

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

**October 16, 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. A discussion occurred with Bill Jackson and Shawn Warnke regarding funding options for the Road Department.

The afternoon session of the Council meeting was called to order at 4:00 p.m. In attendance were Council members Jim Lewis, Audrey Graham, Joette Langianese, Gene Ciarus, Bob Greenberg and Jerry McNeely along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council member Patricia Holyoak was absent.

Recess to Municipal Building Authority

**MOTION:** Motion by Council Member Bob Greenberg to enter into Closed Executive Session to discuss personnel issues at 4:15 p.m. Motion seconded by Council Member Jerry McNeely carried 6 – 0. Present were Council Members Lewis, Graham, Langianese, Ciarus, Greenberg and McNeely, County Attorney Happy Morgan, Sheriff Jim Nyland, Clerk/Auditor Diana Carroll, Council Administrator Shawn Warnke and HR Director Pat Byrd. **MOTION:** Motion by Council Member Joette Langianese to end the session at 4:35 p.m. Motion seconded by Council Member Gene Ciarus carried 6 – 0.

Reconvene regular meeting at 4:40 p.m.

**Elected Official Reports**

Sheriff Nyland reported that his deputy recently involved in a deadly use of force incident has been completely cleared.

**A. What is the Plan to Prepare the Workforce of Tomorrow**

A presentation regarding support of higher education in Moab was made by Sam Sturman of Utah State University Extension.

**B. Grand County Backcountry Council's Presentation on the Proposed Bureau of Land Management Draft Resource Management Plan**

David Bodner representing the Grand County Backcountry Council requested the County Council extend the public comment period on the BLM Regional Management Plan for 180 days. David cites the need for additional time is to allow business owners who have been busy during the tourist season time to comment.

## **General Business**

### **C. Discussion and Consideration of Approving the Board of Equalization Recommendations**

**MOTION:** Motion by Council Member Joette Langianese to accept the recommendations of the Board of Equalization Hearing Officer. Motion seconded by Council Member Jerry McNeely carried 5 – 1 with Council Member Bob Greenberg opposed.

### **D. Discussion and Consideration of Approving a Letter of Support for GWSSA Regarding the Proposed Wastewater Treatment Plant**

A discussion occurred with Terry Sykes along with several GWSSA Board Members regarding a proposed wastewater treatment plant. GWSSA requested the County Council sign a letter of support for the project. **MOTION:** Motion by Council Member Jerry McNeely to approve the letter of support. Motion seconded by Council Member Gene Ciarus. **AMENDED MOTION:** Council Member Jerry McNeely amended his original motion to include a paragraph to seek participation from SITLA and San Juan County and have GWSSA continue to work on regional planning for south Spanish Valley. Motion carried 5 – 1 with Council Member Bob Greenberg opposed.

### **E. Discussion and Consideration of an Application Issuance of Tax-Exempt Bonds for the Moab Regional Medical Center**

Roy Barraclough of Allen Memorial Hospital, Randy Larsen from Ballard Sparh and Alex Buxton of Zion's Bank Public Finance discussed the possibility of Grand County Council issuing tax-exempt bonds for construction of the Moab Regional Medical Center in the amount of \$21 million dollars for 30 years with an interest rate of 5%. The process would involve the adoption of a series of resolutions by the County Council and a public hearing held on December 4<sup>th</sup>. The applicant would like the bonds issued by the end of the year. **MOTION:** Motion by Council Member Joette Langianese to move forward with the application for the issuance of tax-exempt mortgage bonds to include the long term care center. Motion seconded by Council Member Jerry McNeely. Roy shared concern regarding the impact of including the long term care center. Randy noted that the scope of the parameters resolution could be expanded to include the long term care center to make certain it does not slow the process. Motion carried 6 – 0.

### **F. Discussion and Consideration of Approving a Contract to Remodel a Garage at the Canyonlands Field to Accommodate a Fire Rescue Truck – As Per County Policy**

**MOTION:** Motion by Council Member Bob Greenberg to approve the contract from Torres Masonry for an amount not to exceed \$3,000 to increase the opening of the garage to accommodate the fire rescue truck. Motion seconded by Council Member Joette Langianese carried 6 – 0.

### **G. Discussion of a Public Notice from Resource Development Coordinating Committee Regarding a Proposed 16" Buried Steel Gas Pipeline**

Council Member Jerry McNeely identified the location of the proposed pipeline. There was no objection to the location.

### **H. Discussion and Consideration of a Resolution for Ancient Acres PUD Preliminary Plat Extension of Time – Marc Horowitz, Applicant**

**MOTION:** Motion by Council Member Bob Greenberg to approve the resolution as submitted. Motion seconded by Council Member Audrey Graham carried 6 – 0.

Recess at 6:40 p.m.

The evening session of the Grand County Council meeting was called to order at 7:05 p.m. by Chairman Jim Lewis. In attendance were Councilmen Jim Lewis, Gene Ciarus, Bob Greenberg, Jerry McNeely along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Members Joette Langianese, Audrey Graham and Patricia Holyoak were absent. The Pledge of Allegiance was led by Jeff Freethy.

