

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

September 16, 2008

The Grand County Council met in regular session 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 3:05 p.m. In attendance were Council Members Gene Ciarus, Joette Langianese, Jim Lewis, Audrey Graham, and Patricia Holyoak along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Members Jerry McNeely and Bob Greenberg were absent.

Elected Official Reports

Presentation on Establishing an Addressing Grid for the Thompson Springs Area (Recorder's Office)

Chief Deputy Recorder Vauna Randall presented a proposed addressing grid for the Thompson Springs area based on a 660 grid system. The grid system will be presented to Thompson Springs residents at a public meeting for their input.

Department Head Reports

Agency Reports

Report on a Proposed Access Road to Service the Proposed State 2-23, the State 16-23 and the Federal 23-23 Wells Near the Utah Launch Complex / White Sands Missile Range (Bryan Torgerson, SITLA)

SITLA received application to construct, operate, repair and maintain an access road. The access road would be new construction and would service the proposed State 2-23, the State 16-23, and Federal 23-23 wells. The proposed easement corridor is approximately 8,152 feet long and 30 feet wide, containing 5.62 acres more or less. The term of the easement would be 20 years. Road Department Supervisor Bill Jackson stated that he would like to discuss the possibility of creating road agreements with oil and gas companies.

Council Member McNeely arrived at this time 4:30 p.m.

Report on a Proposal to Remove Pinyon and Juniper which have Encroached into Open Flats at Cherry Mesa (Bryan Torgerson, SITLA)

The Division of Wildlife Resources has proposed to remove pinyon and juniper trees which have encroached into open flats to improve wildlife habitation. This area is the site of an old chaining. Pinyon and juniper trees will be mechanically removed using a rubber-tired bullhog machine. The trees will be shredded and the material left on the site.

Report on a Proposal to Cut Down Pinyon and Juniper Trees which have Encroached into Sagebrush and Grass Openings at Three Pines (Bryan Torgerson, SITLA)

The Division of Wildlife Resources has proposed to cut down pinyon and juniper trees which have encroached into sagebrush and grass openings for wildlife habitation improvement. Approximately 1,880 acres will be treated. All cuttings will be done by hand equipment. No roads or trails will be made to access the areas. The trees will be left where they fall. No ground disturbance is anticipated. The intent of the project is to enhance and protect sage grouse nesting and brood rearing habitats.

Presentations

Presentation of the 2007 Grand County Audit (Greg Marsing, Smuin, Rich & Marsing)

Greg Marsing presented the financial report for Grand County and reported that the County is in good financial condition. Greg cautioned Council Members of the need to make certain the Municipal Building Authority loans have a revenue streams throughout the length of the loan.

Consent Agenda

1. Approval of the 1st Amendment to the Castle Valley Road Agreement

MOTION: Motion by Council Member Audrey Graham to approve the consent agenda. Motion seconded by Council Member Patricia Holyoak carried 6 – 0.

Action Items

Approval of the Hearing Officer's Recommendation pertaining to the Board of Equalization

MOTION: Motion by Council Member Joette Langianese to approve the recommendations to decrease the market value by \$2,513,483 as recommended by the Hearing Officer. Motion seconded by Council Member Patricia Holyoak carried 5 – 1 with Council Member Audrey Graham opposed.

MOTION: Motion by Council Member Jim Lewis to approve the Board of Equalization pertaining to abatement totals as listed by the Grand County Treasurer except to only allow \$816 abatement to the McDougald property. Motion seconded by Council Member Joette Langianese failed 3 – 3 with Council Members Ciarus, Lewis and Langianese opposed.

MOTION: Motion by Council Member Jim Lewis to approve the abatements as stated but allow Alcorn and Keogh to apply in the next round of Board of Equalization. Motion recalled.

MOTION: Motion by Council Member Audrey Graham to approve the abatements and credits as presented giving the exception to Alcorn and Keogh and only allow McDougald to \$816. Motion seconded by Council Member Patricia Holyoak failed 3 – 2 with Council Members Ciarus and Langianese opposed and McNeely abstained.

MOTION: Motion by Council Member Jim Lewis to postpone the abatement and credit approval and reconsider at the next meeting. Motion seconded by Council Member Graham carried 5 – 1 with Council Member Langianese opposed.

