

MOAB CITY COUNCIL MINUTES -- DRAFT
SPECIAL JOINT CITY AND COUNTY COUNCIL MEETING
October 04, 2019

Special Meeting & Attendance: The Moab City Council held a Special Joint City and County Council Meeting on the above date in the City Chambers at the Moab City Center, located at 217 East Center Street, Moab, Utah. A recording of the meeting is archived at www.utah.gov/pmn/index.html. A video recording is archived at: https://www.youtube.com/watch?v=es_dCoXqQUc.

County Council Chair Evan Clapper called the meeting to order at 12:00 PM. In attendance were U.S. Congressman John Curtis and Sue Curtis, Curtis District Director Lorie Fowlke, Curtis Chief of Staff Corey Norman and Curtis Rural/Public Lands Advisor, Senator Romney's Eastern Utah Director Clay Crozier, Grand County Council Chair Evan Clapper, Vice Chair Terry Morse, County Councilmembers Jaylyn Hawks, Mary McGann, Curtis Wells, Greg Halliday and Rory Paxman, Moab City Councilmember/Mayor Pro Tem Tawny Knuteson-Boyd, City Councilmembers Kalen Jones, Rani Derasary, and Karen Guzman-Newton, County Council Administrator Ruth Dillon, City Manager Joel Linares and Assistant City Manager Carly Castle, Castle Valley Mayor Jazmin Duncan and Town Councilmembers Harry Holland and Bob O'Brien, Southeast Utah National Park Services Superintendent Kate Cannon, Manti La Sal National Forest District Ranger Mike Diem, BLM Assistant Field Manager Jennifer Jones, Utah State Parks SE Region Manager Megan Blackwelder, Emergency Medical Services District Director Andy Smith, Moab Valley Fire District TJ Brewer, Grand County Sheriff Steve White, County Attorney Christina Sloan, County Clerk/Auditor Chris Baird, County Surveyor Lucas Blake, County Treasurer Chris Kauffman and County Assessor Debbie Swasey, Travel Council Board Chair Howard Trenholme and Travel Council Director Elaine Gizler, Airport Director Judd Hill and Airport Board Chair Bill Groff, Moab Community Childcare Tess Barger, City Recorder Sommar Johnson and City Deputy Recorder Joey Allred. Twenty-three members of the public and media were also present.

REMARKS FROM CONGRESSMAN CURTIS:

Congressman Curtis said that County Council Chair Clapper and others had taken him out to do some canyoneering that morning and it reinforced what a beautiful place Grand County is, and how important it is that decisions be made that preserves and protects it for years to come. He was once the Mayor of Provo City and believes that the best form of government is that that's closest to the people. He said that he has the utmost respect for the community's elected officials and feels that his job is to work for them. He said that he was there to listen to what they all had to say and find the areas where he can be helpful in accomplishing what is important to this community.

County Council Chair Clapper said that there has recently been community-wide conversation on tax reforms in the state that could potentially have deep impacts on the city, such as the Transient Room Tax, Estate Tax and Sales Tax. There has also been discussion of the impacts to local government due to underfunding for public lands management. Clapper said that he wanted to bring Curtis up to speed on some agreements that are in place to work with local authorities in partnership with some of the local land managers. He invited comments from the agencies present of what they were experiencing.

DIALOGUE ON:

- **Impacts to local government due to underfunding for public lands management**

Sheriff White explained how tourism has grown over the last several years and the huge impact that it has had on all public safety resources, such as Law enforcement, Fire and EMS. They are working with some cooperative agreements to try to meet the actual needs. They are working on a contract with BLM, because the previous contract didn't cover 1/3 of what the Sheriff's Office really does. There are 14 Sheriff's that are going to DC next month to meet with the Secretary of Agriculture and the Secretary of Interior on these contract issues. They are trying to get back to where the cooperative agreements are fair with rules that will dictate who is going to do what. He pointed out that the County has been working with Sand Flats and they are going to adopt ordinances that will have the Sheriff's Department taking on resource crimes, but they need the tools to be able to do so and they need to work with their federal partners to facilitate it. White gave an example of the County's Search Rescue being the busiest in the State and 100% of their rescues are on public lands. He said that EMS is experiencing the same thing, and they all need some help.

