek and County Attorney Stephen Stocks. Commission Chair Jacques Hadler was absent.

**2:31 p.m. Vice Chair Walker called to order the Regular Meeting**

**At 2:32 p.m., motion by** Commissioner McGann to enter closed session for the purposes of discussing pending or reasonably imminent litigation and the deployment of security personnel, devices, or systems

**Motion seconded by** Commissioner McCurdy

**Motion passes 6-0**

**At 3:34 p.m., motion by** Commissioner McGann to exit closed session.

**Motion seconded by** Commissioner Hedin

**Motion passes 6-0**

**Vice Chair Walker called for a recess until 4 p.m.**

**At 3:59 p.m., Vice Chair Walker reconvened the Regular Meeting**

**Pledge of Allegiance**

**4 p.m. Citizens to be Heard (1:00)**

Grand County Planning Commissioner Aaron Lindberg spoke regarding issues that he sees with the land use code as it relates to residents outgrowing home occupation businesses, with a disconnect existing between regulation and the local availability of commercial property. Lindberg stated that many commercial properties are occupied by non-residents for non-commercial uses and suggested that certain residential areas could be identified as ideal locations for business occupation and appropriate commercial uses.

Grand County resident Dave Closser spoke regarding the Kane Creek project and stated that the Kane Springs CUP application should be denied because unexpected challenges related to developing the Colorado River floodplain are not being accounted for, unforeseeable river flooding could dramatically affect a project that will take years to complete, and it is the community's responsibility to approve or deny a permit and determine if an area is reasonably safe.

Grand County resident Kevin Dwyer spoke regarding the frequency of traffic accidents in Moab and his recent effort to research Highway 191 traffic via a program at the University of Utah, which concluded that Highway 191 is quite dangerous when compared with roads in other communities across Utah. Accidents and fatalities along 191 are many times more frequent than in other communities, with complete findings to be presented at an Open House presentation at the Grand County Public Library on April 8<sup>th</sup> at 6:30 p.m.

**Presentations** (none scheduled)

**Department Reports** (10:45)

### **Personnel Services Department**

Personnel Services Director Renee Baker gave an overview of her department's activities, mission, compliance, employee career cycle, payroll and benefit administration (2023 surplus of \$305,357.27, which will reduce the premium cost in 2024 by one third), risk management and workplace safety, and projects and goals. Contract with a compensation analyst to be presented before the Commission during this year.

**Agency Reports** (none scheduled)

**Commission Member Disclosures** (18:20)

### **General Commission Reports and Future Considerations**

#### **Trisha Hedin**

- Attended meeting with Utah Open Lands regarding campground closure at Castleton Rock, discussion regarding potential for garnering historical use exemption in order to reopen
- Attended GWSSA meeting, discussion regarding Moab City interconnect, new automated load out to be built for nighttime and weekend service, Ken's Lake has been kept full, soil moisture at 9500ft at 25% saturation (46% in 2023), Governor's Office has appointed Ben Wilson and Steve Getz to the Conservancy District Board
- Planning Commission, road rights of way in Thompson Springs to come before Commission, discussion regarding landscape ordinance update
- Visited the Elmgreen Ranch with representatives of the Moab Museum to discuss preservation options for the Roubidoux inscription.

#### **Bill Winfield**

- Met with Utah Rural Leadership Academy, discussion regarding water projects in Washington County
- Attended Tripartite board meeting, MAT ridership numbers requested by Emery County
- Attended SERDA executive board meeting, upcoming Southeast Main St. Event to be held at the Grand Center
- Attended Southern Advisory Council to the Colorado River Authority, discussion regarding water use in Utah, 80% of which goes to agriculture, John Curtis to bring forth legislation for salinity control
- Attended Airport Board Meeting
- Met with Senator Mike Lee's staff, enplanements down dramatically at the Airport, discussion regarding potential for reinitiating regular air service to Denver and Salt Lake City

- Survey replat of Thompson Springs moving forward, to come before Commission

### **Mary McGann**

- Attended Solid Waste meeting, discussion regarding bill relief options for low-income residents
- Attended Canyon Country Partnership, Bears Ears comment period open until June 11<sup>th</sup>, Oil production at 55 million barrels of oil, up from 10 million barrels in the previous year, 19 million in funding will become available through the Outdoor Recreation Initiative which has the potential to be used to fill Highway 128 pathway gap, Utah Raptor State Park on schedule to open in November 2024, water supply study for Matheson Wetland near completion, CNHA hit record sales of 10 million in 2023
- Attended Public and Mental Health Board meetings, Receiving and Detox centers in Price will open this year and will be available to Grand County
- Attended Economic Development Advisory Board meeting, discussion regarding ripple effect of current Essential Air Service contract and cost and difficulty in getting to Moab

### **Mike McCurdy**

- No report at this time

### **Kevin Walker**

- Attended Cooperators briefing for the Bears Ears plan, suggestion as a future consideration that Grand County's most effective and appropriate role would be to serve as a commenter focused specifically on recreational access components and not offer a comprehensive array of comments.