Discussion and Consideration of Approving the 1st Addendum to the Interlocal Agreement Establishing a Film Commission between Grand County and Moab City to Allow for the Purchase a Projector (Shawn Warnke)

MOTION: Motion by Council Member Jerry McNeely to approve the amendment to the Interlocal Agreement establishing a Film Commission between Grand County and Moab City to allow the purchase of a projector for Star Hall with the funds coming from Restaurant Taxes. Motion seconded by Council Member Audrey Graham carried 4 – 2 with Council Members Ciarus and Langianese opposed. The Travel Council has been notified and agrees with the funding source.

Discussion Items

Continued Discussion of Either Expanding or Creating a Special Service District (Shawn Warnke)

Council Administrator Shawn Warnke was given direction to move forward researching the options regarding expanding or creating a special service district.

Discussion Regarding the Grand County Recreation Special Service District #1 Request to Develop Park Space at the Old Spanish Trail Arena (County Staff & Recreation District Representatives)

The Recreation District asked this item to be postponed.

Discussion and Prioritization of a Proposed List of County Capital Improvements for Application to the Permanent Community Impact Fund Board (CIB) (Shawn Warnke)

The items on the list were discussed prior to the evening session public hearing.

MOTION: Motion by Council Member Joette Langianese to amend the agenda to move items below to end of agenda. Motion seconded by Council Member Patricia Holyoak carried 6 – 0.

Discussion of Calendar Items and Public Notices (Ruth Dillon & Shawn Warnke)

Discussion of Evening Session Items (Shawn Warnke)

Recess

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

Approval of Minutes

MOTION: Motion by Council Member Audrey Graham to approve minutes of the September 2, 2008 Council Meeting with suggested changes. Motion seconded by Council Member Jerry McNeely carried 5 in favor with Council Member Holyoak abstained.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$542,494.76. Accounts payable check numbers 56141 – 56327 totaling \$411,024.49 and payroll in the amount of \$131,470.27. Motion seconded by Council Member Jim Lewis carried with a 6 – 0 roll call vote.

Citizens to Be Heard

Sarah Fields spoke regarding a nuclear power plant in the Green River of Emery County.

Public Hearings

Public Hearing Regarding a Proposed Ordinance Amending Resolution No. 2621 Establishing a Boundary Commission (Shawn Warnke)

Council Administrator Shawn Warnke reported that the Boundary Commission was established by the county council and a Public Hearing is required to amend the resolution. There were no comments but the Council will continue to receive written comments until October 1, 2008.

Public Hearing Regarding a Proposed List of County Capital Improvements for Application to the Permanent Community Impact Fund Board (CIB) (Shawn Warnke)

Aaron Davies – Council person from the Town of Castle Valley requested the Castle Valley drainage project be increased to a priority A.

Michael Bryant spoke as an employee of CIB and noted that when the Council prioritized the list that it must look at the list as County wide. Grand County has received a little over \$10 million dollars in CIB funds and has imputed \$12 million. Most Utah counties are getting more in CIB funds than they put in. Most interest bearing loans are funded while grants are going un-funded.

Jim Webster – Grand County School Board Member – requested the School District project put on the “A” priority list.

The public hearing closed but written comments will be received until October 1, 2008.

General Business- Action Items

Discussion and Consideration of Approving a List of Alternate Counsel for Public Defenders and Appeal Counsel and Authorizing the Chair to Sign all Associated Documents (Shawn Warnke)

MOTION: Motion by Council Member Joette Langianese to approve the list of public defenders as submitted. Motion seconded by Council Member Jerry McNeely carried 6 – 0.

General Council Reports

Council Member Lewis reported that he will not be able to attend the Travel Council. Council Member Ciarus will attend in his absence.

Council Member Langianese reported the Moab Tailings Steering Committee will be on September 23, 2008. The request for qualifications for the long term care facility is currently being advertised. Council Members Langianese, Graham and Ciarus will meet Wednesday at 2:00 p.m. to work on the Administrator's evaluation. Council Member Langianese will not attend the next two meetings.

Council Members expressed concern about Council Member Greenberg sending letters out on official County letterhead.

Council Member Langianese requested that we begin working on Ordinance 422 regarding the criteria for residential property.

Council Chairman Ciarus adjourned the meeting at 8:05 p.m.

Grand County Council

Gene Ciarus, Chairman

ATTEST:

Grand County Clerk/Auditor
Diana Carroll