

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

June 17, 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 3:00 p.m. In attendance were Council Members Gene Ciarus, Jim Lewis, Patricia Holyoak, Joette Langianese, Bob Greenberg and Audrey Graham along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Member Jerry McNeely was absent.

Agency Reports

A. Report on a Proposed Access Road Realignment for Agricultural Purposes on School Trust Lands to Provide Access to Coal Canyon (Bryan Torgerson, SITLA)

Green River Companies – petitioned SITLA for an easement across state land for expansion of their farming operations. Joette – will this become a county road – yes they will construct new road and turn over to county. Road Department is working with the property owner to negotiate the road requirements. This item will be on the next work session for discussion.

Presentations

Manti La Sal Travel Management Plan Update (Cathy Kay, Red Rock Forests Moab)

Cathy Kay, Red Rock Forests presented information to the County Council regarding the Manti La Sal Management Plan Update. The Red Rock Forest Group is working in conjunction with the Forest Service monitoring roads and restoration projects.

Action Items

Discussion and Consideration of Approving the FY2009 Annual Area Plan for Submission to the State Division of Substance Abuse & Mental Health (Jan Bodily, FCCBH)

MOTION: Motion by Council Member Jerry McNeely to approve the Fiscal Year 2009 Plan. Motion seconded by Council Member Bob Greenberg carried 7 – 0.

Discussion and Consideration of Approving a Resolution Proposing Amendments to the Grand County Personnel and Employee Manual Relating to Compensation (Pat Byrd)

MOTION: Motion by Council Member Bob Greenberg to postpone approving the resolution until the next Council work session. Motion seconded by Council Member Jerry McNeely carried 7 – 0.

EXECUTIVE SESSION

MOTION: Motion by Council Member Joette Langianese to enter into Executive Session for the purpose of discussing pending or reasonably imminent litigation at 4:05 p.m. Motion seconded by Council Member Jim Lewis carried 5 – 2 with Council Members Greenberg and Graham opposed. Present were Council Members Holyoak, Greenberg, Lewis, Langianese, Ciarus, McNeely and Graham along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. **MOTION:** Motion by Council Member Joette Langianese to end the Executive Session at 4:15 p.m. Motion seconded by Council Member Jerry McNeely carried 7 – 0.

Discussion of a Draft Fleet Policy for Grand County

Discussion occurred regarding a Fleet Policy for Grand County with further information to be presented at a future meeting. No action taken.

Discussion of a Draft Comprehensive Health and Safety Policy for Grand County

Discussion of a resolution amending Resolution No. 2579 which creates the Grand County Safety and Accident Review Committee along with establishing an Accident Review Policy. More information was requested and the resolution will be prepared for a future meeting. No action taken.

Discussion Regarding Formalizing the Moab Tailings Project Steering Committee through Resolution and Supporting the Committee in Joining the Energy Community Alliance

Council Member Joette Langianese requested a resolution be adopted to define the role of the Atlas Tailings Steering Committee. Currently the committee is an advisory board to make recommendations to the County Council. No action taken.

Recess at 5:30 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, Langianese, and McNeely with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. The Pledge of Allegiance was led by Bill Jackson.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$380,278.21 with accounts payable totaling \$253,405.82 check numbers 54939 – 55102 and payroll in the amount of \$126,872.39. Motion seconded by Council Member Bob Greenberg carried with a 7 – 0 roll call vote.

Consent Agenda

1. Approval of a Contract Renewal between Grand County Search and Rescue and JCI Billing Services
2. Ratification of the Interlocal Cooperative Agreement with Eastern Utah Television and Technology Association – Effective Date: January 10, 2008

MOTION: Motion by Council Member Joette Langianese to approve the items on the consent agenda. Motion seconded by Council Member Jim Lewis. The fiscal impact of the Interlocal Agreement will be \$2,000. Council Member Greenberg suggested the renewal of contracts go through the bid process and requested staff draft amendment to County Purchasing Policy for contract renewals. Motion carried 7 – 0.

Public Hearings

Public Hearing and Discussion and Consideration of Approving a Resolution for a Preliminary and Final Plat for CNHA Subdivision (Community Development Department)

This application is submitted by Tim Keogh, representative for the applicant Canyonlands Natural History Association (CNHA). The applicant is proposing to subdivide 2.4 acres of land into two commercial lots. The property is located at 3031 South Highway 191 and is zoned Rural Residential (RR). The application was reviewed by the Planning Commission beginning on February 14, 2007 with the final public hearing on May 14, 2008. The Planning Commission recommended approval of the preliminary and final plat combined without conditions.

There were no comments from the public. Chairman Ciarus closed the Public Hearing at 7:15 p.m.

