



## GRAND COUNTY COUNCIL REGULAR MEETING

Grand County Council Chambers  
125 East Center Street, Moab, Utah

### AGENDA

Tuesday, December 4th, 2018

The Grand County Council met in Regular Session on the above date in the Grand County Council Chambers of the Courthouse located at 125 East Center Street, Moab, Utah. The meeting was called to order by Chair Mary McGann at 2:14 p.m. In attendance were Council Members Greg Halliday, Mary McGann, Rory Paxman, Terry Morse, and Evan Clapper with along with Budget Officer Chris Baird (taking minutes for Clerk/Auditor Diana Carroll, who is absent) and Council Administrator Ruth Dillon.

#### Workshop on High Density Overlay Districts

Community and economic development director Zacharia Levine presented and facilitated a workshop on a proposed land use code revision concerning a high density housing overlay district.

The Council Members present directed staff as below:

- Incorporate sunset clause language that triggers based on progress made, use of overlay, or years in effect. Specifically 500 units built and/or 2 years in duration.
- Place time restraints on approval of zone change and completion of final plat.
- Include additional lots on Murphy Lane near the intersection with Millcreek Dr.
- Reduce density on 8 lots along west side of Spanish Valley Dr. near Plateau Dr.
- Maintain and revisit residency restrictions
- Maintain no minimum square foot requirement or occupancy limit
- Bring back minimum design standards
- Remove floodplain mitigation as it is already in the land use code.
- Amend future land use plan to be conducive to this ordinance

During the discussion council member Morse disclosed that he sold property along US 191 and is still receiving payment for it.

During the discussion council chair McGann disclosed that she has a family member living within the proposed overlay district.

**MOTION:** Motion by Council Member Evan Clapper to adjourn the workshop at 3:56 p.m. Motion seconded by Council Member Terry Morse carried 5 – 0.

Chair Mary McGann called the County Council meeting back to order at 4:06pm. In attendance were Council Members Greg Halliday, Mary McGann, Rory Paxman, Terry Morse, Curtis Wells, Jaylyn Hawks, and Evan Clapper with along with Budget Officer Chris Baird (taking minutes for Clerk/Auditor Diana Carroll, who is absent), County Attorney Andrew Fitzgerald, and Council Administrator Ruth Dillon.

**MOTION:** Motion by Council Member Evan Clapper to approve the minutes for October, 2<sup>nd</sup>, 16<sup>th</sup>, 24<sup>th</sup>, and 30<sup>th</sup>. Motion seconded by Council Member Terry Morse. No vote was taken.

**MOTION:** Motion by Council Member Evan Clapper to adjourn the Council meeting to enter into the Community Reinvestment Agency meeting. Motion seconded by council member Curtis Wells carried 7-0.

Chair Mary McGann called the County Council meeting back to order at 4:23pm. In attendance were Council Members Greg Halliday, Mary McGann, Rory Paxman, Terry Morse, Curtis Wells, Jaylyn Hawks, and Evan Clapper with along with Budget Officer Chris Baird (taking minutes for Clerk/Auditor Diana Carroll, who is absent), County Attorney Andrew Fitzgerald, and Council Administrator Ruth Dillon.

Council Chair McGann led the Pledge of Allegiance

**Approval of Minutes** (Diana Carroll, Clerk/Auditor)

- A. September 18, 2018 (County Council Meeting), Postponed from October 2, 2018
- B. October 2, 2018 (County Council Meeting), Postponed from October 16, 2018
- C. October 16, 2018 (County Council Meeting), Postponed from November 7, 2018
- D. October 24, 2018 (County Council Special Meeting), Postponed from November 7, 2018
- E. October 30, 2018 (County Council Special Meeting), Postponed from November 7, 2018
- F. October 30, 2018 (County Council Special Meeting: Joint Meeting with Moab City, followed by Town Hall), Postponed from November 7, 2018
- G. November 7, 2018 (Regular Council Meeting), Postponed from November 20, 2018
- H. November 20, 2018 (Regular Council Meeting)
- I. November 26, 2018 (County Council Special Meeting: Dalton Wells/Dinosaur Site Discussion)

**MOTION:** Motion by Council Member Evan Clapper to approve the minutes for October, 2<sup>nd</sup>, 16<sup>th</sup>, 24<sup>th</sup>, and 30<sup>th</sup>. Motion seconded by Council Member Curtis Wells.

Discussion: Council Member Hawks suggested the following corrections:

Oct. 2: Change "special session" to "regular session" in first paragraph.

Oct 16: Item U – Change "Moab to Price" to "Salt Lake City to Price"

Oct. 24<sup>th</sup>: Amend header and first paragraph to reflect that the meeting was a joint County Council/Budget Advisory Board meeting.

Oct. 30<sup>th</sup> – Amend time the meeting was called to order to 3pm.

