

**GRAND COUNTY COUNCIL
REGULAR MEETING**

(Rescheduled from November 6, 2007)

**Council Chambers
125 E. Center Street
Moab, UT**

November 7, 2007

The Grand County Council met on the above date in the Council Chamber of the Grand County Courthouse located at 125 E. Center Street, Moab, Utah. Chairman Jim Lewis called the Workshop Session of the Council Meeting to order at 3:00 p.m. Discussion occurred regarding animal control issues, the possibility of a full time fire warden, remodeling the old library building and a proposed memorandum of understanding between Grand County and the Moab Museum Board. The workshop ended at 4:15 p.m.

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.

Elected Official Reports

Grand County Attorney Happy Morgan requested the VAWA Grant application be placed on the agenda of the Special Meeting to be held Friday, November 9, 2007.

Agency Reports

A. Discussion of a 12.75" Proposed Natural Gas Pipeline in Winter and Moon Ridge Areas of the County (Bryan Torgerson)

SITLA received an application from Questar Gas for a 12.75" pipeline in the Bookcliff area. The proposed pipeline is in a new corridor that will connect to the existing William Energy main line.

General Business

B. Consideration of Approving a Proposed Memo of Understanding Between Moab Museum Board (Southeastern Utah Society of Arts and Science) and Grand County (Shawn Warnke)

MOTION: Motion by Council member Bob Greenberg to have staff draft a memorandum of understanding between Moab Museum Board and Grand County effective January 1, 2008. Motion seconded by Council Member Gene Ciarus carried 7 – 0.

C. Discussion and Consideration of an Application for the Issuance of Tax-Exempt Bonds for the Moab Regional Medical Center (Shawn Warnke & Roy Barraclough)

Council Member Joette Langianese, the liaison to the Canyonlands Health Care Special Service District, (SSD) noted that the Board met and discussed the possibility of the Hospital building the Long Term Care Center (LTC) and the SSD make the payments using Mineral Lease money. The Hospital admittedly did not consider other funding sources for the LTC but agreed to consider that option. **MOTION:** Motion by Council Member Joette Langianese to approve the application for the issuance of tax exempt bonds to include the revenue and costs associated with the Long Term Care Center. Grand County will work with Zions Bank and the County Attorney to make certain this option is something the County can legally do. Motion seconded by Council Member Bob Greenberg carried 7 – 0.

D. Discussion and Consideration of Approving Ballard, Spahr, Andrews, & Ingersoll as Grand County's Bond Counsel for the Application of Issuance of Tax-Exempt Bonds for the Moab Regional Medical Center (Shawn Warnke)

The County Attorney has approved using the firm of Ballard, Spahr, Andrews & Ingersoll as bond counsel. **MOTION:** Motion by Council Member Bob Greenberg to approve using Ballard, Spahr, Andrews & Ingersoll working directly with Randy Larsen. Motion seconded by Patricia Holyoak carried 7 – 0.

E. Discussion and Consideration of Increasing the Transient Room Tax (not to occur before January 2009) (Shawn Warnke)

MOTION: Motion by Council Member Bob Greenberg to declare the intent to increase Transient Room Tax subject to the outcome of public comment and committee meetings. The proposed increase will be to the maximum amount allowed and be effective January 1, 2009 to allow business owners sufficient time to transition their reservations. Motion seconded by Council Member Joette Langianese carried 6 – 1 with Council Member Jerry McNeely opposed. Chairman Jim Lewis will work with Marian DeLay to set up meeting times and invite interested community members. Council Members Greenberg and Ciarus were appointed to work on the proposed TRT increase committee.

MOTION: Motion by Council Member Joette Langianese to amend the agenda and move on to Item G. Motion seconded by Council Member Audrey Graham carried 7 – 0.

F. Discussion and Consideration of Approval of Proposed 2008 County Benefits Insurance Carriers (Pat Byrd)

MOTION: Motion by Council Member Bob Greenberg to approve the recommendation and to authorize Pat to have a committee look at the benefit market. Motion seconded by Council Member Joette Langianese 6 – 1 with Council Member Jerry McNeely opposed.

G. Discussion and Consideration of Approval of a Letter Transferring Funds from the Lion's Park to Moab City limits Bicycle/pedestrian Path Project to the Old Highway Repaving through Moab Canyon

MOTION: Motion by Council Member Bob Greenberg to approve authorization of the Chair signing the letter to transfer funds as suggested. Motion seconded by Council Member Jerry McNeely carried 7 – 0.

H. Discussion and Consideration of Approving a Request for the Planning Commission to Amend a Section of the Land Use Code Pertaining to Developer's Financial Guarantee (Bob Greenberg)

MOTION: Motion by Council Member Bob Greenberg to request the Planning Commission consider amending the Land Use Code pertaining to developer financial guarantees. Motion seconded by Council Member Joette Langianese carried 7 – 0.

Recess

The evening session of the Council Meeting was called to order at 7:00 p.m. by Council Chairman Jim Lewis. Present were Council Members Lewis, Holyoak, Langianese, Ciarus, Greenberg, McNeely and Graham with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. The Pledge of Allegiance was led by Suzanne Mayberry.

