

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

May 20, 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. Chairman Gene Ciarus called the Afternoon Session of the Council Meeting to order at 4:00 p.m. In attendance were Council Members Gene Ciarus, Jim Lewis, Patricia Holyoak, Jerry McNeely, Bob Greenberg and Audrey Graham along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Member Joette Langianese was absent.

Elected Official Reports

Update on the Resource Management Plan

At the request of Council Member Bob Greenberg, Council Member Jerry McNeely updated the Council on the Bureau of Land Management Resource Management Plan. Council Member McNeely has worked closely with the BLM throughout the long process of preparing the RMP. The committee working on the RMP has agreed on the trails and riparian areas to either include or take out of the plan. The BLM used the Grand County Road Department maps and transportation plans compiled by Dave Vaughn from the Road Department. The areas of concern of Council Members have been discussed with the committee.

Update on the Moab Tailing Project

Council Members Greenberg, Ciarus and Holyoak recently met with the Deputy Chief of Operations with the Department of Energy regarding the Atlas Tailings Pile project. The tailings removal transportation proposal will be forthcoming in the near future from DOE. Council members stressed the importance of safety to County residents and involving the public in the decision making process. The water pipeline from Green River to Crescent Junction is nearing completion.

Department Head Reports

Status Report on Good Touch Bad Touch Program; Presentation to Differentiate CJC from Family Support Center

The Children Justice Center Director Connie Haycock reported the progress made on the Good Touch Bad Touch Program funded by a one-time \$1,500 contribution from the County. The group of instructors included law enforcement from Moab City Police and Grand County Sheriff's Office and Seekhaven. The program will be funded next year by a grant from Seekhaven. Connie also explained the difference between the CJC and the Family Support Center. Three different agencies share the same building and all work with children. The CJC works with law enforcement to interview children only one time during criminal cases.

Update on the Pay for Performance Merit System

Council Administrator Shawn Warnke updated the Council on the progress of Pay for Performance. A recent meeting with Elected Officials and Department Heads was held and the majority of those in attendance voted to reassess the current level of Pay for the Performance program. Updating job descriptions and salary surveys will continue and a committee of volunteers made up of Department Heads and Elected Officials will meet to discuss the future of the program. The County Council pledged commitment to the program.

Agency Reports

Report on Proposed SITLA Expansion (1.5 Acres) of an Existing (5.1 Acres) Compressor Plant Site at Township 22 South, Range 18 East, Section 32

Bryan Torgerson from SITLA reported on an application to expand the size of the existing lease of land for a compressor plant from 1.5 acres to 5.1 acres. No other changes to the application will occur.

Action Items

Discussion and Consideration of Approving a Letter to Horrocks Engineering to Commence the Amendment of the Grand County Storm Drainage Master Plan

It was discussed that drainage might be part of the proposed transportation special service district. The Grand County Storm Drainage Master Plan will be paid for from the General Fund and is in the 2008 Budget. **MOTION:** Motion by Council Member Bob Greenberg to authorize the Chair to sign the letter to Horrocks Engineering to commence the updating the Grand County Storm Drainage Master Plan. Motion seconded by Council Member Jerry McNeely. Motion carried 6 – 0.

Discussion and Consideration of Awarding of Old Library Renovation Project Bid- Purchasing Policies Followed

The selection committee comprised of elected officials and Council staff members reviewed the five bids received and recommended awarding the contract to Guerrero Construction. The recommended bid was not the lowest bid received but was from a local contractor and within ten percent as allowed by the purchasing policy. **MOTION:** Motion by Council Member Jerry McNeely to award the contract to Guerrero Construction in an amount not to exceed \$206,746. The contract is to include performing the base remodel project along with replacing the roof, carpet and windows. Motion includes authorization for the Chair to sign the contract once the required bonding is in place. Motion seconded by Council Member Patricia Holyoak carried 6 – 0.

