



GRAND COUNTY COMMISSION REGULAR MEETING

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

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MINUTES 17 December 2024

The Grand County Commission met in a regular meeting on December 17th, 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 Chair Jacques Hadler and Commissioners Bill Winfield, Trisha Hedin, Evan Clapper, Mary McGann, and Mike McCurdy. Also attending in person was Associate Commission Administrator Quinn Hall, Clerk/Auditor Gabriel Woytek, and County Attorney Stephen Stocks. Commission Vice Chair Kevin Walker was in attendance virtually.

Closed Session

At 2:33 p.m., motion by Commissioner McGann to enter closed session for the purposes of discussing pending or reasonably imminent litigation and deliberation on zoning interpretation.

Motion seconded by Commissioner McCurdy

Discussion (none at this time)

Motion to enter closed session passes 7-0

At 3:36 p.m., motion by to exit closed session by Commissioner Hedin

Motion seconded by Commissioner McGann

Discussion (none at this time)

Motion to exit closed session passes 7-0

4:01 Grand County Board of Equalization (see separate agenda)

4:03 Thompson Springs Special Service Fire District Board Meeting (see separate agenda)
Consent Agenda: Hedin motion to approve, 2nd McCurdy, 7-0

Hedin read the fire chief's report, as prepared for the agenda packet

Woytek statement

4:08 adjourn

4:08 p.m. Chair Hadler called to order the Regular Meeting

Pledge of Allegiance

4 p.m. Citizens to be Heard

Dave Bodner spoke in reference to the Kane Springs development, expressing that he thought the development would experience devastating flooding issues and therefore should not be pursued.

Pete Gross added that the Kane Springs development was a bad idea due to potential flooding issues which would ultimately need to be addressed by County taxpayers.

Presentations

Utah Attorney General's Office – Internet Crimes Against Children (ICAC) Task Force Investigator of the Year

A representative from the State AG Office and State Commander for the ICAC Task Force gave a description of the robust state effort to protect children and recognized GCSO Sergeant Landon Leavitt for his outstanding work.

2024 Grand County Years of Service and Thanks for Service

A presentation was given to those reaching 5-year increment milestones in service to Grand County. Sand Flats Director Andrea Brand and Roads Supervisor Bill Jackson spoke in appreciation of their staff receiving recognition.

Chair Hadler expressed appreciation to outgoing elected officials John Cortes, Kevin Walker and Evan Clapper.

Department Reports

Roads Department Update

Roads Supervisor Bill Jackson gave an update on his department's activities, including work on Utah Raptor State Park roads, courthouse wash post flooding clean up, cleanup of diversion at Mill Creek for the Moab Irrigation Company, new higher ground access road at gun range, improvements at Kane Springs Road

Agency Reports (none scheduled)

Commission Member Disclosures (none at this time)

General Commission Reports and Future Considerations

Jacques Hadler

- Mud Springs RFP selection committee, Trail build contractor selected for NICA course
- December 6th Chamber of Commerce tree lighting
- Trail Mix meeting, discussion regarding selection of user group reps, Colin Topper to step down as chair, trail sign replacement efforts underway
- Thompson Springs Special Service District Board meeting, Jones and DeMille assessing alternatives for well drilling effort, to work with DWR, \$65K budget passed, JR Corkery to step down from chair role, to be replaced by Les Thayn, current spring report: 218 gallons per minute
- Chamber of Commerce meeting, vacancies to be filled in January, new Executive Director to be hired

Evan Clapper

- Canyonlands Healthcare District meeting, consideration of CIB planning grant for MAPS campus
- Feedback reviewed for RAISE grant application that was not granted
- EMS meeting, budget approved
- Cemetery meeting, budget approved

Bill Winfield

- Meeting with CIB
- Meeting with Utah Film Alliance, 50-year anniversary celebration
- New Commissioner orientation
- 3.3 million NRCS grant with 25% match received for work on Heaven and Heather

Mike McCurdy

- Recreation Board meeting, local youth oriented special event grants available, end of year financials

