

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

**February 6, 2008**

The Grand County Council met on the above date in the Council Chambers of the Grand County Courthouse located at 125 E. Center Street, Moab, Utah. The meeting was rescheduled from Tuesday, February 5, 2008, due to the Western States Presidential Primary Election. Chairman Gene Ciarus called the Afternoon Session of the Council Meeting to order at 3:05 p.m. In attendance were Council members Gene Ciarus, Jim Lewis, Patricia Holyoak, Jerry McNeely and Audrey Graham along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Members Joette Langianese and Bob Greenberg were absent.

**Department Head Reports**

Grand County Librarian Carrie Valdes updated the Council on the 2008 Strategic Plan. The State Library Board requires the plan contain 18 services identified by the Public Library Association. Grand County Library offers services in each required area.

**Presentations**

**Presentation/Update on the Hospital Bonds**

Roy Baraclough updated the Council on the progress of the Hospital project. The hospital board is still discussing and negotiating with the Canyonlands Health Care District concerning the agreements. The funding agreement will be a very important document. The current draft agreement states that funding will begin in 2011 but the Hospital needs the funding to begin immediately. Council Member Jim Lewis noted that the County Council was caught off guard by the terms of the agreement but also stated the Council allocates the Mineral Lease money to the Special Service Districts but cannot tell them how to spend the money. Canyonlands Health Care District Board Member Kyle Bailey was present at the meeting and stated that Board would limit the payments to 25.

**Workshop- Discussion Items**

**Discussion Regarding Amendments to the Public Defender Agreement between Grand County and Andrew Fitzgerald**

A lengthy discussion occurred with Grand County Public Defender Andrew Fitzgerald regarding the increase work load being faced by him. Andrew suggested the Family Services portion of the public defender agreement be handled by another attorney and also requested additional funds to operate.

**Discussion Regarding Approving Membership in the Eastern Utah Television and Technology Association, Public Safety Communications Sub-Group**

Grand County is considering petitioning the Eastern Utah Television and Technology Association, Public Safety Communications Sub-Group for membership. The petition will be in the form of a letter requesting full association membership equal with all other members and dependent on participation of services. Association membership also requires the appointment of one member to serve on the board. Sheriff Nyland reported that the Association received a \$1.4 million dollar grant from Homeland Security to build the backbone microwave system. The system will allow communication with all six other county members. The membership cost is \$3,500 (\$2,000 – maintenance, \$1,000 – accounting/audit and \$500 – administrative costs) which will be paid from the Sheriff's budget.

Recess at 4:45

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

### **Approval of Minutes**

**MOTION:** Motion by Council Member Jim Lewis to table the minutes of the January 15, 2008 meeting. Motion seconded by Council Member Jerry McNeely carried 5 – 0.

### **Approval of Payment of Bills**

**MOTION:** Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$595,833.53. Accounts Payable check numbers 53040 – 53293 in the amount of \$363,213.77 and Payroll in the amount of \$232,669.76. Motion seconded by Council Member Jim Lewis carried with a 5 – 0 roll call vote.

### **Presentations**

#### **Presentation of the Spanish Valley/Moab Community Wildfire Protection Plan and On-Going Program**

Council Member Audrey Graham introduced Alison McCluskey, State Sovereign Lands Coordinator who presented the Spanish Valley/Moab Community Wildfire Protection Plan. There will be a community meeting Monday, February 11, 2008 at 5:30 p.m. at the Grand Center.

### **Public Hearings**

#### **Discussion and Consideration of Approving an Ordinance Amending the County's Fee Schedule**

Several changes to the fees schedule are being considered. The fees are for services provided by County departments with some common fees listed separately for similar services provided. The public hearing was opened for comment.

Bill Love spoke concerning appeals (taking or administrative) and specifically the Board of Adjustments. People can't afford to go to court and they need to protect their property. Citizens will have to pay to protect their property if the fee schedule is adopted.

Sarah Fields spoke regarding appeals stating that if people must pay for appeals they should get something for their money and not pay for errors of the County Planning Department.

The Public Hearing closed at 7:26 p.m. **MOTION:** Motion by Council Member Audrey Graham to approve the Fee Schedule Ordinance changing the appeal fees to \$100. Motion seconded by Council Member Jim Lewis carried 4 – 1 with Council Member McNeely opposed.

#### **Discussion and Consideration of Approving an Ordinance Changing Improvement Agreements and Financial Guarantees as an Amendment to the Grand County Land Use Code**

The ordinance has been before the Council in the past. The amendment strikes the letter of credit provision in the Land Use Code. No public comments were received. **MOTION:** Motion by Council Member Jim Lewis to approve the ordinance as submitted. Motion seconded by Council Member Audrey Graham carried 4 – 1 with Council Member McNeely opposed.