**MOTION:** Motion by Council Member Bob Greenberg to table the minutes of the October 2, 2007 Council meeting until the next meeting. Motion seconded by Council Member Jerry McNeely carried 4 – 0.

**MOTION:** Motion by Council Member Gene Ciarus to approve the bills presented for payment in the amount of \$666,575.21 with account payable checks totaling \$542,812.14 check numbers 51616-51797 and payroll totaling \$123,763.07. Motion seconded by Council Member Bob Greenberg carried with a 4 – 0 roll call.

**Citizens to be heard**

Larry Thomas spoke regarding how the Land Use Code addressed lighting issues.

**Presentations:**

**J. Presentation on Trail Projects and the Alternative Transportation in Parks and Public Lands Program**

Russ Von Koch announced the awarded of a \$774,000 grant for the Lions Park Hub Project and thanked Kim Schappert and the Trails Alliance. Grand County will be the recipient of the funds.

Council Member Langianese arrived at this time.

**K. Discussion and Consideration of Changing the County Council's Regularly Scheduled Meeting on November 6, 2007**

With the Election planned for Tuesday November 6<sup>th</sup> Council Administrator Shawn Warnke suggested the Council meeting be reschedule to Wednesday November 7<sup>th</sup>.

**MOTION:** Motion by Council Member Gob Greenberg to reschedule the meeting. Motion seconded by Council Member Jerry McNeely carried 5 – 0.

**L, Discussion and Consideration of Moab Film Commission sponsoring a Local Film festival**

The Film Festival organizers have requested the fees for the use of Star Hall be waived for the event. **MOTION:** Motion by Council Member Joette Langianese to waive the fees. Motion seconded by Council Member Jerry McNeely failed 1 – 4 with Council

Member McNeely voting in favor. **MOTION:** Motion by Council Member Joette Langianese to sponsor the event through the use of Star Hall. Motion seconded by Council Member Jerry McNeely carried 5 – 0.

**M. Discussion and Consideration of Approving a Change Order for the Colorado Pedestrian Bridge**

Kirk Thornock of UDOT, Larry Reasch of Horrocks and Grand County Engineer Mark Wright presented information regarding the funding of the Pedestrian Bridge Project in

the amount of \$731,695. The added costs will not affect Grand County as the Transportation Commission will shift the SR128 funding to the Bridge project and Horrocks Engineers will contribute an agreed settlement amount toward the bridge. **MOTION:** Motion by Council Member Jerry McNeely to approve the change order. Motion seconded by Council Member Bob Greenberg carried 5 – 1 with Council Member Gene Ciarus opposed.

**N. Discussion and Consideration of Approving a Lease Agreement for Canyonlands Natural History Association for the Leasing of the Moab Information Center and Related Facilities**

**MOTION:** Motion by Council Member Bob Greenberg to authorize the Council Chair to sign the lease agreement. Motion seconded by Council Member Jerry McNeely carried 5 – 0.

**O. Discussion and Consideration of Adopting an Ordinance Regarding the Deferral of Conditional Use Applications**

Council requested this item on the agenda. County Attorney has reviewed and feels we need a stronger language explaining the reason for the moratorium. Planning Commission is in the process of modifying the code and if a project comes in now the will be under the new code. **MOTION:** Motion by Council Member Bob Greenberg to redraft the ordinance for consideration in two weeks to include modifying use on review and make it clear this just applies to conditional use that were changed to Use on Review. Motion seconded by Council Member Joette Langianese carried 5 – 0.

**P. Discussion and Consideration of Appointing Katie Bierschied to the Housing Authority of Southeastern Utah Board of Commissioners**

**MOTION:** Motion by Council Member Joette Langianese to approve the appointment of Katie Bierschied to the Housing Authority with the term to expire December 31, 2010. Motion seconded by Council Member Jerry McNeely carried 5 – 0.

**Consent agenda**

- Q. Approval of a Letter to Senator Bennett Thanking Him for a Recent Visit on Moving the Tailings Pile
- R. Authorization of the Council Chair to Sign a Minor Record of Survey for John Cortez
- S. Authorization of the Council Chair to Sign a Minor Record of Survey for Jim Nyland
- T. Appointment of Election Poll Workers
- U. Approving an Agreement for Noxious Weed Management Between the Utah Division of Forestry, Fire, and State Lands and Grand County Weed Department
- V. Approving the Financial and Operating Plan for Law Enforcement Agreement between Grand County and the US Forest Service
- W. Appointing Verleen Striblen as the Interim RSVP Director
- X. Approval of a Contract Agreement between the Southeastern Utah Association of Local Governments, Area Agency on Aging and the Grand County Retired Senior Volunteer Program

**MOTION:** Motion by Council Member Bob Greenberg to approve the consent agenda with minor typo errors. Motion seconded by Council Member Joette Langianese carried 5 – 0. Council Administrator Shawn Warnke and Engineer Mark Wright will re-visit the process for minor record surveys.

**MOTION:** Motion by Council Member Jerry McNeely to adjourn at 8:10 p.m. Motion seconded by Council Member Bob Greenberg carried 5 – 0.

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Jim Lewis  
Grand Council Chairman

ATTEST:

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Diana Carroll  
Grand County Clerk/Auditor