MOTION: Motion by Council Member Joette Langianese to approve the CNHA Preliminary and Final plat. Motion seconded by Council Member Jerry McNeely. Normally the Council does not take action

on public hearing items but due to the item being mistakenly left of the last agenda action was taken. Motion carried 7 – 0.

General Business- Action Items

Discussion and Consideration of Awarding a Parental Defender Attorney Contract

The Parental Defender Attorney Contract will amount to a base rate of \$33,000 per year (\$2,750/month) with \$7,000 set aside for appeal work. **MOTION:** Motion by Council Member Bob Greenberg to award the contract to Joyce Guymon Smith in the amount of \$2,750/month for base service, \$7,000 for appeals and \$1,000 for office supplies. The motion also authorizes the Council Chair to sign all associated documents. Motion seconded by Council Member Audrey Graham. Council Administrator Shawn Warnke stated that the money to pay for the Parental Defender Attorney will come from fund balance for 2009. Motion carried 7 – 0.

Discussion and Consideration of Amending the Public Defender Attorney Contract

Council Administrator Shawn Warnke has not had the opportunity to meet with Andrew Fitzgerald but will meet with him on July 1, 2008. **MOTION:** Motion by Council Member Joette Langianese to postpone approving the contract until final negotiation is made with the Public Defender. Motion seconded by Council Member Patricia Holoyak carried 7 – 0.

Discussion and Consideration of Appointing a City Representative Nominated by Moab City to the Airport Board

The Airport Board recently amended their bylaws and requested an appointed representative from the Travel Council and Moab City. The Moab City appointment to the Airport Board was Mayor Dave Sakrison. **MOTION:** Motion by Council Member Bob Greenberg to approve the appointment of Mayor Dave Sakrison. Motion seconded by Council Member Audrey Graham. Council Member Greenberg amended his motion to include that the appointment is until whichever comes first, the Mayors term ends or 2011. Council Member Graham agreed and motion carried 7 – 0.

Discussion and Consideration of Approving an Interlocal Agreement for Cooperative Maintenance of Castle Valley Drive Between the Town of Castle Valley and Grand County

MOTION: Motion by Council Member Jerry McNeely to approve the ILA with Castle Valley. Motion seconded by Council Member Audrey Graham carried 7 – 0.

Discussion and Consideration of the Annual Statement of Compliance for the Conditional Use Permit for the Moab Tailings Project and a Letter to the Department of Energy

On July 18, 2006 Grand County Council approved a Conditional Use Permit for the Moab Uranium Mill Tailings Remediation Action (UMTRA) which required an annual statement of compliance. **MOTION:** Motion by Council Member Joette Langianese to approve sending a letter to the Department of Energy requesting an annual statement of compliance including both minimum reporting requirements and compliance specific questions as defined by the Moab Tailings Project Steering Committee to include the lighting plan change. Motion seconded by Council Member Bob Greenberg carried 7 – 0.

Discussion and Consideration of Amending a Resolution No. 2808 a Resolution of Grand County Council Allocating Mineral Lease Funds for 2008

Resolution 2808 was adopted with the intention of developing a Transportation District. That has not happened and the 2008 Mineral Lease funds need to be reallocated. **MOTION:** Motion by Council Member Bob Greenberg to leave the PILT at 52% going to Grand County School District and 48% to the Recreation District and allocated the Mineral Lease funds with 50% up to \$250,000 allocated to the Hospital District and 50% up to \$200,000 to Grand County Solid Waste District. Motion seconded by Council Member Jim Lewis carried 6 – 1 with Council Member McNeely opposed.

General Council Reports

Update on the Solid Waste District Study on Solid Waste Handling in Grand County

Council Member Audrey Graham reported on a study recently completed by the Grand County Solid Waste Special Service District. It was determined that GCSWSSD can operate both landfills with the help of Mineral Lease money. Without that money the Moab Landfill would have to close. Grand County generates 20% more waste than the national average. The study showed that recycling costs to the community is \$20 per ton compared to land fill costs at \$29 per ton.

Future Considerations (Time Permitting)

Status of Grand County Contribution Agreement with the Canyonlands Health Care Special Service District for the Revenue Bond

Council Administrator Shawn Warnke is working with the County Attorney and will provide and update soon.

Council Member Patricia Holyoak reported that the 500 West areas have a large amount of mosquitoes. They are not infected with West Nile and MMAD is working on control.

Ken Ballantyne spoke from the audience and encouraged Council Members to set a date on the Contribution Agreement for the Long Term Care Facility.

The meeting was adjourned at 8:15 p.m. by acclamation.

Gene Ciarus
Grand Council Chairman

ATTEST:

Diana Carroll
Grand County Clerk/Auditor