

GRAND COUNTY COUNCIL MEETING
September 20, 2005

Grand County Council met in regular session on the above date. Present were Councilmen Jerry McNeely, Chairman presiding, Judy Carmichael, Nate Knight, Rex Tanner, Joette Langianese, Audrey Graham and Jim Lewis with Clerk Fran Townsend.

Pledge was led by Mark Walsh.

APPROVAL OF PAYMENT OF BILLS: Knight moved to approve bills in the amount of \$473,748.73 seconded by Carmichael. Roll call voted – Carmichael - aye, Knight - aye, Tanner - aye, Langianese - aye, McNeely – aye, Lewis – aye and Graham – aye. Motion carried 7-0.

CHECK NOS. 41289-41398	\$130,965.63
CHECK NOS. 41399-41476	\$229,563.27
PAYROLL	\$113,219.83

APPROVAL OF MINUTES – SEPTEMBER 6, 2005: Motion: Langianese moved to table seconded by Carmichael. All voted aye.

ELECTED OFFICIAL AND DEPT. HEAD REPORTS: Marian DeLay, Travel Council Director advised the Council that Nate Knight sits on the Travel Council Board. He has been gone so much and had missed many of the meetings. Because of a rule in our bylaws = he has to be removed from the TC Board. Does the Council want to reappoint him or what do they want to do? It was suggested the Council remove the person as a voting member and have the council as an exofficio member – non-voting – and then appoint a person from the community to fill that position. They do have a position open they will be advertising. Langianese asked if they would redo bylaws concerning board members – Marian says yes they are looking at this – but nothing concerning the board. Ex-officio person does not have to be in the travel industry to serve. Tanner suggested we hold off on changes in the board until we see the changes on the bylaws. Marian says she can advise the council of the changes but Tanner wants to wait until we have a document.

Marvin Day – Maintenance Superintendent discussed the lack of awarding the bid for the courthouse lobby and jail that was presented to the Council. Marvin thought it was already approved to move forward with this. Carmichael says – no they wanted to review the whole building. Marvin put it out to bid as instructed by the Council. He only got one bid per item, i.e. courthouse remodel and expansion of the jail. Marvin says this needs to be done. Lobby really needs to be done to provide more room back there in the Sheriff's secretary area. It was to be paid out of the Impact fees. Lewis – had some questions when it was presented but no one was here to answer. If we keep doing remodel jobs, how does this affect us in the long run? The Council wants to look at the whole picture to see what we want to do long term. Long term is way down the road –

Marvin says we can't wait. This may be a band aid fix , but we can't wait. Sheriff Nyland thought it was approved too. Nyland says we can wait on the jail expansion. The office area for the secretary gets a lot of people stacked up in her office to register complaints, make reports, etc. There are people coming out jail to get to the courts. This presents a major security issue. Funding can come out of the impact fees. Nyland knows it is only a temporary fix; but we keep talking about the issue but come to no solution. He needs room so secretary can conduct business without the general public there – we really need to alleviate the problem. Langianse – said when this came to the council – Happy Morgan, County Attorney, had some same concerns. Tanner understands council's concern with band aid fixing. But what is being suggested - we take dead space to alleviate a problem. It will not harm us being able to do something later on. We can still utilize this on down the road – especially if we back off the jail cell fix. Marvin stated a breach of security is not a good thing. This would set up a window where people will talk through a window to the secretary rather than entering into the secure area.

Marvin says they need a temporary person for the new senior center. It is a much bigger building, i.e. maintain the floor plus the outside. Would the Council approve hiring a temporary person? Langianese has said through the process = we would need to increase staff there. It would be good to have a new person in the evening, etc. Tanner – would feel comfortable with proceeding with temp – but wants Marvin to work with Verleen with scheduling, etc. It takes a lot to set up and tear down because of all the events that are being scheduled. **Motion: Langianese moved to approve hiring a temp seconded by Carmichael. Motion carried 7-0.**

WESTERN COUNTY ALLIANCE: Mark Walsh and Ken Brown, former commissioner from Rich County and former Mayor of Randolph made the presentation. The organization has been around for about four or five years and has aligned with Western congressional caucus with the congress. Purpose – is to bring resolution for the small counties – identify resolution to these issues that is acceptable to rural counties. Most appeals come to them. They have taken this task on to demonstrate the issues that face rural counties can be fixed. The biggest issue is Payment In Lieu of Taxes (PILT) – a bill that was passed in 1976 by Congress. This is very important to Grand County. The PILT has been around for 29 years, yet it has never been fully funded. A chart was presented showing how much we should have received this year – 60% of what we would have received. They have drafted legislation -HB 2337- through the Western Congressional Caucus - which proposes PILT to be fully funded within three years. Bill has been introduced working with House and western caucus. When the President submitted budget to Congress, it represented a 26 million cut over what was presented last year. This bill rejects that proposal and asks for increased funding. They got an additional approved funding of \$230 million in PILT. They have waged a campaign to receive 80% of funding and it was approved in the House. Mark got a call today that Washington is working on the request sent in by Western County Alliance.