### **Evan Clapper**

- Canyonlands Health Care Special Service District reviewing bylaws

## **Elected Official and Staff Reports**

### **Attorney Stocks**

- Pinwheels for Prevention display 3-5 p.m. on April 3<sup>rd</sup> on the Courthouse Lawn, Child Abuse Awareness effort coordinated by the Family Support Center
- Attended EDAB meeting, USU agreement and bylaws under review
- BRC lawsuit update: all claims but one dismissed, individually named defendants dismissed, one declaratory claim remains

### **Sheriff Wiggins**

- February Statistics: 2,125 calls to Dispatch, 370 calls to 911, deputies responded to 529 calls, 158 traffic stops, 25 arrests, 112 papers served, 3 SAR calls
- March Statistics: 3,089 calls to Dispatch, 651 calls to 911, deputies responded to 712 calls, 297 traffic stops, 15 arrests, 73 papers served, 4 SAR calls
- Easter Jeep Safari went successfully without any significant issues for Law Enforcement
- Remains of Timothy Jordan Boone found in the Bookcliffs

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

- 1. Approving an additional Full Time Laborer Position for the Grand County Roads Department** (Personnel Services Director Renee Baker and Roads Supervisor Bill Jackson) (43:00)

### **Presentation**

Baker gave an overview of the proposed action. \$87,738 is the total quoted fiscal impact for an entire calendar year, with approximately \$68,000 being the impact actual impact in 2024 (with 2 party insurance). Commissioner Walker offered clarification for the record that ample restricted tax revenues are dedicated to the Road Department and this cost would not be derived from the General Fund.

**Motion by** Commissioner McGann to approve the addition of one laborer position for the Grand County Roads Department effective April 2nd, 2024 and authorize an update the 2024 Pay Plan.

**Motion seconded by** Commissioner Winfield

**Discussion**

Baker offered clarification that the pay plan adjustment associated with the action is not a change to grade, but only reflects an additional position.

**Motion passes 6-0**

**2. Taser Purchase Agreement for the Grand County Sheriff's Office (Sheriff Wiggins) (46:35)**

**Presentation**

Administrator Nassau gave an overview of the proposed action. \$103,275.00 total contract cost, to be paid over five years.

**Motion by** Commissioner McCurdy to approve the Taser Purchase Agreement for the Grand County Sheriff's Office with Axon Enterprise, Inc.

**Motion seconded by** Commissioner Winfield

**Discussion**

Clarification given that hardware and certification are included in the contract.

**Motion passes 5-0, Clapper abstaining**

**3. Body Cam Purchase Agreement for the Grand County Sheriff's Office (Sheriff Wiggins) (50:25)**

**Presentation**

Administrator Nassau gave an overview of the proposed action. First year of the contract cost will be offset by a grant from the State of Utah, but the following years must be paid up front for ongoing associated cloud service. Attorney Stocks spoke to the importance of a high functioning body camera service for law enforcement uses.

**Motion by** Commissioner Winfield to approve the Motorola Body Cam Purchase Agreement for the Grand County Sheriff's Office.

**Motion seconded by** Commissioner Hedin

**Discussion** (none at this time)

**Motion passes 6-0**

#### **4. Resolution Establishing and Creating the Grand County Fair Advisory Board and Bylaws Agreement (Commission Administration) (54:00)**

##### **Presentation**

Administrator Nassau gave an overview of the stated needs for this advisory body, centered around adequate public discretion over the use of public funds. Menu of options proposed for board makeup, included in the agenda summary. Commissioner McGann stated that a Thompson Springs representative might not be suitable given the challenges in recruiting members on various boards from that community.

Commissioner Winfield stated that he struggled with the need for an additional advisory board, and that Director Book needs a working board to help run the event, coordinate volunteers, and alleviate the workload on staff. Winfield added that more boards do not necessarily create better governance. Commissioner McCurdy stated that including San Juan County representatives on the board would be appropriate, and agreed that a more hands-on board would be much more useful.

Commissioner Hedin stated that establishing a board is important, that the openings could be advertised with a more active emphasis, and that a representative from the Conservation District could be included. Commissioner Clapper sought background on what triggered the need to establish this board, Book stated that other County Fairs in other communities do have boards and committees to help with successful Fair operation and to help a fair establish and reach long-term goals.

Administrator Nassau and Attorney Stocks commented on what triggers the need for board establishment. Book explained that OSTA staff and businesses largely handled the operation of the County Fair in the previous year. Commissioner Walker suggested that establishing a board could be an effective way to recruit active and invested volunteers and generate community buy-in and participatory government.