Discussion and Consideration of Approving a Clerical Position in the Clerk Auditor's Office

The Clerk/Auditor requested the item be removed from the agenda. **MOTION:** Motion by Council Member Jim Lewis to remove the item from the agenda. Motion seconded by Council Member Patricia Holyoak. Motion failed 2– 4 with Council Members Holyoak, Greenberg, Lewis and McNeely opposed. Council Administrator Shawn Warnke presented information to the Council regarding charging administrative fees to departments other than those funded by the General Fund and the budget impact. **MOTION:** Motion by Council Member Jerry McNeely to authorize hiring another person to assist the Clerk's Office as soon as possible. Motion seconded by Council Member Bob Greenberg. Council Member Greenberg requested an amendment to the motion to include the Clerk coming back to the Council with the actual cost of administering the other funds. Motion failed 3 – 3 with Council Members Lewis, Graham and Greenberg opposed. **MOTION:** Motion by Council Member Bob Greenberg to authorize the Clerk to hire an additional employee and to initiate a study of the actual administrative costs associated with the County funds other than the General Fund and to supply the information within 60 days. Motion seconded by Council Member Audrey Graham carried 5 – 1 with Council Member Lewis opposed.

Discussion and Consideration of Authorizing the Noticing to Create a Transportation Special Service District

Council Administrator Shawn Warnke informed the Council that in the opinion of the County Attorney the County can create a Special Service District and still keep the Road Department in place. The Special Service District would be independent of the County. The composition of the control board and the district boundaries would have to be defined. There are three other special service districts whose charter could be amended to include transportation. A lengthy discussion occurred and Council agreed that Shawn should work with the attorney to establish whether or not a special service district could be formed to purchase equipment.

Approval of Grand County Treasurer Recommended Property Tax Discrepancies

Grand County Treasurer Peggy Taylor presented parcels to be considered as Council cancellations of property taxes. **MOTION:** Motion by Council Member Audrey Graham to approve the Grand County Treasurer's recommended property tax discrepancies. Motion seconded by Council Member Patricia Holyoak carried 6 – 0.

Discussion Items

Discussion Regarding Proposed Amendments to the Grand County Personnel and Employee Manual Relating to Compensation (Pat Byrd)

HR Director Pat Byrd presented recommendations that would help clarify the compensation portion of the policy and procedures.

Discussion Regarding Amendments to Resolution No. 2806 Amending the Appointment Process for Boards and Commissions

Discussion occurred and the recommended changes and corrections will be made to the final draft resolution.

Recess until 7:00 p.m.

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, Greenberg, and McNeely with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Member Joette Langianese was absent. The Pledge of Allegiance was led by Mark Wright.

Approval of Minutes

MOTION: Motion by Council Member Jim Lewis to postpone approval of the minutes of the May 6, 2008 Council meeting. Motion seconded by Council Member Bob Greenberg carried 6 – 0.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$765,222.17. Accounts Payable check numbers 54595 – 54803 in the amount of \$636,252.37 and payroll in the amount of \$128,969.80. Motion seconded by Council Member Audrey Graham carried with a 6 – 0 roll call vote.

Citizens to be Heard

Bill Love spoke regarding increase activity in oil field exploration in the Grand County area.

Mary Wright expressed her concern regarding a denial of her garage building permit due to the recently adopted Land Use Code and requested Council direct Planning & Zoning issue the permit. Council will follow up with Mary.

Jim Farrell added comments regarding the garage building permit for Mary Wright. The site plan was approved in August, 2007 and should be considered prior to the new code adopted. The new Land Use Code has areas that need to be changed.

Howard Trendholm spoke regarding the proposed aquatic center and encouraged Council to keep the project moving.

Tom Lacy echoed Howard's request regarding aquatic center.

Wendy spoke in favor of the aquatic center and the benefits for the community.

Amy Walling wants to be able to swim all year long. Another person in the audience echoed Amy's comments.

