

GRAND COUNTY COUNCIL MEETING
September 5, 2006

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

Meeting was called to order by Langianese.

ELECTED OFFICIAL REPORTS: NONE

AGENCY REPORTS

A. PRESENTATION OF THE FOREST SERVICE RESOURCE MANAGEMENT PLAN FOR GRAND COUNTY: Presentation was made by Ann King, Kelly Reynolds, and Alice Carlton. Slide show was presented. They had a visit with Washington office in August, meeting with Dept of Agriculture, Senator Bennett and Staff as well as Senator Hatch. In general – they were received favorably. They came away with suggestions as to how to improve their plan.

Edit or explain prohibitions: simplify suitable use tables and add discussion on general suitability to suitable use discussions. Plan will undergo a rigorous review by Washington office prior to printing.

Energy and minerals- related items: continue to use and site oil and gas, etc. Plan organization has been modified:

Review issues: Is the plan legally defensible? Plan: = describes broad strategic program-level direction to guide the future management of the Forest and its resources. Implementation is planned for 2007. Forest Service will continue to follow existing oil and gas FEIS (Final Environmental Impact Statement). Old charts are available on internet. There may be added interest concerning roads for mining claims.

A meeting with stakeholders is scheduled on September 15th at 9:00 a.m. to review the plan without content changes. A copy of the draft plan will be sent to the County for review by the end of the week.

PRESENTATIONS:

B. ESTABLISHMENT OF A COMMUNITY MULTICULTURAL CENTER: Presentation was made by Leticia Bentley, Marilyn Stolfa and Lisa Roman. A Group of citizens have been working for a year – very active as volunteers doing translation/interpreter. There are 10 people in their group. They want to have a center where we can link (communicate) Spanish speaking people and English. They feel a center is very important for the well being of our community. Communication with employees, employers, etc is very important. Goal is to provide more services. Lisa – works for workforce services. Very often the need to communicate is biggest challenge – workers, Cultural exchange – no advocating for any one group. Hispanic enrollment in

schools has increased. Physicians office, – health dept – landlords, etc have a need. Their group has been taken in by a 501C3 organization in SLC. Right now they have donated space for a month. Marilyn has worked most closely with students. Nate – people opening new businesses need lots of help – i.e. business license, etc. Marvin is letting them use the old civic center. Lewis – how do you involve all different levels of government to involve them? Legal entity has been established. Biggest issue – need a space for five days a week.

C. DISCUSSION OF CONSIDERATION OF USE FOR OLD LIBRARY:

Corky Brewer - Moab Fire District Fire Chief – reported his Fire Commission would like the Moab Valley Fire District to be considered as a prospective buyer for the old Library building. In the future, they could use this for expansion. Corky – project does not have a time line except for architects, etc. Corky said they are trying to look into future - long term.

D. APPROVAL TO HIRE A COMMERCIAL APPRAISER TO CONDUCT THE 2007 COMMERCIAL APPRAISAL FOR THE COUNTY:

Dorothy referred to a memo from her and letter from Uintah County concerning reappraisal. Council asked if he could do the work this year and budget to pay him after the first of the year. Dorothy said she was not sure. The appraisal firm has stated they could begin work this year and only require \$15,000 for this year and bill the rest next year. Judy Carmichael asked if the State Tax Commission could do the Commercial Appraisals. Dorothy said they don't have staff to do that. Dorothy stated if we get a good appraisal then that increases our tax base. Joette asked if she had any funds in her budget to pay this. Dorothy said maybe \$2000 out of equipment. *Motion: Graham moved to approve hiring a commercial appraiser to conduct 2007 appraisal, depending on funding seconded by McNeely.* McNeely feels this is necessary. Lewis – biggest heartburn – was planned for 2007. Have not done reappraisal for 20 years. This will provide new land use guide plus new software and support. Lewis asked if it was an ongoing fee for support. Nate – not sure he agrees with this. He feels we should budget for next year and do it next year. Dorothy – they don't do it just based on sales price of property – they do income approach. *Graham, McNeely, Langianese, Carmichael voted aye, Knight & Lewis voted no. Motion carried 4-2.* McNeely asked Dorothy to work with the firm to see what minimum amount he would for work done this year. Fran agreed to work with Dorothy to find a source of funding to help with the cost for this year. Dorothy agreed to follow up regarding on-going Fee for support.