Motion as amended carried 7-0

**MOTION:** Motion by Council Member Evan Clapper to postpone the minutes for October, 30<sup>th</sup>, November 7<sup>th</sup>, 20<sup>th</sup>, and 26<sup>th</sup>. Motion seconded by Council Member Curtis Wells carried 7-0

**Ratification of Payment of Bills**

**MOTION:** Motion by Council Member Rory Paxman to approve payment of bills presented in the amount of \$1,205,504. Accounts payable totaling \$964,371.73 and payroll in the amount of \$241,133.23. Motion seconded by Council Member Terry Morse carried by roll-call vote 7 - 0.

**General Council Reports and Future Considerations**

Council Member Greg Halliday

- No Report

Council Member Jaylyn Hawks

- No Report

Council Member Evan Clapper

- No Report

Council Member Curtis Wells

- Hosted "Coffee with Curt"

Council Member Mary McGann

- Reported on Dalton Wells Sovereign Lands Meeting
- Hosted the 5<sup>th</sup> grade classes for a tour of the County departments and offices
- Attended a field trip concerning the Millcreek/Powerdam parking issues
- Attended the Solid Waste SSD meeting

Council Member Rory Paxman

- Attended Airport Board meeting. Reported that the taxiway is open, hardstands are complete, and the Canyonlands Airport had more enplanements than Cedar City for September.

### **Council Administrator Report**

Ruth Dillon

- Provided an update of the Needs Assessment.
- In the process of interviewing for the Council Office Assistant position

### **Citizens to Be Heard**

Art Hines: Would like to sub-divide his lot for his son and is in favor of the high density overlay zone.

Kirstin Peterson: Expressed concern regarding drainage from Wyndham hotel project. The spring is draining through a ditch along her property which is now more susceptible to flooding. Asked who is responsible for damage and maintenance, and if storm water from hotel will be diverted to her property.

Jesse Marshall: Expressed concern regarding drainage from Wyndham hotel project. Concerned about spring draining from culvert onto his property. Is beginning to see accumulating water that is undermining his house's footing.

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

#### **J. Appeal to County Council for 2019 Kokopelli 100/140 Special Event Permit (Mark Jensen, President, Kokopelli Racing)**

Mark Jensen presented his appeal.

**MOTION:** Motion by Council Member Curtis Wells to consider the Kokopelli 100/140 Special Event Permit for 2019, and not deny the event consideration. Motion seconded by Council Member Terry Morse.

Discussion:

Grand County EMS Director Andy Smith and EMT McKay Vowels expressed several concerns regarding the event.

Grand County Attorney Andrew Fitzgerald conveyed that this event may place a liability on Grand County.

Council Member Hawks conveyed that she has confidence in the Special Events Coordinating Committee.

Community and Economic Development Director Zacharia Levine expressed concern regarding the potential economic implications of approving events that could tarnish the image of the area.

Council Member Greg Halliday expressed concern that the event has performed poorly for two consecutive years.

Mr. Jensen conveyed that he believes some of the facts presented are unsubstantiated, that he has learned from past mistakes, and will resolve all outstanding issues in 2019.

Motion failed 0-7

#### **K. Approving proposed job description and position for a full time Deputy County Attorney (Christina Sloan, County Attorney Elect and Chris Baird, Budget Officer)**

**MOTION:** Motion by Council Member Jaylyn Hawk to approve the creation of the Deputy County Attorney position and job description and authorize the Chair to sign all associated documents.



Motion seconded by Council Member Evan Clapper carried 7 – 0

County Attorney Andrew Fitzgerald left the meeting.

- L. Approving 2019 healthcare renewal contract of coverage with existing carriers, postponed from November 20, 2018 (John West, Human Resources Director and Chris Baird, Budget Officer)**

**MOTION:** Motion by Council member Curtis Wells to postpone. Motion seconded by Council Member Evan Clapper carried 6 – 0. (Council Member Paxman was temporarily out of the chambers)

- M. Approving proposed change to the Grand County Travel Plan to facilitate moving the entrance to the Fins and Things 4x4 Trail (Andrea Brand, Sand Flats Recreation Area, Program Director)**

**MOTION:** Motion by Council Member Evan Clapper to approve the proposed change to the Grand County Travel Plan for the Fins and Things 4x4 trail entrance to address safety concerns, maintain access, and authorize the chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carries 6-0 (Council Member Wells was temporarily out of the chambers)

- N. Adopting proposed amendments to the Consolidated Fee Schedule Ordinance (Ruth Dillon, Council Administrator)**

**MOTION:** Motion by Council Member Jaylyn Hawks to approve the proposed amendments to the Consolidated Fee Schedule Ordinance effective January 1, 2019 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Curtis Wells carries 7-0.

- O. Adopting proposed Commercial Property Assessed Clean Energy (C-PACE) Resolution and Governing Body Participation Agreement, pending legal review (Zacharia Levine, Community and Economic Development Director)**

**MOTION:** Motion by Council Member Curtis Wells to adopt the proposed Commercial Property Assessed Clean Energy (C-PACE) Resolution and Governing Body Participation Agreement, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Evan Clapper carried 7 – 0

- P. Adopting proposed resolution approving the T-Mobile Book Cliffs Site conditional use permit (Zacharia Levine, Community and Economic Development Director)**

**MOTION:** Motion by Council Member Rory Paxman to adopt proposed resolution approving the T-Mobile Book Cliffs Site conditional use permit, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Terry Morse carried 7 – 0.