Trish Hedin

- Planning Commission meeting, Aaron Lindberg term approved, appreciation to Steve Evers for his service
- Conservation District meeting, visit from rep with State Dept. of Ag, with emphasis on small farm production, upcoming soil conservation workshop, USU master gardener course

Kevin Walker

- No reports at this time

Mary McGann

- Canyon Country Partnership meeting
- Travel Council Advisory Board Meeting, Chair Brian Hunnings vacating seat, new candidates interviewed for openings
- Homeless Coordinating Committee meeting, National Homeless Awareness Day upcoming
- Solid Waste SSD meeting, passed ordinance to offer discount to eligible fixed-income residents

Elected Official and Staff Reports (none at this time)

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

Public Hearings

1. Van Pelt Road Vacation (Roads Supervisor Bill Jackson and Attorney Stocks)

Presentation

Jackson described the process taken to process the vacation application. Palladium Foundation is the owner of a 40-acre property in Professor Valley leased long-term to Canyonlands Field Institute (CFI) for outdoor education programming. The parcel is 060-CVF-0010, located off State Highway 128 near the 19 Mile Marker. The official address is 1246 S. Van Pelt Road. Currently, the county holds a ROW issued by the Bureau of Land Management for an access road that dead ends adjacent to the metal barn along the east boundary. To increase child safety and overall security at the location, petitioner would like to add a locked gate across the last section of access road. The portion of the road that would be included in the partial assignment would be removed from the BLM travel plan through maintenance action. The public would not lose access to the surrounding public lands as the Professor Valley Equestrian Trailhead would not be included in the partial assignment. Noticing requirements per Utah Code §§17-27a-208 and 72-3-108 have been fulfilled.

Applicant representative Karla VanderZanden described further context for the action.

Chair Hadler opened the public hearing at 5:13 p.m., to remain open until 5pm on Thursday, December 26th.

(No public comment received at this time)

Items 2 and 3 postponed until after 6 p.m., without objection

4. Adopting Ordinance approving Land Use Code Revisions to Articles 8 and 9 Subdivision Review Process (Planning and Zoning Director Amy Weiser)

Presentation

Weiser described in detail the proposed LUC revisions, as presented in the agenda packet, which are mandated by SB 174 (2023) and HB 476 (2024) and are required to be adopted by 12/31/24. Public hearing opened on December 3, no comment received. Design Review Team, County Attorney, and drafter of state legislation spoke in support of the Zoning Administrator as the Land Use Authority, in the interest of streamlining processes. Public input and deliberation processes remain in place during the zoning process. Planning Commission requested that one public meeting be included at the planning commission as part of the process, with Weiser suggesting a certain discretionary threshold that would trigger such a meeting.

Commission discussed options for maintaining transparency while also honoring the intent to streamline processes.

Motion by Commissioner Hedin to approve the proposed land use code revisions to Articles 8 and 9 as mandated by SB 174 and HB 476 for subdivision application processes and review time, with the addition to require a public meeting at the Planning Commission prior to approval of the final subdivision application for subdivisions over 5 lots

Motion seconded by Commissioner McCurdy

Discussion

Confirmation given that addition made to the motion is compliant with statute.

Motion passes 7-0

5. Ordinance Repealing and Replacing Section 6: Land Use of the 2030 General Plan, and the Future Land Use Map of Spanish Valley of the 2030 General Plan (Planning and Zoning Director Amy Weiser)

Presentation

In 2022 the Grand County Commission gave the Planning & Zoning Department direction to update Section 6: Land Use and the Future Land Use Map of Spanish Valley. After several public workshops in 2022, 2023 and 2024, the County engaged CBZ consultants to complete the update to Section 6 and the Future Land Use Map. The Planning Commission held a duly noticed public hearing on November 12, 2024, and voted unanimously to forward a favorable recommendation to the County Commission. Thomas Eddington of CZB was available virtually to answer questions.