County Attorney Sloan presented a draft ordinance that is an effort that both state and federal land managers have worked on with the County, Sand Flats, the Sheriff's Office and the County Attorney's Office to start the process to draw up these ordinances because they don't have any code on their books to allow law enforcement to cite or charge anyone with a violation on public lands. Federal land managers don't have the resources to respond to such violations either. The ordinance will give law enforcement the codes to enforce violations on public lands. She explained that visitation has increased by 60% at Arches National Park and 71% at the BLM while contributions have remained the same since 2011.

Travel Council Chair Howard Trenholme stated that it comes down to money. He said that he feels that local taxpayers and business owners are burdened with costs that shouldn't be theirs. Local law enforcement is huge. The Sheriff's Office is responding to calls on public lands because BLM only has two rangers in three full districts. He said that Grand County's district had 2.9 million visitors and that it is only a class 5 county with a population of 10,000 residents that is overperforming, so they need help. The State of Utah collects user taxes for every admission, camp fee and permit for State Parks. He thinks that the people who come here should be the ones paying the taxes that would help the counties deal with them. There is no other class 5 county like this in Utah.

Congressman Curtis said that one of the things that he has observed when it comes to federal agencies is that most people like the federal employees that work in their midst and get frustrated with the agencies in DC. He thinks that the BLM move to Colorado is important because it will put the decision makers in the middle of these states that have so much federal land. The decision makers don't really understand what it's like to live in a county that is 96% federal land. He thinks that the BLM move is a first step and they need to continue that type of connection, connecting the County's real-life realities with Washington DC, where his colleagues don't understand the pressures the County is dealing with. He has been hearing the same things from the four counties of Southeast Utah. He represents Grand, Emery, San Juan and Carbon Counties and if the four counties were to come together on some of these issues, they would be far more powerful.

County Council Chair Clapper said that it comes down to communication and connections as a critical piece, and hopefully that is the first step toward some of the funding requests. As of now, it is the people who live in this county that are supporting 90% of public lands.

Congressman Curtis stated that when he was in Provo 50% of their land was non-taxable, and they complained about that, so he understands the shift of the tax burden to the property taxpayers when 6% of the landowners are paying 100% of the burden. Congress will be having a Western Caucus in two week and they will be coming to Moab where the community can make their case as they have done today.

- **Continued funding for Essential Air Service**

Airport Director Judd Hill said the federal government made a great decision in 1978 to deregulate the airlines. It led to cheaper flights, more flights and more destinations. The downside to that decision was that the federal government was no longer telling private businesses what to do anymore. That's a great thing from a business perspective, but not from a small community perspective. It put small communities in a bind and they no longer had air service. The establishment of Essential Air Service was a way for the federal government to provide a funding source to subsidize the private industry to provide services for small communities. This is their lifeline. Grand County's annual visiting population is equivalent to one of the large cities across the US. However, as a small community, Grand County doesn't have the voice that the Wasatch Front or downtown Chicago does, so it's an easy component of the federal budget to cut. Without congressional support representing rural America, "it is a way that could, literally, cut us off from connection to the outside world".

Congressman Curtis said that there was actually an amendment on the House floor to remove 100% of the Essential Air funding, he voted against that amendment, as did enough of his colleagues. However, what he believed Hill was saying was that some in Washington see it as low hanging fruit to cut and don't understand it. Curtis said that he would be their voice with help from Hill telling him what to say from time to time. He would like to work with Hill in securing some funding and doing some good things for the airport.

- **Use of federal highway gravel pits**

Castle Valley Mayor Jasmine Duncan said that they had sent a letter asking that Curtis look into allowing municipalities the use of federal highway gravel pits. Use of the federal highway pit (Gulch Pit) would be a five-mile round trip from Castle Valley to get materials, while others would be a 16-30-mile round trip. Being that close to a viable pit and being unable to use it is an interesting situation. She was hoping that something could be worked out. The current permit holder is UDOT and they've had no issue with Castle Valley "piggybacking" with them in the past. City Councilmember Tawny Knuteson-Boyd added that there are several federal pits in the Grand County area and the County has historically been able to access them. It is only recently that they have been asked not to and it can almost double the cost of a project, just in transportation costs. Castle Valley Councilmember Harry Holland added that Castle Valley is unique in that it is surrounded by BLM and other federal property. He said that he used to be the Castle Valley Roads Manager and the state never had any issues with them using the pits for Castle Valley projects. However, "the Federal Highway Commission decided that all the materials in the pit belonged to them, but the land belonged to the BLM and that is where the rub is".