Commissioner McCurdy stated that creation of a board could put more work on Book and her day-to-day duties. Clarification given that the Fair itself would not be postponed or cancelled if this board was not created at this time. McCurdy added that it was too late in the planning and execution process for this year's fair to establish a board that would be helpful for this year's fair.

Commissioner Winfield stated that community buy-in is very important, and that the already existing OSTA advisory board could be used for financial advisory purposes, as needed. Commissioner Hedin stated that the Weber County Fair has board members that are tied specifically to specific Fair activities, and that existing community partners will need to be involved and not felt to be passed over by board creation.

Commissioner Clapper stated that that he likes the idea of three grand county citizens representing different areas of interest. Book stated that OSTA bylaw updates are currently being reviewed for an update, and could include the addition of a Fair subcommittee. Commissioner Hedin reiterated that Fair boards are commonplace across the state.

Clerk/Auditor Woytek stated that the County Fair is funded by Transient Room Tax revenues and thus buy-in and support from the Travel Council Advisory Board would be appropriate.

A conclusion was reached that Administration would prepare updated bylaws and processes, and that the OSTA board would handle fair oversight this year.

**Motion by** Commissioner McGann to direct the OSTA advisory board to oversee the 2024 County Fair and direct staff to continue to pursue the creation of a County Fair Board of the appropriate format and makeup.

**Motion seconded by** Commissioner Winfield

**Discussion** (none at this time)

**Motion passes 6-0**

**5. Resolution Affirming Support and Formalizing the Sponsorship of the 4-H Program**  
(Administrator Nassau) (1:28:45)

**Presentation**

Nassau gave an overview of the proposed action, as presented in the packet. Sponsorship component allows for special events under certain criteria utilizing County facilities. No fiscal impact or express financial obligation is involved other than potential expanded fee waivers for use of County facilities. Commissioner Walker sought clarification that a recently updated version highlights the addition supporting use of county facilities.

**Motion by** Commissioner Winfield to approve the resolution supporting the 4-H program and clubs.

**Motion seconded by** Commissioner McCurdy

**Discussion** (none at this time)

**Motion passes 6-0**

**6. Resolution adopting the Grand County Social Media Policy** (Administrator Nassau)  
(1:31:55)

**Presentation**

Attorney Stocks gave an overview of revisions proposed through his own review, as shown in the agenda packet. Supreme Court ruling specifies that Commissioners shall include disclaimers with comments made on social media. Stocks clarified that a County Administrator may not restrict, prohibit, or cease social media communications, but these communications are subject to OPMA, GRAMA, and rules of ethics, and the administrator may enforce the establishment of social media accounts for county departments. Attorney Stocks continued to give an overview of specific changes that he recommends to the proposed policy, as shown in the packet. Administrator Nassau suggested that the item be postponed so that it may be reviewed by the Information Technology Department.

Commissioner Walker pointed out that the sections under Attorney review are not entirely clear on what is to be struck or not, and suggested that procedures for blocking and reinstating users strikes him as elaborate, and wondered whether turning comments off would be most appropriate.

**Motion by** Commissioner Winfield to approve the resolution with the edits made by the County Attorney, while also allowing County Administration to start a social media page with comments turned off, and seek additional input with Information Technology and County Admin staff in preparing the final draft.

**Motion seconded by** Commissioner Hedin

**Discussion**

Commissioner Walker clarified that County Attorney will approve the final draft which include his own highlighted edits.

**Motion passes 6-0**

**7. Independent Contract Agreement with Berentis Rodeo for the 2024 Grand County Fair**  
(OSTA Director Angie Book) (1:45:45)

**Presentation**

Book gave an overview of the agreement, as presented in the agenda packet, with the stock contractor out of Grand Junction, Colorado.

**Motion by** Commissioner McCurdy to approve the Independent Contract Agreement with Berentis Rodeo for the 2024 Grand County Fair in the amount of \$23,100.00, conditional upon receipt of the certificate of insurance naming Grand County as additional insured.

**Motion seconded by** Commissioner Winfield

**Discussion**

Book clarified that this was not a Junior Rodeo, that this cost was accounted for in the overall budget plan, and that Moab City was planning on contributing to the County Fair as in years past.

**Motion passes 6-0**

**8. Independent Contract Agreement with Kaleb Austin for the 2024 Grand County Fair**  
(OSTA Director Angie Book) (1:50:20)

**Presentation**

Book gave an overview of the proposed action, as presented in the agenda packet.

**Motion by** Commissioner Winfield to approve the Independent Contract Agreements for the 2024 Grand County Fair with Kaleb Austin, in the amount of \$2,750.00.