Motion by Commissioner Clapper to approve the Ordinance repealing and replacing Section 6: Land Use and the Future Land Use Map of Spanish Valley, of the 2030 General Plan in accordance with Attached Exhibit A - Section 6: Land Use and Exhibit B - Future Land Use Map of Spanish Valley

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 7-0

Chair Hadler brought item 3 up for consideration

3. Grand County Decision on Zoning Appeal

Presentation

Attorney Stocks noted the backdrop in preparing for the currently proposed action, deliberated at length. Chair Hadler recognized staff for their diligent efforts in responding to the zoning determination. Hadler summarized the written decision, posted in the agenda packet.

Motion by Commissioner McCurdy to accept the draft order, as discussed, drafted and presented

Motion seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 7-0

6. Adopting Ordinance approving Grand County Clerk/Auditor, Assessor, Treasurer, Recorder, and Surveyor salary adjustments and a Cost-of-Living Adjustment for Elected Officials effective January 1, 2025 (Personnel Services Director Tess Barger)

Presentation

The primary focus for the Cost-of-Living Adjustment for the Elected Officials was to ensure that salaries remain competitive with all county positions. It was determined that the 2.5% Cost-of-Living Adjustment (COLA) would be incorporated into the salary adjustments for all elected officials.

For many years, elected officials' salaries have been set according to averages across other counties in Utah. Salaries have not been based on the individual who occupies the office or their perceived performance. In general, the averages have changed for two reasons: (1) To reflect which other Utah counties are most similar to Grand, not based solely on population but factoring in Grand County's disproportionate number of tourists and increased cost of living. (2) To match methodology used in the county wide compensation studies that took effect in 2019 and in 2022. The methods applied during these studies included: (1) Consistency with other Utah counties. (2) Consistency with other employees in Grand County. (3) Consistency among elected officials. This 3.51% adjustment for the Grand County Clerk/Auditor, Assessor, Treasurer, Recorder, and Surveyor is based on other counties, excluding 6th class and Uintah County. Ultimately, this adjustment accounts for the reasons stated above and applies the methodology from the 2019 and 2022 compensation studies to elected officials.

Motion by Commissioner Clapper to approve the ordinance adjusting the salaries of the Grand County Clerk/Auditor, Assessor, Treasurer, Recorder, and Surveyor and enacting a 2.5% cost-of-living adjustment for all elected officials, effective January 1, 2025.

Motion seconded by Commissioner Winfield

Discussion

Commissioner Walker stated for the record that lengthy discussion and analysis took place in order to justify the currently considered salary adjustment, which represents a middle of the road compromise for instituting an agreeable increase. Commissioner Winfield stated that elected officials who run uncontested should be careful in requesting raises. 2.5% cost of living adjustment consistent with federal guidelines.

Motion passes 7-0

7. Approving the 2025 Pay Plan (Personnel Services Director Tess Barger)

Presentation

The 2025 Pay Plan establishes the pay schedule for 2025 through: (1) The establishment of the 2025 Grade and Step Chart, (2) The designation of position grades for non-Elected Grand County employees, (3) The creation of new positions approved in 2025, (4) The update to current positions approved through the reclassification process, (5) The approval of new and edited job descriptions, (6) The approval of the Employee Appreciation Day added to the Grand County Holiday Schedule.

Motion by Commissioner McGann to approve the Resolution Titled: Repealing and Replacing Resolution No. 3372 and Establishing the 2025 Pay Plan, effective January 1st, 2025.

Motion seconded by Commissioner Hedin

Discussion

Commissioner Winfield stated that the County should only consider new positions when it relates to essential positions. Commissioner McCurdy stated that he supports only some of the new positions, and therefore would not vote to approve as presented.

Motion passes 6-1, Winfield opposed

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

Chair Hadler brought item 2 up for consideration, delayed to take place after 6 p.m.

2. Public Hearing for Proposed Amendment to Recently Adopted Major Utility Overlay
(Planning and Zoning Director Amy Weiser)

Presentation

Weiser gave an overview of the proposed revision, with a detailed staff report included in the agenda packet. The County Commission, at their regular meeting on October 1, 2024, adopted the changes to Article 3 and Article 4 to remove a major utility as a Conditional Use Permit (CUP) from all zones, redefine major and minor utility, and create a major utility overlay. Shortly thereafter, staff had a pre-application conference with a potential applicant wanting to install antenna arrays for wireless internet. It became apparent that the recently adopted changes to Section 3.1 and 3.4.8 were not clear as to what is considered a minor utility and what is considered a major utility. In addition, staff had concerns that no standards were adopted with the Major Utility Overlay, as did a neighboring property owner. This new amendment does include new Section 4.10.3 with a few basic standards given the time constraints to get this on both the PC and CC agendas.