Consent Agenda

Approval of a Task Agreement between the National Park Service and Grand County for Cleaning and Disposal of Vault Toilets at Potash Boat Ramp

Approval of a Letter of Support of the Southeastern Utah Association of Local Government's (SEUALG) CIB Application for a Grant of \$18,000 for the Purpose of Generating a Four County Transportation Mobility Management Study and Action Plan

Approval of a Letter to SITLA Regarding a Proposed Land Sale Adjacent to Sallies Hollow on the La Sal Mountains

Approval of a Reclassification for the RSVP/Facility Activities Coordinator

Approval of June 24, 2008 Primary Election Judges

MOTION: Motion by Council Member Bob Greenberg to approve the consent agenda with additions to the SITLA letter to include stronger language regarding public access to public lands. Motion seconded by Council Member Jerry McNeely carried 6 – 0.

Public Hearings

Public Hearing on a Conditional Use Permit, Sand and Gravel Extraction and Asphalt Plant

The application is submitted by Frehner Construction on behalf of the property owners William Hatfield and Sandra Silliman. The applicants propose the extraction of sand and gravel from a section of land approximately 1.8 miles north of Interstate 70 on Hastings Road. No comments were received. The public hearing will remain open for written comments until the next Council Meeting.

Public Hearing on a Plat Amendment of Plateau Estates Lot 5

The applicant is requesting approval of a 2-lot subdivision on Plateau Circle. The subject property consists of approximately 1.15 acres and is zoned Large Lot Residential (LLR). There were no public comments and staff answered questions from the Council regarding utility easements. The public hearing will remain open for written comments until the next Council Meeting.

General Business- Discussion & Action Items

Discussion and Consideration of Appointments to the Board of Adjustments (Krissie Killoy)

The Board of Adjustments met to interview applicants and recommended appointing Sena Hauer to fill a regular term position with the term of the position to expire December 31, 2008, James Hoffman to fill the first alternate position and Pete Peterson to fill the second alternate position. **MOTION:** Motion by Council Member Bob Greenberg to appoint Pete Peterson to the BOA. Motion seconded by Council Member Jerry McNeely carried 5 – 1 with Council Member Holyoak opposed.

Discussion and Consideration of Appointments to the Travel Council Advisory Board

A vacancy on the Travel Council Advisory Board occurred with the resignation of Robbie Levin. The Travel Council Board interviewed the applicants and recommended appointment of Brian Parkin to serve on the Moab Area Travel Council Advisory with the term expiring December 31, 2011.

MOTION: Motion by Council Member Jim Lewis to approve the appointment of Brian Parkin. Motion seconded by Council Member Bob Greenberg carried 6 – 0.

Discussion Regarding Roads that Cross Jurisdiction Boundaries Between Moab City and Grand County

Several roads were identified that cross jurisdiction boundaries and discussion occurred regarding Right of Way transfers.

Discussion and Consideration of Approval of a Resolution Reaffirming Sand Flats Road as a Class B Road Along with Declaring the Dimensions for Safe Travel and Contemplating a ROW Transfer Agreement

Moab City has received an application to annex a SITLA parcel commonly known as Lions Back. With the annexation, the Sand Flats Road will cross both Moab City and County boundaries. The

adoption of this resolution would reaffirm Sand Flats Road as a Class B Road, would declare the dimensions for safe travel and transfer the right of way agreement to Moab City. **MOTION:** Motion by Council Member Bob Greenberg to approve the resolution as submitted. Motion seconded by Council Member Jim Lewis carried 6 – 0.

Future Considerations

Council Member Lewis reminded residents to attend the Canyonlands Rodeo.

Adjourn

MOTION: Motion by Council Member Patricia Holyoak to adjourn. Motion seconded by Council Member Bob Greenberg carried 6 – 0.

Gene Ciarus
Grand Council Chairman

ATTEST:

Diana Carroll
Grand County Clerk/Auditor