E. APPROVAL TO SUPPORT THE DEVELOPMENT OF A CORRIDOR MANAGEMENT PLAN AND INCORPORATION OF THE CMP INTO THE GENERAL PLAN:

Seeking Scenic All-American By-Way status for Hwys 313 (Island in the Sky), 128 (River Rd), and 279 (Potash Rd). The CMP is required to qualify for this status. Scenic byways have become very popular within tourism industry. We were awarded a grant for \$32,000 and we have match \$ in place. State Parks contribute \$5000. A committee was created in order to involve community, land owners, etc. They want to know they have support of county for this project. If we meet goals – could this become part of the general plan. *Motion: Lewis moved to support the development of CMP and include it in the general plan if it meets all criteria seconded by Knight. Motion carried 6-0.*

F. COUNCIL ADMINISTRATOR CONTRACT: Shawn Warnke has agreed to Start Sept. 29th as the Council Administrator. He will be available to meet with the Department Heads and Elected Officials at 11:00 a.m. and at 11:30 he will participate in the joint city/county meeting. **Motion: Carmichael moved to approve contract seconded by Graham. Motion carried 6-0.**

G. APPROVAL OF TWO PART-TIME LIBRARY POSITIONS: **Motion: Graham moved to approve seconded by Carmichael. Motion carried 5-0.**

H. PERMANENT HIRE OF TEMPORARY PERSON IN CLERK'S OFFICE: Clerk Fran Townsend stated it would be most difficult not to have the extra help until the end of the year. It was clarified that Melissa Mogensen started as a temporary hire in March. Our policy manual allows for a person to be employed for 10 months as a temporary hire. Because of budget constraints council suggested she continue as temporary personnel and the new Clerk/Auditor could decide what is needed after the first of the year. The Council clarified, and confirmed by Diana that this position was only required because of the transition period for the new Clerk/Auditor and because extra duties required of the office without an administrator. The Clerk's office is not asking for an additional FTE and after the first of the year should not require any extra personnel. **Motion: Carmichael moved we continue to have Melissa to continue to work full time temporary in Clerk's until end of year, making sure we comply with policy seconded by Knight. Motion carried 6-0.**

I. RESOLUTION GRANTING PROPERTY RELEASE TO US POSTAL SERVICE TO PROVIDE COLLECTION BOX UNITS: **Motion: Knight moved to table issue until we explore other options until September 19th meeting. We did not complete the full process on our bid on the surplus property. Motion was seconded by McNeely.** table until next meeting. September 19th. Knight feels we are doing a disservice to Ryan because we did not complete full disposal of surplus property process.

This resolution came up since last meeting and we haven't had opportunity for discussion. McNeely said he was ok to tear down building but did not realize it would cost us \$3,000 to haul the debris to the dump. He just learned about this today. Audrey said the issue was a big shock to her. She did not know the Post Office was closing down. Tommy Ryan proposed to perhaps trade property. He says this corner not safe because of it's location and activity across the street. He has allowed county to use his property. Audrey – Post Office has issue – Post Office must have release signed by property owner to place their boxes on. County does have 6.7 acres where the new fire station is. Nate did talk to postal service. Actually, they only need five foot by 8 feet area where they can put 16 boxes on. Langianese stated that there are several concerns and that we are moving too fast with this issue. We need make sure we are doing this right and have all the questions answered. There was also some discussion on asking the Solid Waste District to waive the cost to the County for disposal of the debris from the old fire station. Audrey was asked to follow-up with the Solid Waste Board and find the funds to pay for the disposal. **Vote: Knight, Lewis, Carmichael, Langianese and McNeely voted aye, Graham voted no. Motion carried 5-1.**

Audrey and Nate will meet with Tommy Ryan on Wednesday morning to discuss the best location for the postal boxes.

Meeting recessed until 7:00 p.m.

Call to order

Tanner was present for the evening session.

Pledge of Allegiance led by Steve White

APPROVAL OF PAYMENT OF BILLS: Motion: Carmichael moved to approve bills in the amount of \$441,473.82 plus payroll of \$102,862.18 for a total of \$544,336.00 seconded by Tanner. Roll call vote: Knight – aye – Lewis – aye, Tanner – aye, Carmichael – aye, Langianese – aye, McNeely – aye and Graham – aye. Motion carried 7-0.

APPROVAL OF MINUTES: 8/1/06 Graham moved to approve minutes of August 1 and August 15, 2006 meeting seconded by McNeely. Motion carried 7-0.

CITIZENS TO BE HEARD: Jim Dressler had some information to distribute. He is bringing attention to two issues that have affected him directly. On August 9 his wife was bitten by a dog on Kane springs road just south of Moon Flower Canyon. Two dogs came out from a structure – a bus – where people are living. His wife had Two puncture wounds from the dog bites. Thanked Chief Navarre and his staff for his help. Occurred in County – not City. County defines in our ordinance that “any animal which bites one or more persons without provocation three or more times in a one-year period shall be deemed a nuisance and shall not be kept within the county”. There were two dogs that attacked her. Why does the county allow people to live in a bus? They have been notified previously about non conforming use by living in a bus. Langianese stated we are looking at our ordinance to see how we can improve on it. Jim equates pet ownership with responsibility.

