

**GRAND COUNTY COUNCIL
REGULAR MEETING**

October 21, 2008

The Grand County Council met on the above date in the Council Chambers of the Moab City Hall located at 217 East 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, Jerry McNeely, Bob Greenberg and Audrey Graham along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Member Joette Langianese was absent.

Agency Reports

Report on Porcupine Ranch Fire Rehabilitation on State Trust Lands

Bryan Torgersen reported that SITLA, in cooperation with the Utah Division of Wildlife Resources and Forestry, Fire & State Lands, propose to seed approximately 16 acres of trust land that was burned in the 2008 Porcupine Ranch Wildfire. The proposal includes seeding and harrowing the 16 acres with native and introduced grass, forb, and browse species.

Presentations

Presentation of a Report on Western Counties Alliance (Ken Brown & Mark Walsh, Western Counties Alliance)

Council Member Jerry McNeely reported that the Western Counties Alliance is a lobbying group and will be requesting Grand County help fund their efforts. At 3:45 p.m. Mark Walsh and Ken Brown arrived and explained progress the Western Counties Alliance has made recently regarding full funding of PILT. The group has been organized for 3 years and they work with members of the House to address issues around the State. The first project accomplished by the group was full funding of PILT. Western Counties Alliance worked with Senator Reed lobbying to change the formula used to calculate PILT payments. Full funding of PILT will mean an increase to Grand County's 2008 payment in the amount of \$396,988. The amount received will continue to increase by 3 – 4 percent until 2012. Another increase to Grand County will be the Secure Rural School payments for FY 2008 – 2011. The SRS funds for Grand County will increase from \$3,553 to \$86,050 for 2008. The SRS money can only be used for roads and schools.

Presentation of a Proposed Financial Plan by Canyonlands Health Care Special Service District (CHCSSD) as a Part of Their Application to the Permanent Community Impact Fund Board (CIB)

Joey Allred, Canyonlands Health Care Special Service District Chairman updated the Council on the progress of the CIB application. The application will be presented to CIB in either November or December.

Report on the Housing Authority of Southeastern Utah (Karena Gholson, Housing Authority of Southeastern Utah & Council Member Graham)

Karena Gholson, Executive Director of the Housing Authority of Southeastern Utah, gave an update on the programs established and in progress to assist households in Grand County. The Affordable Housing Plan will be introduced to the public on October 28, 2008 with a community workshop held November 12 at the Grand Center to receive input from the public.

Consent Agenda

- E. Ratification of a Letter Sent to SITLA Regarding the Cisco Block Agricultural Lease Proposal
- F. Approval of a Draft Letter to the Mayor of Moab City and of the Town of Castle Valley Regarding the Convening of the Municipal Selection Committee in the Formation of the Boundary Commission
- G. Approval of a Draft Letter to the Public Defender and to the Parental Defender Requesting their Semi-Annual Caseload Report

- H. Approval of the Noticing and Publication of a Request for Qualifications for Airport Consultants to Provide Professional Airport Engineering Services for the Canyonlands Field Airport
- I. Approval of the Council Chair's Signature on the Roger-Schmidt Minor Record of Survey Plat
- J. Approval of Election Judges for the 2008 Election
- K. Approval of a Contract Amendment to Construct and Install a Locator Board Adjacent to Star Hall

MOTION: Motion by Council Member Bob Greenberg to approve the Consent Agenda without Item J and with Item K subject to the approval of the Chair of the Star Hall Committee. Motion seconded by Council Member Audrey Graham carried 6 – 0.

Action Items

Discussion and Consideration of Approving a Road Agreement between the Department of Energy

and Grand County

Grand County Road Department Supervisor Bill Jackson presented and requested approval of an agreement with the Department of Energy to allow for moving mill tailings on the section of road near the intersection of 191 and CR175 (the old Highway 6 & 50). The road will be graveled and will remain on the B Road Inventory but will be maintained and upgraded as needed by the DOE.

MOTION: Motion by Council Member Jerry McNeely to approve the agreement as submitted. Motion seconded by Council Member Patricia Holyoak carried 6 – 0.

Discussion and Consideration of Approving Disposal of Surplus Vehicles by Minimum-Bid Auction

Grand County Fleet Manager Glen Arthur presented a list of eight vehicles and one diesel engine and recommended they be declared surplus property. Historically the County had a public auction and would normally sell the vehicles for a minimal amount. Glen recommended advertising for sealed bids with minimum bid amounts posted. **MOTION:** Motion by Council Member Jim Lewis to declare the recommended items surplus property. Motion seconded by Council Member Jerry McNeely carried 6 – 0.

Discussion and Consideration of Approving Amendment 4 of the Cooperative Management Agreement Between Grand County and BLM Providing Office Space for the Sand Flats Recreation Area (Andrea Brand)

MOTION: Motion by Council Member Audrey Graham to approve the amendment to the Cooperative Management Agreement. Motion seconded by Council Member Patricia Holyoak seconded carried 6 – 0.

Discussion Items

Discussion Regarding a Proposed Resolution Establishing the Sand Flats Stewardship Committee (Shawn Warnke & Andrea Brand)

MOTION: Motion by Council Member Bob Greenberg to table this item until the next meeting. Motion seconded by Council Member Audrey Graham carried 6 – 0. Council Members had questions and no one was there to answer them.

Discussion Regarding a Request by Grand County Recreation Special Service District #1 (GCRSSD) to Develop Park Space at the Old Spanish Trail Arena

Mike Steel, GCRSSD Chair, updated the Council on the projects they are currently working on. They are ready to move forward to develop the south end of the Old Spanish Trail Arena property. GCRSSD has met with the County Engineer, Road Supervisor and Council Administrator and will work jointly to get the work done. The ILA with Moab City regarding the pool project is ready to be signed by both parties.