He is here to talk to Grand County about becoming a part of this alliance. Montana Association of Counties is interested in the western counties alliance. It is a growing

movement. They are talking to Alaska also. Rhode Island is the only state that does not receive PILT. New Mexico is top of the list of States. Seventeen (17) counties are part of the organization now. Joette asked difference between what Bob Weidner does and what WCA does. Mark Walsh was involved in the drafting of the bill – drafting language, etc. So – he is very well versed in the law itself and what makes it work. Intent of congress was that this money be used to offset impact of having so much land removed from revenue that is needed to support services on that land. Congress has never fully funded it. WCA will go back to original commitment made and get a full commitment within three years. The other organization is to go after 5 to 6 to 7 million increases but this will never keep up with inflation. WCA wants to accomplish this in three years. Brown says he helped Weidner form that council but the WCA is committed to resolve fully this issue. Councilman Knight asked cost to be a part of this organization. Mark stated it is \$7500 per year. Brown says each county pays same and this grants equal access to the organization. Not like UAC – to whom we each pay different fees. Mark asked that we endorse full funding (pamphlet) and asked that we send this in.

G. RETAIL BEER LICENSE FOR ‘THE OTHER HALF’ This is for the Fall half marathon – request made by Ranna Bieschke. **Motion: Tanner moved to approve the beer license seconded by Langianese. Motion carried 7-0.**

H. INGRESS-EGRESS OF COUNTY PROPERTY: This is a piece of property below the old senior center – Will not disturb lay of the land in putting in the driveway. **Motion: Councilman Knight moved to approve easement seconded by Tanner. Motion carried 7-0.**

I. EASEMENT ON COUNTY PROPERTY: Dan Pyatt needs sewer easement on back of land where the Old Spanish Trail Arena is located. Subject property is right next to parking lot at arena and into Spanish valley drive. All would be at his expense. Pyatt stated the sewer line would be turned over to the Spanish Valley Sewer and Water District once completed. Lewis says it would be advantageous to the Recreation District for future development. Also – next to school district land. Grand County Council agrees with the concept – this helps all concern. There was no action taken on the issue for now.

J. GRANT APPLICATIONS FOR ECONOMIC DEVELOPMENT: Ken Davey is asking the Council to support an application by Carbon County to establish a revolving loan fund. Businesses could access funds to help build businesses – four counties would be involved: San Juan, Carbon, Emery and Grand. This would expand community economic development. Ken would work with San Juan County through community Development Corporation. Both proposals would not be necessarily effective immediately but over a two to three year term, could see results. Grand county would probably not been funded this year. **Motion: Langianese moved to approve seconded by Knight. No matching funds required. Motion carried 7-0.**

K. CONCESSION BID AND PROPOSAL FOR OLD SPANISH TRAIL ARENA:
Motion: Tanner moved to table until liability insurance issue is resolved seconded by Graham. Motion carried 7-0.

L. ORDINANCE ESTABLISHING METHOD, RULES AND PROCEDURES FOR DISPOSAL OF SURPLUS PROPERTY: Motion: Langianese moved to adopt ordinance, seconded by Knight. Seven votes no. Motion failed. Motion: Tanner moved to table until we can declare how to declare surplus property (i.e. hearing, etc. and create ordinance doing so seconded by Langianese. Motion carried 7-0..

OTHER ADMINISTRATIVE ITEMS: Sept. 14th approval was given by DOE to move Atlas Tailings pile by rail. However, Langianese is concerned about funding. She will probably be going to Washington after first of year. She also received a call from an attorney in California with water issues – wants to help with lobbying

DOE public meeting on Oct 5th will be held in Moab at the Grand Center and in Thompson on October 6th both at 7:00 p.m. Department of Energy will be proposing water line upgrade to Thompson Water District.

Motion: Councilman Tanner moved the Council draft a letter to send to Grand County Special Service Water District to proceed in drafting a new water and sewer agreement with Moab City to be effective upon consolidation seconded by Knight. Motion carried 6-1 – Graham voted no.

OTHER CONSIDERATIONS: Letter to Eccles Foundation – supporting getting a grant for Star Hall. Council supports.

Knight moved to enter into executive session for character, health, competent of individual, seconded by Tanner at 6:35 p.m.. All Council but Lewis were present with Clerk Fran Townsend and Hattie Schetszle. Motion to end executive session was made by Graham seconded by Langianese at 7:10 p.m. All voted aye.

There being no further business – meeting adjourned.

Jerry McNeely, Chairman

Attest: _____
Fran Townsend, Clerk/Auditor