

**GRAND COUNTY COUNCIL  
REGULAR MEETING  
Council Chambers  
125 E. Center Street  
Moab, UT**

**September 18, 2007**

The Grand County Council met on the above date in the Council Chambers of the Courthouse located at 125 East Center Street, Moab, Utah. Chairman Jim Lewis called the Workshop Session of the meeting to order at 3:00 p.m.

**MOTION:** Motion by Council member Joette Langianese to enter into Executive Session at 4:20 p.m. to discuss personnel issues. Motion seconded by Council member Holyoak carried 7 – 0. Present were Council members Lewis, Holyoak, Langianese, Ciarus, Greenberg, McNeely and Graham along with Clerk/Auditor Diana Carroll and HR Director Pat Byrd. Motion by Council member Greenberg to end the Executive Session at 4:30 p.m. Motion seconded by Council member Audrey Graham carried 7 – 0.

The afternoon session of the Council meeting was called to order at 4:30 p.m. In attendance were Council members Jim Lewis, Patricia Holyoak, Joette Langianese, Gene Ciarus, Bob Greenberg, Jerry McNeely and Audrey Graham along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. **MOTION:** Motion by Council member Langianese to amend the agenda to begin at 4:30 instead of 5:00 p.m. Motion seconded by Council member Ciarus carried 6 – 1 with Council member Graham opposed. The Pledge of Allegiance was led by Ed Bridges.

**Approval of Payment of Bills**

**MOTION:** Motion by Council member Holyoak to approve bills presented for payment in the amount of \$478,250.72. Account payable check numbers 51264 – 51443 totaling \$360,726.58 and payroll totaling \$117,524.14. Motion seconded by Council member Greenberg carried with a 7 – 0 roll call vote.

**Approval of Minutes**

**A. September 4, 2007**

**MOTION:** Motion by Council member Greenberg to approve minutes of the September 4, 2007 meeting with minor changes. Motion seconded by Council member Holyoak carried 7 – 0.

**B. Discussion and Consideration of the Annual Statement of Compliance of the Conditional use permit for the Moab Tailings Project (Don Metzler)**

Don Metzler introduced the DOE team members attending the meeting and also reported on the progress to date on the Tailings Project. **MOTION:** Motion by Council member Langianese to approve the annual statement of compliance of the Conditional Use Permit. Motion seconded by Council member Graham carried 7 – 0.

**C. Discussion and Consideration of Approving an Interlocal Agreement for Film Commission Services between Grand County and Moab City (Marian Delay)**

**MOTION:** Motion by Council member Greenberg to approve the ILA as presented. Motion seconded by Council member McNeely carried 6 – 1 with Council member Langianese opposed.

### **Citizens to be Heard**

Brittney Ellis – President of the Moab Lodging Association spoke to the Council and noted that the Lodging Community is concerned about raising TRT.

Ryan Holyoak spoke regarding problems areas he feels are in the Planning Commission and the Land Use Code.

Bob Ott owner of KOA agreed with Brittney Ellis and requested the Council proceed with caution regarding the TRT increase.

### **D. Discussion and Consideration for Approving the Bid and Awarding a Contract to Joe Sorensen Construction Inc. to Repair the Museum Building Roof – as per County Policy (Jeff Whitney)**

**MOTION:** Motion by Council member Langianese to accept the bid as presented for repair of the Museum roof presented. Motion seconded by Council member Holyoak carried 7 – 0.

### **E. Discussion and Consideration Regarding Adopting a Resolution that Closed the Crosswind Runway at Canyonlands Airfield (Bob Greenberg)**

**MOTION:** Motion by Council member Greenberg to table the agenda item until the next meeting as the resolution was not available. Motion seconded by Council member Graham. Mark Francis was in the audience and voiced his concerns about closing the runway. The dirt runway is currently used by local pilots when the wind blows. Motion carried 7 – 0.

### **F. Discussion and Consideration of a Resolution for Final Acceptance of Valle del Sol PUD Subdivision (Mark Wright and Mary Hofhine)**

**MOTION:** Motion by Council member Langianese to approve the final acceptance. Motion seconded by Council member McNeely carried 7 – 0.

### **G. Discussion and Consideration of a Resolution for Ellis RV Park Conditional Use Permit RV Park in the RR Zone District (Mark Wright & Mary Hofhine)**

Council member Holyoak recused herself to the audience because of her involvement as a neighboring property owner. The County Council reviewed this application in a public meeting on February 6, 2007 and remanded it back to the Planning Commission for further consideration of occupancy limitations and use of an easement for both the RV Park and residential use. The Planning Commission reconsidered the application and decided that the allowable Conditional Use may in fact be Use on Review, the procedure for which was repealed in 2005 by Ordinance 407. The Ordinance 407 did not indicate Use on Review would be replaced with Conditional Use and the County Council has never approved the allowance of Conditional Uses to replace Use on Review. Ordinance Section 7-11-9 of the Grand County Land Use Code states that a Conditional Use may not increase the density of the underlying zone. The RR zone permits only one residence per acre. The owners of the proposed Ellis RV Park would provide Covenants, Conditions & Restrictions that occupants of the lots would be required to abide by, which Deputy Attorney Scott Barrett noted, is inconsistent with a transitory RV parks. The applicant Lee Ellis was in the audience and addressed the Council stating that he had followed all the rules required of him and that he did not intend to sell the seven lots. **MOTION:** Motion by Council member Greenberg to approve the application subject to requiring the owner to build a sidewalk and that no RV shall occupy a space

for longer than 90 days together with the Planning Commission recommendations. Motion seconded by Council member McNeely failed 2 – 4 with Council members Langianese, Lewis, Ciarus and Graham opposed.

### **Council Reports**

#### **H. Update on the County Council Sewer Treatment Committee**

This item will be discussed at the next City/County Joint Meeting.

### **Future Consideration**

**MOTION:** Motion by Council member McNeely to adjourn at 6:55 p.m. Motion seconded by Council member Greenberg carried 7 – 0.

Evening session cancelled.

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Jim Lewis, Grand County Council Chairman

### **ATTEST:**

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Diana Carroll  
Grand County Clerk/Auditor