L. PRESENTATION OF SILVER BOWL AWARD FOR 2006 TO STEVE WHITE TO RECOGNIZE OUTSTANDING VOLUNTEERISM IN COMMUNITY: Each county is awarded one. Steve had provided countless hours to this community, working with the youth, educational projects in the school, Special Olympics just to name a few. Saina has chaired the selection committee. A Bouquet of flowers was presented to his wife. Also Sorrell River Ranch donated dinner for two plus overnight lodging in suite.

M. MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN GRAND COUNTY, FOUR CORNERS MENTAL HEALTH AND DRUG COURT: Earlier this year we entered into two agreements. We found glitches and this MOU will correct some of those financial issues. Issue is to hold county whole with no expense out of our pocket. **Motion: Carmichael moved to approve in draft form to be signed upon completion seconded by Graham. Motion carried 7-0.**

N. ORDINANCE FOR REVIEW OF A FINAL PLAT BLU VISTA CASITAS PUD – 35.3 ACRES INTO 38 LOTS IN THE RR ZONE DISTRICTM BLU VISTA CASITAS LLC:

The Application is submitted by Rex Tanner – manager of Blue Vista Casitas, LLC. This is the first of a final plat and phase of the Blu Vista Casitas PUD. This phase included 16 lots and an open space parcel of 313,204 square feet. It was approved in October of 2005 by the County Council based on conditions set forth at that time. Rex has been working on those conditions since that time. Tanner recused himself from the dais. He still has a connection that does not work. Widening of Spanish Valley Drive is an unresolved issue. Applicant has given bonding that is required except for two small issues. Road being built on 5th and court include curb and gutter. County does not require this but county engineer requested this. P&Z voted not to require widening of Spanish valley drive. Dedication of Fiesta Court is not done yet. Valley del sol – road dept has agreed to build. Nate asked where is the proposed connection road. Mary says it is required by code. Nate – why would the county require this which is going to cost county money to build the road. Mary says it was a mistake. McNeely asked why would county pay for other developer’s mistake – why not pay for Tanner’s too? Langianese referred to a letter from Dan Pyatt stating that the Engineer had initially not required the road for his subdivision and also for Rex’s because the natural soils would better accommodate the drainage issues. Langianese asked if this was the case. Mary Hofine does not remember if that was the case. Carmichael feels using county money to pave a road going nowhere is not good us of County funds. We have better use of our money. Carmichael stated the right of way is necessary – should be a way to access for fire protection. Lewis stated this is for phase one only. Later there will be more homes that goes to the south. If people want to cut through this ROW it would create a dust issue. Jerry says if we build the road in the other development we need to build this one. Carmichael asked what keeps you from doing a right of way and deciding whether or not it needs to be paved at the next phase. Graham asked if we could leave this road as a dedicated Right of Way without having to go on to Spanish valley drive? Carmichael says each PUD stands alone. It will not create a problem down the road. Langianese questioned why the taxpayers should pay for the mistake of the P&Z by building a road that may not be needed. Langianese also questioned the need for connectivity when both subdivisions have two entrances onto Spanish Valley Dr. Lewis suggested requiring road bed instead of asphalt. Graham stated the turn lane is still not resolved. Carmichael says Tanner is aware he needs to do this. Tanner stated funds have been given to Mary Hofhine today to bond for the turn land. **Motion : Knight moved to approve final plat without requirement of connectivity because #1 the additional cost to county and #2 at this point and time there is no need for the road seconded by McNeely.** Lewis – thinks it is good we have the Right of Way. He has heartburn that we don’t do it because we don’t have need for it right now. Reason we do planning is for future. He would like to see at least the road bed. **Graham and Lewis voted no, Knight, Carmichael, Langianese and McNeely voted aye. Motion carried 4-2.**

O. RESOLUTION FOR REVIEW OF FINAL PLAT ESTRELLA ESTATES

SUBDIVISION: John Johnston is applicant. This consists of 25 acres located at 4750 Sunny Acres Lane. Part of project is in San Juan County. **Motion: Carmichael moved to approve resolution seconded by McNeely . Motion carried 6-0.**

Other: Lewis – will need signature on matching funds.

Meet with Tommy Ryan before next meeting to talk to him about issue.

Removal of building in Thompson – Fee charged by Solid Waste District is \$5 per yard.

Audrey will ask Solid Waste if they would waive the fee.

Roofs have blown off stalls at OSTA – recommend demolish all of them and rebuild.

The Grand County Recreation District would like council opinion on this. Recreation dist would pay for repair, but building is not safe. Would cost \$100,000 to rebuild stalls.

Langianese says what ever the Recreation District wishes to do is ok.

Joette met with the consultant concerning the nursing home. Public hearing will be held October 5th to review the site plan and for CIB application. Will go to state architect and get their approval. It looks like the hospital may require the Health Care Districts assistance in locating funding sources that may not be available to a private non-profit organization. Will be discussing this over the next several months.

Nate moved to adjourn seconded by McNeely. Motion carried 6-0.

Joette Langianese, Chairman

Attest: _____

Fran Townsend, Clerk/Auditor