Congressman Curtis said that he would need to learn more about it but would be happy to see if they could be helpful. Curtis asked Councilmember Knuteson-Boyd to add onto the Castle Valley letter and add either of their contact information so that he can get back to them.

- **OHV use in National Parks**

County Council Chair Clapper said that topic came as a recent surprise to the community. Neither Council has had a chance to meet together and take a stance one way or another and asked National Park Service Regional Superintendent Kate Cannon to fill everyone in. Cannon said that state law changed in 2018 to allow ATV's of all sorts to operate on roads, streets and trails everywhere except the Wasatch Front and communities weren't given the opportunity to opt out. That also would have put ATV's in national parks, but it was felt that it would be inappropriate in national parks as the noise they make goes over the 60 decibels set in their regulations. National parks were able to use those regulations to preclude those vehicles into the parks. Now there is a proposal that that be changed, and they are working to try to avoid that happening. County Attorney Sloan said that of all of the special events held in Moab, the ATV Rally has been held here for a few years and has gotten more negative comments to the County Council than any other event this year and the noise has been the chief complaint. They have been placed on a one-year probationary period and she has been working with Friends of Arches and Canyonlands for the creation of a resolution to ask that ATV's not be allowed in National Parks. Discussion ensued and Congressman Curtis recommended that they bring all of the different stakeholders together on this matter to enable him to further a bill for Grand County public lands. Congressional action demands consensus and he and his team are ready to be a willing partner.

- **Other federal-related topics of interest**

County Councilmember Curtis Wells wanted to discuss congestion issues in Arches National Park, and invited Parks Superintendent Cannon speak on the matter. She told the group of a Public Meeting, Open House at 5:00 p.m. on October 15th at the Grand Center. The National Park Service will announce that they are taking a step back from the current plan and throwing out the environmental assessment that included a reservation system. They are starting over to try to find a solution to the congestion that they face in Arches and other National Parks in the Intermountain West. They cannot continue to grow without something being done about the crowding. It is also important for local communities as they want to take full advantage of the economic effects of our National Parks and have the communities thrive. Trenholme said, "I think what you're hearing is that our Congress needs to do better for the smaller communities that serve so many taxpayers". He talked about needing help to solve the Arches congestion issues with additional funding. Congressman Curtis said that one of the biggest problems is the backlog of deferred maintenance. He is on the Natural Resources Committee and they've moved legislation forward to help with that fund gap. That is his number one mission. The cost is growing to take care of maintenance and they have to find a solution for Grand County. Superintendent Cannon pointed out that they have made great strides at Arches. They've completed a \$16,000,000 road project and other top major improvements in deferred maintenance.

Jessica O'Leary stated that the Equal Rights Amendment needs 38 states to ratify it for it to be added to the Constitution and we are now at 37. Utah has not yet ratified the Amendment, but if it does, the Amendment can be added to the Constitution and she felt that all women, all people, deserve equal protection under the Constitution. There is an opportunity for Utah to ratify the

Amendment in the next legislative session for it to go back to Congress. She asked for everyone's support by talking to their legislators. Congressman Curtis said that his District Director Lorie Fowlke could represent the community well "in trying to understand that and our role in that and be helpful". He told an anecdotal story about how the state will be moving the Martha Hughes Cannon statue back to Washington DC where it will replace the statue of Philo T Farnsworth. Cannon was the first woman State Senator in the United States, elected even before women had the right to vote. She was his wife's ancestor and won that seat by defeating her own husband. He also told how he came from a family of, and is married to, strong influential women. More discussion followed.

City Councilmember Kalen Jones said that most of the businesses that rely on Arches visitation are within City limits, so there is concern about their health. He said that the Council receives a lot of feedback from residents regarding ATV's and the issue is about the noise impacts. The stock mufflers on ATV's meet federal noise regulations, so it seems that one solution at the state and local level would be to amend the regulation.