Approval of Minutes

MOTION: Motion by Council Member Joette Langianese to approve minutes of the October 2 and 16, 2007 Council Meetings as presented with Council Member Greenberg's corrections. Motion seconded by Council Member Gene Ciarus carried 7 – 0.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$620,465.62. Accounts Payable check numbers 51798 - 52042 totaling \$501,757.65 and payroll in the amount of \$118,707.97. Motion seconded by Council Member Joette Langianese carried with a 7 – 0 roll call vote.

Citizens to be Heard

Suzanne Mayberry spoke regarding the proposed Recreation Center and suggested it be downsized to be just a swimming pool.

Howard Trimble a member of the Grand County Recreation SSD Board thanked the Council for support of the new swimming pool.

General Business

J. Discussion and Consideration of Approving the McElhaney Minor Record Survey (Kristine Killoy)

MOTION: Motion by Council Member Bob Greenberg to table the agenda item for two weeks. Motion seconded by Council Member Audrey Graham carried 7 – 0.

K. Discussion and Consideration of Approving the Hawks Minor Record Survey (Kristine Killoy)

MOTION: Motion by Council Member Joette Langianese to approve the Hawks Minor Record Survey. Motion seconded by Council Member Audrey Graham carried 7 – 0.

L. Discussion and Consideration of Approving the T&A Commercial Park Preliminary Plat-Public Hearing (if required) (Kristine Killoy)

MOTION: Motion by Council Member Joette Langianese to approve the T & A Commercial Preliminary Plat subject to conditions set forth in staff report and verification of existing curb and gutter. Motion seconded by Council Member Jerry McNeely carried 7 – 0.

M. Discussion and Consideration of adopting a Resolution Accepting Coyote Run Subdivision Improvements (Mark Wright)

MOTION: Motion by Council Member Joette Langianese to approve the resolution as presented. Motion seconded by Council Member Gene Ciarus carried 7 – 0.

N. Deferment of Use on Review that were Changed to Conditional Uses without County Council Approval (Mark Wright)

MOTION: Motion by Council Member Bob Greenberg to adopt the ordinance as presented. Motion seconded by Council Member Audrey Graham carried 7 – 0.

O. Discussion and Consideration of Approving a Prioritized County Project List Relating to the Permanent Community Impact Board (Shawn Warnke)

Chief Corky Brewer was in the audience and requested the Council add the Southeastern Utah Technology Association communication group project to the PCIFB list. The funding request would tie repeater sites in the area to the microwave system to further develop communication links. **MOTION:** Motion by Council Member Joette Langianese to approve the list deleting the Trail item and adding the \$2.5 million dollar SEU Technology item. Motion seconded by Council Member Jerry McNeely carried 7 – 0.

P. Discussion and Consideration of Approving a Proposed Resolution Amending Resolution 2625 Establishing a Board Appointment Process and Establishing Requirements of Board Members, Commissioners, and Committees (Shawn Warnke)

MOTION: Motion by Council Member Bob Greenberg to adopt the resolution. Motion seconded by Council Member Audrey Graham. Discussion regarding training for new board members and review of bylaws resulted in the need for more research. Council Members Bob Greenberg and Audrey Graham withdrew the motion and second. **MOTION:** Motion by Council Member Bob Greenberg to table for two weeks. Motion seconded by Council Member Gene Ciarus carried 7 – 0.

Consent Agenda

Q. Approval of a Contract Between Grand County and the State for the Children's Justice Center July 2007- 2008

R. Approval of the Creation-Reclassification of the Head of Adult Services for the Grand County Library

S. Approval of the Creation-Reclassification of the Head of Children/Teen Services for the Grand County Library

T. Approval of a Resolution Appointing a Grand County Representative and Alternate Representative for the Utah Counties Insurance Pool Annual Membership Meeting

U. Approval of the County's Participation in the Local Update of Census Addresses (LUCA) Program

V. Approval of the Transportation Security Administration Airport Law Enforcement Personnel Program

MOTION: Motion by Council Member Audrey Graham to approve the Consent Agenda. Motion seconded by Council Member Jerry McNeely carried 6 – 1 with Council Member Bob Greenberg opposed because he has not reviewed the CJC Contract.

Future Considerations (Time Permitting)

W. Discussion of a Proposed Ordinance that Establishes Policies and Procedures for the Conduct of Grand County Officers (Conflict of Interest Ordinance)

X. Discussion of a Proposed Interlocal Agreement for the Joint Financing of a Recreation Center Complex Between the Grand County Recreation Special Service District, Moab City, and Grand County
The item will be a discussion item on the joint City/County meeting on November 30th and a Council Workshop item on November 20th. Council Chair Jim Lewis will discuss with the Recreation Board on November 14th.

Council Member Audrey Graham requested the Spanish Valley Drive property clean up project be on a workshop agenda before the end of the year.

Council Member Bob Greenberg requested the Trail Mix easements be placed on a future workshop agenda.

MOTION: Motion by Council Member Jerry McNeely to adjourn at 8:15 p.m. Motion seconded by Council Member Bob Greenberg carried 7 – 0.

Jim Lewis
Grand Council Chairman

ATTEST:

Diana Carroll
Grand County Clerk/Auditor