- Q. Adopting proposed resolution to approve the partial bond release for Sage Creek (Zacharia Levine, Community and Economic Development Director)**

**MOTION:** Motion by Council Member Curtis Wells to adopt proposed resolution to approve the partial bond release for Sage Creek and authorize the Chair sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

#### **Consent Agenda- Action Items**

- R. Ratifying the Chair's signature on an Off-Premise Beer Retailer License for Moab Spanish Trails Shell, located at 2420 Spanish Trail Road, Moab, Utah**
- S. Approving proposed Off-Premise Beer Retailer License for Thompson 7- Eleven, located at 460 South Highway 94, Thompson, Utah**
- T. Approving proposed Manufacturing License for Spanish Valley Vineyards and Winery located at 4710 Zimmerman Lane, Moab, Utah**

- U. **Approving State of Utah contract award to purchase Ford F150 4x4 Truck and DCI Oven and Refrigeration unit for the Grand Center Home Delivered Meals**
- V. **Approving proposed agreement with Zunich Bros. Mechanical for toilet pumping and cleaning services at Sand Flats Recreation Area**

**MOTION:** Motion by Council Member Curtis Wells to approve the Consent Agenda and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

#### **Discussion Items**

##### **W. Discussion on calendar items and public notices (Bryony Hill, Council Office Coordinator)**

Council Administrator Ruth Dillion presented the calendar items and public notices.

#### **Public Hearings- Possible Action Items**

- X. **Public Hearing to hear public input on proposed resolution approving Vista Antigua Subdivision Phase 1, Final Plat Planned Unit Development (PUD), located at 4329 Chapman Lane (Zacharia Levine, Community and Economic Development Director)**

Community and Economic Development Director Zacharia Levine and Zoning Administrator Kenny Gordon presented the resolution.

#### **Discussion:**

Council Member Greg Halliday expressed concern regarding the size of the culverts.

Council Member Hawks inquired about the costs of a private vs. public road in the development.

County Staff indicated that the culverts were of adequate size and that they support the private road.

Council Chair Mary McGann opened the public hearing at 6:15 pm.

Stephanie Dahlstrom commented that she is not opposed to the development but is concerned with its proximity to the rim.

Public comments will be accepted until December 12<sup>th</sup> at 5pm, and action is scheduled for December 18<sup>th</sup>.

**MOTION:** Motion by Council Member Rory Paxman to adjourn the Council meeting at 6:20 to begin the Thompson Springs Special Service Fire District Meeting. Motion seconded by Council Member Curtis Wells carried 7 – 0.

Chair Mary McGann called the County Council meeting back to order at 6:43pm. In attendance were Council Members Greg Halliday, Mary McGann, Rory Paxman, Terry Morse, Curtis Wells, Jaylyn Hawks, and Evan Clapper with along with Budget Officer Chris Baird (taking minutes for Clerk/Auditor Diana Carroll, who is absent), and Council Administrator Ruth Dillion.

#### **6:00 p.m. or later**

#### **Public Hearings-Possible Action Items:**

- Y. **Public Hearing to hear public input on proposed resolution amending the 2018 budget (Chris Baird, Budget Officer)**

Budget Officer Chris Baird presented the proposed modified Grand County budget for 2018.

Council Chair Mary McGann opened the public hearing.

No public comment was received.

Written comments will be accepted until Wed. Dec. 12<sup>th</sup>, action is scheduled for Dec. 18<sup>th</sup>

- Z. **Public Hearing to hear public input on proposed resolution adopting the 2019 budget (Chris Baird, Budget Officer)**

Budget Officer Chris Baird presented the tentative Grand County budget for 2019.

Council Chair Mary McGann opened the public hearing.

No public comment was received.

Written comments will be accepted until Wed. Dec. 12<sup>th</sup>, action is scheduled for Dec. 18<sup>th</sup>

**AA. Public Hearing to hear public input on proposed ordinance increasing the salaries of Elected Officials, separate from County Council Members (Chris Baird, Budget Officer)**

Budget Officer Chris Baird presented the proposed ordinance.

Council Chair Mary McGann opened the public hearing.

No public comment was received.

Written comments will be accepted until Wed. Dec. 12<sup>th</sup>, action is scheduled for Dec. 18<sup>th</sup>

**BB. Public Hearing to hear public input on proposed ordinance increasing the salaries of County Council Members (Chris Baird, Budget Officer)**

Budget Officer Chris Baird presented the proposed ordinance.

Council Chair Mary McGann opened the public hearing.

No public comment was received.

Written comments will be accepted until Wed. Dec. 12<sup>th</sup>, action is scheduled for Dec. 18<sup>th</sup>

**MOTION:** Motion by Council Member Rory Paxman to adjourn the meeting. Motion seconded by Council Member Terry Morse carried 7 – 0.

The meeting was adjourned at 7:15 p.m.

  
Mary McGann  
Grand County Council Chair

**ATTEST:**



Diana Carroll,  
Grand County Clerk/Auditor