Congressman Curtis gave an update explaining what he has been doing and what he has been working on as it relates to this community. The SOAR Bill (Simplifying the Outdoor Access to Recreation Act) is his bill and has made through committee. He has a Democratic co-sponsor, Congresswoman Holland, and the Bill doesn't remove the restrictions to getting permits on public lands, but it makes the path a little smoother and easier so that groups can access these beautiful public lands. He is also co-sponsor on Congressman Neguse's SOIL Bill (Study on Improving Lands). While he and Neguse disagree on certain topics, they work well together on many others. This bill is a study because they are starting to learn more about soils absorbing carbon monoxide, the impact that has on public lands and public lands ability to help reduce carbon out in the atmosphere. He sponsored a Resolution on the House floor to recognize Clean Energy Week and was able to get about 25 Democrats and 25 Republicans to co-sponsor that Resolution. He had been asked what some of the things were that he had been working on that were not so obvious. He stated that he has a real passion to make the climate a bipartisan issue. There are stereotypes about each party in Washington DC that are not true, and he has found that they change the question a little bit and simply ask "do you want to leave the earth better than we found it?" the dialogue goes much better. He has been enjoying dialog with both Republicans and Democrats breaking down the stereotypes to make the environment a bipartisan issue, because he doesn't think that it will be successful with only half of Congress involved. He welcomes all of the community's thoughtful ideas and suggestions on how to do that because he believes that the community faces that daily. He asked that the County and City think of him as a partner.

County Councilmember Mary McGann said that she appreciated what he had said about changing the dialog when talking about climate change and she always thought that they needed to change the dialogue when talking about gun violence. She wanted to suggest that instead of calling it gun control, call it responsible gun ownership because what is wanted is responsible gun ownership.

PRESENTATIONS:

- **“Moab’s Childcare Crisis: A community “Solution”** (Moab Community Childcare)

Tess Barger presented on Moab Community Childcare (MCC), a non-profit organization

committed to providing safe, accessible, and high-quality childcare for working families in the Moab Community. They believe that if they provide strong, accessible, developmentally appropriate childcare, they facilitate strong, stable families. MCC began as a coalition in 2016 and received their 501c3 non-profit status in 2018. They have been reaching out to key leaders in the community, trying to provide education on the issue and get the support needed to make sure that it is being addressed. They have been looking at population size and there are approximately 100 infants born in this community each year and there are approximately 200 children between the ages of 0-2 at any given time. The childcare provider to child ratio in this age group is 4 children to each childcare provider in a licensed facility and 8 if they children are over the age of 2. The majority of childcare providers do not provide childcare to the 0-2 age group because it isn't a lucrative business. The careaboutchildcare.utah.gov website shows that the available spots for childcare for children 0-2 at any given time in this community is zero. They performed a survey via social media to gauge the difficulty parents have finding and maintaining childcare. The results showed that 85% of parents were having great difficulty in finding childcare. The average that parents were paying for childcare was \$500/mo. and up. About 70% of parents thought about quitting their jobs based on the lack of available childcare. Both the Moab Sun News and the Times Independent have written articles about the childcare crisis and quoted Sheriff White as describing Moab as "a daycare desert". If children are not being supported in their earliest stage of life, there are going to be a lot of issues in terms of development and education as they get older. The MCC has looked at several different models and their current project is a satellite childcare model where different agencies/businesses in town provide available space to house these satellites that would be child care centers open Monday – Friday, 7:00 a.m. – 5:00 p.m. where childcare could be provided focusing on the MCC's values. To be able to get high quality staff they have to be able to pay competitive wages. They would provide 2.5 teachers in each of the childcare classrooms and they would be able to serve 8 0-2 infants per classroom. This model would have a tuition fee of \$650/mo. flat rate and a DWS subsidy can be applied. This tuition would still not allow them to pay the teachers what they should be paid but would be enough to keep the MCC self-sufficient. They will be able to do fundraising and accept private donations to be able to pay their workforce an appropriate amount to retain a high-quality workforce, as well as offer scholarship opportunities to many families that would not be able to afford the full tuition. She showed the group the specifications that would be needed for provided space. Next steps are establishing partnerships and acquiring seed money before they can hire an Executive Director. Discussion followed regarding contributions, the funds needed to start a satellite site and how many children are in need of this service in the community.

FUTURE CONSIDERATIONS

County Council Chair Clapper reminded everyone of the milestone celebration for the UMTRA site at Lions Park at 2:30 that afternoon.

There were no further future consideration matters.

ADJOURNMENT

County Council Chair Clapper adjourned the meeting at 1:33 p.m.