**Motion seconded by** Commissioner Hedin

**Discussion** (none at this time)

**Motion passes 6-0**

**9. Independent Contract Agreement with Keith McCloud and The Sean Moon Band for the 2024 Grand County Fair** (OSTA Director Angie Book) (1:50:55)

**Presentation**

Book gave an overview of the proposed action, as presented in the agenda packet.

**Motion by** Commissioner McCurdy approve the Independent Contract Agreement with Keith McCloud and The Sean Moon Band for the 2024 Grand County Fair in the amount of \$5,300.00, conditional upon the receipt of the Certificate of Insurance naming Grand County as additional insured.

**Motion seconded by** Commissioner Winfield

**Discussion** (none at this time)

**Motion passes 6-0**

**Consent Agenda – Action Items (1:50:30)**

**10. Approval of Consent Agenda Items (1:51:30)**

**A. Approval of Meeting Minutes for March 5, 2024**

**B. Ratification of Payment of Bills**

**C. Ratification of The Statement of Responsibility for The Bureau of Land Management's (BLM) Grant Application to Extend the Pathway on State Route 128**

**D. Updated Disclosure Statements**

**Motion by** Commissioner McGann to approve the Consent Agenda as read by the Vice-Chair

**Motion seconded by** Commissioner Winfield

**Discussion** (none at this time)

**Motion passes 6-0**

**Discussion Items**

**11. Discussion on Special Events and Legacy Event Criteria** (Administrator Nassau, Special Events Coordinator Kate Finley) (1:53:05)

Administrator Nassau gave an overview of the pre-authorized event list to provide a streamlined process for legacy events. Finley offered an overview of a process whereby the pre-authorized list would be presented for Commission consideration, including a number of criteria that the Commission would use to consider such events.

Commissioner McCurdy specified that longstanding events should be heavily weighted, Commissioner Hedin added that events being in good standing was an important criterion for her, and Commissioner Clapper stated that a priority should be given local ties. Commissioner McCurdy stated that pre-authorized status should be rescinded in the event that a special event business were sold.

Discussion regarding the soft noticing of event dates which would be needed to be provided to the County for pre-authorized events, perhaps in the form of a basic Intent to Apply verified to not be materially different than the originally approved event, which would be a reasonable request in exchange for pre-authorization. Commissioner Clapper suggested that the currently presented draft list felt relatively large, and staff clarified that it was merely a draft presented for illustrative purposes.

**Vice Chair Walker paused the discussion to allow for the second Citizens to be Heard section**

**6pm Citizens to be Heard (2:08:40)**

Kevin Dwyer spoke to his experience with permitting and related matters, and stated that permits are not considered property, especially as it relates to how the federal government manages them. If a permit is



non-transferable than the County ought to cooperate and facilitate any potential transfers. Dwyer suggested that massive impacts from tourism were not being well taken care of or resourced and his efforts to address traffic safety issues on Highway 191 were a way of addressing these impacts.

### **Discussion Item 11 continued (2:13:30)**

Nassau clarified that a previous update to the Special Events Ordinance might disincentivize the use of OSTA for events, while current drafts of the ordinance offer options to build in incentives for the use of OSTA and certain exceptions for events wholly contained at OSTA, as included in the agenda packet.

Commissioner Hedin stated that the BLM patent and restrictions for OSTA use should be reviewed. Clarification given that the patent specifies that revenue generated must go back to OSTA, recreation purposes must be prioritized, and community events cannot be displaced by for-profit events. Book clarified that the structure of the current Special Events approval process prevents OSTA from being fully utilized, specifically exceptions tied to a total daily attendance of 250 (too small) and restrictions on vendors.

Commissioner Walker suggested that a trial period be instituted in order to gauge whether broad exceptions to OSTA events were unmanageable for OSTA staff, and added that revisions should be made for OSTA exceptions to allow a total daily attendance of 500, minor commercial activity, and language removed regarding competitive or non-competitive events. No objections were made to this direction.

## **Public Hearings**

### **12. Notice of Elected Office Wage Hearing (2:45:00)**

#### **Presentation**

Baker gave an overview of the hearing, which is being held to maintain public transparency amidst some lack of clarity regarding the Cost-of-Living Adjustment being applied to the County Attorney's salary during 2024 budget discussions.

**Vice Chair Walker opened the Public Hearing at 6:46 p.m., to remain open until 5 p.m. on Wednesday, April 10<sup>th</sup>.**

Commissioner Hedin sought clarification on process. COLA for the County Attorney was not included in the final approved budget, and will need to be accounted for in a budget amendment.

**No public comment received at this time.**

**Chair Hadler adjourned the meeting at 6:48 p.m.**



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Jacques Hadler  
Chair, Grand County Commission

*Gabriel Woytek*

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Gabriel Woytek  
Grand County Clerk/Auditor