Chair Hadler opened the public hearing at 6:17 p.m., to remain open until 5pm on Thursday, December 26th.

(No public comment received at this time)

Motion by Commissioner McGann to suspend the rules and vote to adopt immediately

Motion seconded by Commissioner Hedin

Discussion

Attorney Stocks confirmed that there would be little risk involved with suspending rules. Planning Commission forwarded a unanimous favorable recommendation. Contract attorney Bart Kunz to be involved moving forward on presenting further draft revisions that may be looked at.

Motion passes 6-1, Clapper opposed

Motion by Commissioner McGann to approve the proposed changes repealing and replacing Article 3, Sections 3.1, 3.2.3 Q and R, and 3.4.8.J, Article 4, Section 4.10 Major Utility Overlay, with the addition of Section 4.10.3 Development Standards in accordance with the Staff Report dated 12.9.24 and all attachments, along with immaterial formatting corrections discussed for page two in Exhibit A

Discussion (none at this time)

Motion seconded by Commissioner McCurdy

Motion passes 7-0

8. Adoption Resolution amending the 2024 Grand County Budget and approving the 2025 Grand County Budget (Clerk/Auditor Woytek)

Presentation

Clerk/Auditor Woytek gave a presentation of the proposed 2025 Budget and 2024 Budget Amendment, including key facts and data of items discussed at length in budget workshops.

Motion by Commissioner McGann to approve the resolution amending the 2024 Grand County Budget Amendment and adopting the 2025 Grand County Budget

Motion seconded by Commissioner Hedin

Discussion

Commissioner Winfield stated that the budgeting process needs more detailed oversight by the Commission, that he sees several problems with the budget in the way that it has been presented, and that the Budget Advisory Board was ineffective in the way that it participated in a real critique of the budget on a line-by-line basis. Specific questions regarding the transfer of Fund 16 to Fund 23 was discussed, with Clerk/Auditor Woytek stating that clarifying actions would be taken so that this transfer would be made clearer. Vice Chair Walker stated that the budget process was at least as detailed as it always has been, and doesn't agree that the process is as flawed as is being portrayed. Commissioner McCurdy expressed concern regarding the proposed budgeted draw from the fund balance that is not projected to occur due to chronic historical underspending across the budget.

Motion passes 5-2, Winfield and McCurdy opposed

Vice Chair Walker left the meeting

Chair Hadler brought item 13 up for consideration

13. Approving proposals for Airport Planning and Engineering services, in response to RFQs (Airport Director Tammy Howland)

Presentation

The FAA Airport Improvement program provides federal funding for the planning and development of public airports. These funds are issued in the form of an AIP Grant issued to the sponsor of the airport applying for funding. Airport sponsors who accept a grant offer are also accepting conditions and obligations associated with the grant assurances. Grant Assurance 32, Engineering and Design services ensures an airport sponsor will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

In summary, Canyonlands Regional Airport must award any project funded by AIP funds to an Engineer and Planner in order to accept the funding. The FAA allows an airport the opportunity to select an Engineering and Planning firm for any period of time up to 5 years. CNY has historically opted for the 5-year contract as it does not have the appropriate staffing to request these services for every single project planned. Fees for these services qualify for AIP funding, therefore Grand County does not pay any upfront fees for the services provided. The fees for planning and engineering services are calculated for every project and must comply with FAA standards to ensure fair pricing to the sponsor.

