

**GRAND COUNTY COUNCIL  
Grand County Council Chambers  
125 East Center Street, Moab, Utah**

**April 21, 2009**

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 Bob Greenberg called the Afternoon Session of the Council Meeting to order at 3:00 p.m. In attendance were Council Members Bob Greenberg, Audrey Graham, Ken Ballantyne, Patricia Holyoak, Chris Conrad and Chris Baird along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll.

**Elected Official Reports**

Sheriff Jim Nyland reported that the Easter Jeep Safari event was successful with very few incidents. Sheriff staff members did back country patrol and trail head patrol for BLM Rangers.

**Department Head Reports**

**A. 2008 Road Department Report (Bill Jackson)**

Grand County Road Supervisor Bill Jackson reported to the Council on projects completed in 2008 and those planned for 2009. Council Member Graham thanked Bill and his Department for work done recently at Sand Flats Recreation Area. Council Member Baird requested a priority list of upcoming projects.

**Action Items**

**B. Discussion and Consideration of Proposed Amendments to Resolution No. 2839 Regarding the Policies and Procedures of the Governing Body (Chair Greenberg)**

**MOTION:** Motion by Council Member Chris Baird to change the procedure of the Council Meeting regarding Citizens to be Heard to allow them to speak to any item whether or not it is on the agenda. Motion seconded by Council Member Audrey Graham. Council Member Baird feels that if someone comes to the meeting they should be allowed to be heard without being interrupted or intimidated. Council Chairman Greenberg noted that the Council must conduct public business in an organized manner. Motion failed 3 – 4 with Council Members Conrad, Greenberg, Ballantyne and Ciarus opposed.

**MOTION:** Motion by Council Member Chris Baird to add “the Council Administrator shall make a copy of the Council meeting packet available to the press and the public at the Grand County Public Library. Motion seconded by Council Member Chris Conrad. Council Member Baird believes in making the public’s information available to them. Council Member Holyoak has no objection to making the packet available at the Courthouse but not at the Library. **MOTION:** Motion by Council Member Patricia Holyoak to amend the motion to reflect her comment regarding packets available at the Courthouse only. Motion seconded by Council Member Ken Ballantyne carried 6 -1 with Council Member Conrad opposed. **AMENDED MOTION:** Motion by Council Member Chris Baird to add the Library to the location of the packets. Motion seconded by Council Member Audrey Graham carried 4 -3 with Council Members Ciarus, Holyoak and Ballantyne opposed. The main motion to have the packet at Council office and the library carried 4 – 2 with Council Members Ciarus and Ballantyne opposed.

The remaining amendments will be postponed until time permits at another meeting.

**Discussion Items**

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

**D. Discussion of Evening Session Items (Shawn Warnke)**

**Consent Agenda- Action Items**

- E. Ratification of the Request for Bids and Noticing for Improvements to Canyonlands Field
- F. Approval of a Draft Letter to the Utah Division of Finance Directing the Manager of Accounting Operations to Distribute SRS Funds to the Grand County Transportation Special Service District

- G. Approval of a Draft Letter of Support to Rural Development for a Water Line Replacement in Thompson, Utah on Behalf of the Thompson Special Service District (Water)
- H. Approval of a Draft Letter Re-confirming Use of the Lions Back Land for the Fourth of July Fireworks Display
- I. Approval of a Draft Amendment to the Public Defender Contract between Andrew Fitzgerald and Grand County
- J. Approval of a Draft Amendment to the Parental Defender Contract between Joyce Guymon Smith and Grand County
- K. Approval of the Chair's Signature on the Utah Weed Supervisor's Association Grant Request Form for 2009

**MOTION:** Motion by Council Member Chris Conrad to approve the Consent Agenda. Motion seconded by Council Member Patricia Holyoak. **MOTION AMENDED** to acknowledge permission to use the fireworks property. Motion carried 7 – 0

**Recess at 4:45**

The evening session of the Council Meeting was called to order at 7:00 p.m. by Chairman Bob Greenberg. Present were Council Members Gene Ciarus, Bob Greenberg, Patricia Holyoak, Audrey Graham, Ken Ballantyne, Chris Baird and Chris Conrad with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. The Pledge of Allegiance was led by Frank Darcey.