Discussion on Amendments to Resolution No. 2839 Regarding the Policies and Procedures of the Governing Body

Council Administrator Shawn Warnke reported that Council Member Bob Greenberg requested an action item on the agenda to amend the Policies and Procedures to provide better access to the public for agenda packet information. Council Member Greenberg requested the amendment be on the next agenda for action. Council Chair Gene Ciarus cautioned the possibility of distributing wrong or protected legal information to the public.

Discussion Regarding Grand County Submitting a Community Impact Fund Board (CIB) Application to Fund a Facility for the Southeastern Utah District Health Department

The Health Department is requesting the County prepare the application to CIB. Council Chair Ciarus will meet with the Council Administrator to discuss the County's options.

Recess at 5:25 p.m.

The evening session of the Council Meeting was called to order at 7:00 p.m. by Chairman Gene Ciarus at the Grand County Council Chambers, 125 East Center Street, Moab, Utah. Present were Council Members Gene Ciarus, Bob Greenberg, Patricia Holyoak, Audrey Graham, Jerry McNeely, and Jim Lewis with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Member Joette Langianese was absent. The Pledge of Allegiance was led by Chairman Jim Lewis.

Approval of Minutes

MOTION: Motion by Council Member Bob Greenberg to table minutes of the October 7, 2008 Council Meeting. Motion seconded by Council Member Audrey Graham 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 \$893,499.81. Accounts payable check numbers 56490 – 56793 totaling \$762,688.40 and payroll in the amount of \$130,811.41. Diana Carroll reported that all bills were within approved budget amounts. Motion seconded by Council Member Jim Lewis carried with a 6 – 0 roll call vote.

Citizens to Be Heard

Barb Morra – spoke via telephone in favor of county packets available to the public.

Presentations

Announcement Regarding Funding of the SR-128 Bike/Pedestrian Project

Kimberly Schappert, Moab Trails Alliance, announced that Grand County was awarded a grant for funding of the SR-128 Bike/Pedestrian project.

Presentation Regarding Drug Court Funding Request (Jan Bodily, Four Corners Community Behavioral Health)

FCCBH is requesting additional funding to support the continuation of the Grand County Drug Court program. Previously the Drug Court was funded with a federal grant which has ended. The funding from the State was recently cut by 33%. Several members of the audience spoke in favor of the Drug Court program as did Council Members McNeely and Greenberg.

General Business- Action Items

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

MOTION: Motion by Council Member Jim Lewis to approve the appointment of Leigh Grench and Joseph Tuomey to the Grand County Historic Preservation Commission. Motion seconded by Council Member Patricia Holyoak carried 6 – 0.

Discussion and Consideration of Approving the Ancient Acres PUD Preliminary Plat Extension

Community Development Staff reported that there is no evidence of a lack of diligence in completing the project as planned and approved, the applicant is researching funding for the final plat improvements. Under these circumstances, staff takes no exception to granting a 12-month

extension of the Ancient Acres PUD Preliminary Plat. **MOTION:** Motion by Council Member Audrey to approve the resolution because the applicant's proposal sets aside 63% open space, protects important riparian area, oak grove, artesian spring and historic abode and open space. After Council discussion Council Member Graham withdrew her motion. **MOTION:** Motion by Council Member Jim Lewis to postpone until the next meeting to look at a revised resolution and staff report. Motion seconded by Council Member Bob Greenberg. Council Member McNeely expressed concern over trusting the Planning staff ability. Motion carried 4 – 2 with Council Members McNeely and Holyoak opposed.

Discussion and Consideration of a Proposed Amendment to the Land Use Code Section 8.2 for the Addition of Two Alternate Members to the Board of Adjustment (Community Development Representative)

MOTION: Motion by Council Member Bob Greenberg to approve the amendment to the Land Use Code Section 8.2 to add two members to Board of Adjustments. Motion seconded by Council member Audrey Graham carried 6 – 0.

Discussion and Consideration of a Proposed Amendment to the Land Use Code Regarding a New Section for Evaporation Pond Facilities for Produced Water Disposal Standards (Community Development Representative)

MOTION: Motion by Council Member Bob Greenberg to postpone the agenda item until the next meeting. Motion seconded by Council Member Audrey Graham. Council Member Lewis asked that staff provide detailed information on several issues including: proposed emission limits and proposed disposal fees. Motion carried 5 – 1 with Council Member McNeely opposed.

Discussion and Consideration of Appointing the Second of Two County Officers as a Member/County Representative of the Local Boundary Commission (Shawn Warnke)

MOTION: Motion by Council Member Bob Greenberg to approve appointment of Merlene Dalton to serve on Boundary Commission. Motion seconded by Council Member Jerry McNeely carried 6 – 0.

From the afternoon Consent Agenda – Approval of Election Judges. **MOTION:** Motion by Council Member Jim Lewis to approve the November 4, 2008 Election Judges as presented. Motion seconded by Council Member Bob Greenberg carried 6 – 0.

General Council Reports

Council Member Holyoak – attended the HEAT meeting. The CEU Board of Trustees does not have a Grand County representative. Pat recommended sending a letter to Governor Huntsman recommending Joe Kingsley be appointed as the Grand County Representative. Pat will work with Shawn to draft a letter for the next Council meeting consent agenda. Mr. Joe Kingsley would be honored to serve on the board to represent Grand County.

Council Member Greenberg requested a system for collecting written comments be created.

Adjourn at 8:58 p.m.

Grand County Council

Gene Ciarus, Chairman

ATTEST:

Grand County Clerk/Auditor
Diana Carroll