On October 24, 2024, the Airport published two Notice of Requests in the Times Independent Newspaper, the Grand County website as well as notifying firms that have expressed interest in providing this service to CNY. One RFQ for Engineering services and One RFQ for Planning services as outlined in Advisory Circular 150/1500-14E. Responses were received on November 18th, 2024: Two proposals for Engineering services

from VBFA and Lochner and one proposal for Planning services from Lochner. It was determined the proposal from VBFA did not meet the criteria outlined in the RFQ. The Lochner proposal was 100% in compliance with the RFQ and was voted 6-0 by the Airport Board on December 2, 2024 for recommendation as the Engineers of Record for CNY. The Planning Services proposal from Lochner was also 100% in compliance with the criteria outlined in the RFQ and was voted 6-0 for recommendation as Planners of Record for CNY. To note: Lochner is formally known as Armstrong Consultants and is currently serving as the Planners and Engineers of record for CNY and has been for the past 38 years.

Motion by Commissioner McGann to I move to enter into a Consultant Agreement with Lochner for Planning Services for up to five years and enter into a Consultant Agreement with Lochner for Engineering services for up to five years, pending legal review

Motion seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 6-0

9. Proposed Commission Meeting Dates for 2025 (Commission Coordinator Alishia Oliver)

Presentation

The proposed schedule for 2025 takes into account and works around all Holidays, Primary, and General Elections.

Motion by Commissioner Hedin to approve the proposed Commission meeting dates for 2025.

Motion seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 6-0

10. Ordinance Establishing the 2025 Consolidated Fee Schedule and Repealing and Replacing Ordinance No. 688 (Commission Coordinator Alishia Oliver)

Presentation

In accordance with Utah Code §17-53-211, the County Commission must adopt an ordinance or resolution establishing fees for department services. The 2025 Consolidated Fee Schedule will be effective on January 2, 2025, the first Times Independent newspaper publication in 2025. The changes to the proposed fee schedule for 2025 were provided in the agenda packet. Most major fee changes proposed are related to those pertaining to the Sand Flats Recreation Area. Commissioner McCurdy sought clarification regarding a reduction of fees for food truck service at the Airport, which is proposed in order to attract a food truck presence which has been non-existent due to costs associated with a lack of infrastructure. Clarification given regarding reduction in water charges for Airport Hangars, which is designed to promote hangar users to install water meters so that they could be charged a reduced amount for actual water used rather than a larger blanket base rate.

Motion by Commissioner Winfield to approve the Ordinance Establishing the 2025 Consolidated Fee Schedule and Repealing and Replaces Ordinance No. 688

Motion seconded by Commissioner McCurdy

Discussion (none at this time)

Motion passes 6-0

11. Resolution To Establish New Bylaws for the Economic Opportunity Advisory Board (EOAB) (Ben Alter, Economic Development)

Presentation

Upon providing the Utah Governor's Office of Economic Opportunity (GOEO) with the required materials to accept Grand County's Rural County Grant (RCG) of \$200,000, two errors were discovered regarding Grand County's Economic Opportunity Advisory Board's (EOAB) bylaws and membership. These errors, though minor, have prevented the county from collecting its RCG award. The proposed bylaws revisions, which have been thoroughly reviewed by the EOAB and the GOEO, were outlined in the agenda packet.

Commissioner Winfield stated that all positions should be nominated by the Commission, not administratively. Winfield stated that Collette Cox of the State Office of Economic Development stated that this action could easily be tabled so that further discussion could take place in order to sort out any ambiguities as it relates to compliance with state statute. Commissioner Hedin questioned whether these details should be sorted out with staff rather than seeking advice and opinions directly from state offices. Commissioner McGann stated that she is satisfied with the new bylaws as presented and agreed with a board seat being filled administratively.