### **General Business- Action Items**

#### **Discussion and Consideration of Approving Membership in the Eastern Utah Television and Technology Association, Public Safety Communications Subgroup**

**MOTION:** Motion by Council Member Jim Lewis to approve submitting the application letter for membership in the association. Motion seconded by Council Member Jerry McNeely. Council Member Lewis noted that when the application is approved, the Council will adopt a resolution to include an Interlocal Agreement with the organization and appoint a Council Member to attend meetings. Motion carried 5 – 0.

#### **Discussion and Consideration of Approving Bids for the Purchase of Vehicles**

**MOTION:** Motion by Council Member Audrey Graham to approve the purchase of vehicles as recommended. Motion seconded by Council Member Jerry McNeely carried 5 – 0.

#### **Discussion and Consideration of Approval of a Standard Cooperative Agreement between Grand County and Utah State University Extension Educational Work**

**MOTION:** Motion by Council Member Jim Lewis to approve the agreement as presented and authorize the Chairman to execute the documents. Motion seconded by Council Member Patricia Holyoak carried 5 – 0.

#### **Discussion and Consideration of Approving a Proposed Resolution Amending the County Personnel Policy and Procedure Relating to Holiday Pay and Establishing On-Call Policy**

**MOTION:** Motion by Council Member Jerry McNeely to approve the resolution as presented and recommended by Pat Byrd. Motion seconded by Council Member Patricia Holyoak carried 5 – 0.

#### **Discussion and Consideration of Approving a Proposed Resolution Waiving Certain Activities and Events from Providing Insurance Certificates When Renting Grand County Facilities**

Grand County currently requires each user of facilities to purchase Tennant User Liability Insurance. There have been several times when small non-profit or family events such as weddings, film shows, etc. have not rented our facilities due to the cost of the TULIP insurance. Waiving TULIP insurance from Class I & II activities will allow smaller groups to be able to rent County facilities without paying the insurance premium. **MOTION:** Motion by Council Member Jim Lewis to approve the resolution waiving the items suggested in Class I & II activities. Motion seconded by Council Member Audrey Graham carried 5 – 0.

#### **Discussion and Consideration of Approving Appointments to the Grand County Airport Board**

The Airport Board has recommended the appointment of Jerry Walker and Craig Hauke each serving 4 year terms on the board. **MOTION:** Motion by Council Member Jim Lewis to approve the board appointments as recommended by the Airport Board. Motion seconded by Council Member Patricia Holyoak carried 5 – 0.

#### **Discussion and Consideration of Approving Appointments to the Grand County Historical Preservation Commission**

The resolution establishing the Grand County Historical Preservation Commission provides for five members. The Commission would like to increase the number of members to six with staggering terms. **MOTION:** Motion by Council Member Jim Lewis to approve appointment of the following board members: Bruce Louthan (1 year term), Dale Irish (3 year term), Bette Stanton (4 year term), Gloria Denney (2 year term), Sharyl Kinnear-Ferris (3 year term) and to delay the appointment of Vicki Barker (3 year term) until the resolution creating the Historical Preservation Commission is amended to increase board members to six. Motion seconded by Council Member Audrey Graham carried 5 – 0.

#### **Discussion and Consideration of Approving Grand County's Participation in the Funding (in the amount of \$5,000) for Green River Diversion Dam**

The Green River Diversion Dam was constructed in the early 1900's and is located about six miles upstream from the town of Green River. Present and future needs warrant the upgrade of the existing division structure. The Green River Cooperative is requesting funding from Grand County to help pay the estimated \$100,000 for a feasibility study. **MOTION:** Motion by Council Member Jerry McNeely to approve \$2,500 to help fund the study with the money coming from the Discretionary Funds Budget. Motion seconded by Council Member Jim Lewis carried 4 – 1 with Council Member Graham opposed.

### **Council Reports**

Council Member Graham announced that the CIB application for improvements on the old Senior Center has been cancelled. The Health Department will be researching other options for relocating their office.

Council Member Holyoak reported she will be traveling to Washington, D.C. next week to attend DOE meetings.

**MOTION:** Motion by Council Member Jim Lewis to adjourn at 8:35 p.m. Motion seconded by Council Member Jerry McNeely carried 5 – 0.

---

Gene Ciarus  
Grand Council Chairman

### **ATTEST:**

---

Diana Carroll  
Grand County Clerk/Auditor