Motion by Commissioner McCurdy to table the proposed resolution repealing and replacing resolution 3382 and amending the Economic Opportunity Advisory Board's bylaws, requesting that Commission Administration first review and confirm for subsequent approval

Motion seconded by Commissioner Winfield

Discussion (none at this time)

Motion fails 3-3, Hadler, McGann, Hedin opposed

Motion by Commissioner McGann to approve the proposed resolution repealing and replacing resolution 3382 and amending the Economic Opportunity Advisory Board's bylaws

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 4-2, McCurdy and Winfield opposed

12. Renewal of Grand County/City of Moab ILA for Trails (Maddie Logowitz, Active Trails and Transportation)

Presentation

Since 2019, Grand County and the City of Moab have had an Interlocal Agreement that allows the City to contribute to ongoing non-motorized planning, design, construction, maintenance, and trail user education services for trail facilities located within or near City limits. Trails and trailheads where the Grand County

Active Trails and Transportation Department (GCATT) currently provides services includes Prospector Trail, Mill Creek Trail (Powerhouse entrance), and Pipe Dream Trail. In 2024, Pipe Dream Trail required a combined 823 hours of maintenance (222.5 Trail Crew hours and 600.5 supervised volunteer hours) after a flash flood destroyed large sections of the trail.

GCATT has also provided outreach and supervision for maintenance events on the Millcreek Parkway and Robin Groff Memorial Park in collaboration with City staff and organizes the annual "Spring Spruce Up Volunteer Event," which draws over 100 participants and has historically included several different project sites within the City. This event is expected to grow in 2025.

Additionally, the 2011 Grand County and City of Moab Non-Motorized Trail Master Plan update includes City-operated areas into the scope of the plan. Grand County, with support from the City of Moab, has received a \$90,000 Technical Project Assistance grant from UDOT for this update and the project will include significant involvement from City staff in 2025.

Motion by Commissioner Hedin to approve a resolution approve the Grand County and Moab City Interlocal agreement for trail operations

Motion seconded by Commissioner Clapper

Discussion (none at this time)

Motion passes 5-0, McCurdy abstaining

Item 13 removed from the agenda

Consent Agenda – Action Items

13. Approval of Consent Agenda Items

- A. Approval of Meeting Minutes for October 15th, November 1st, November 6th, November 18th, November 19th and November 25th**
- B. Ratification of Payment of Bills**
- C. Contract with the Utah Office of Tourism for the Utah Cooperative Marketing Program**
- D. BLM Land Use Authorization (LUA) USGS Gage North Fork Mill Creek**
- E. Letter Requesting Permission to Stage a SAR Trailer at SFRA**
- F. Revised FY25 Cooperative Agreement between the DNR Forestry, Fire and State Lands (FFSL) and Grand County (Grand County Noxious Weeds Department, GCWD)**
- G. Planning Commission Appointment**
- H. Crux Academy Second Amendment to Contract**
- I. Appointment to Thompson Special Service District Board**
- J. Firewall licensing renewal**

Motion by Commissioner Hedin to approve the Consent Agenda as read by the Chair

Motion seconded by Commissioner Winfield

Discussion (none at this time)

Motion passes 5-0, McGann absent

At 7:40 p.m., motion by Commissioner McCurdy to enter closed session for the purposes of discussing the purchase, exchange, or lease of real property

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion to enter closed session passes 6-0

At 8:27 p.m., motion by to exit closed session by Commissioner McGann

Motion seconded by Commissioner Winfield

Discussion (none at this time)

Motion to exit closed session passes 6-0

Chair Hadler adjourned the meeting at 8:28 p.m.

Jacques Hadler

Jacques Hadler
Chair, Grand County Commission

Gabriel Woytek

Gabriel Woytek
Grand County Clerk/Auditor

Audit trail

Details

FILE NAME	12.17.24 REG GCC MINUTES approved.pdf - 3/6/25, 4:09 PM
STATUS	● Signed
STATUS TIMESTAMP	2025/03/06 23:47:10 UTC

Activity

 SENT	dvanhorn@grandcountyutah.net sent a signature request to: <ul style="list-style-type: none">jacques hadler (jhadler@grandcountyutah.net)Gabriel Woytek (gwoytek@grandcountyutah.net)	2025/03/06 23:10:19 UTC
 SIGNED	Signed by Gabriel Woytek (gwoytek@grandcountyutah.net)	2025/03/06 23:10:59 UTC
 SIGNED	Signed by jacques hadler (jhadler@grandcountyutah.net)	2025/03/06 23:47:10 UTC
 COMPLETED	This document has been signed by all signers and is complete	2025/03/06 23:47:10 UTC

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