**Approval of Minutes**

- 1. **March 31, 2009**
- 2. **April 7, 2009**

**MOTION:** Motion by Council Member Chris Conrad to postpone approval of minutes. Motion seconded by Council Member Chris Baird carried 7 – 0.

**Approval of Payment of Bills**

**MOTION:** Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$613,188.71. Accounts payable check numbers 59097 – 59329 totaling \$470,667.70 and payroll in the amount of \$142,521.01 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Gene Ciarus carried with a 7 – 0 roll call.

**Citizens to Be Heard**

Sarah Melnicoff spoke regarding Earth Day and renewed her request made 4 years ago to find someone from the Council to host a monthly meeting to meet with interested citizens with questions.

Kristie Williams spoke in favor of re-opening Matrimony Springs and requested a sign be put up at the spring.

Chairman Greenberg reported that the Council is aware of the number of citizens who want to use Matrimony Spring, unfortunately since it is a public drinking system, Grand County cannot legally open it. The County will be working with the contractor on the Colorado River Bridge project to get potable water available to the public.

**Presentations**

**3. Presentation on Proposed Shooting Range (Frank Darcey III, Moab Sportsmen's Club)**

Frank Darcey, President of Moab Sportsmen's Club, presented the proposed shooting range project. The proposed location is on BLM land which would be deeded to the county for Recreation and Public Purposes (RPP). Once the project is approved by the Planning Commission the BLM RPP process would move forward.

**Public Hearings- Possible Action Items**

**4. Public Hearing on Substance Abuse and Mental Health Needs (Jan Bodily, Executive Director - Four Corners Community Behavioral Health)**

Grand County Council, as the local authority over substance abuse and mental health for Grand County, is required to hold a public hearing to receive citizen input regarding the mental health and substance abuse for

Grand County. Four Corners Community Behavioral Health facilitates organizing and scheduling of the Public Hearing.

Luke Sultain recently moved to Moab from Phoenix and spoke in favor of mental health in small towns.

Tyron Wilson has been a member of Interact for nine years and benefits personally from the association.

Melanie Dolphin and Carloyn spoke in favor of Four Corners and the Drug Court Program.

Ron Butterfield spoke in favor of Four Corners Mental Health as they help deal with issues when you have nowhere else to go.

Troy Williams spoke as a client of Interact and a resident of The Willows who has had problems with mental health and drugs.

The public hearing was closed at 7:45 p.m. Grand County Council will continue to receive written comments.

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

#### **5. Discussion and Re-Consideration of Sponsorship of Legislators Reception in Conjunction with the Tailings Haul Ribbon-Cutting Ceremony (Chair Greenberg)**

Chairman Greenberg reported that none of the delegation will be coming, just staff members only. Moab City is sponsoring lunch at Dead Horse Point. **MOTION:** Motion by Council Member Gene Ciarus to sponsor a light luncheon reception with drinks and light refreshments. Motion seconded by Council Member Patricia Holyoak. The reception will be held at the Grand Center from 5:00 – 7:00 p.m. Motion carried 7 – 0. Grand County Attorney Happy Morgan requested the Council talk to delegation about monitoring Danish Flats and Harley Dome.

#### **6. Discussion and Consideration of Location(s) for Council Meetings during Courthouse Carpet Installation (June 2 & 16, July 7 & 21, September 15) (Shawn Warnke)**

**MOTION:** Motion by Council Member Chris Conrad to relocated the meetings affected by the carpet installation to the Grand Center as needed. Motion seconded by Council Member Chris Baird carried 7 – 0.

#### **7. Discussion and Consideration of Authorization of Applications for Funding Under the 2009 Reauthorized Transportation Bill (TEA-4 -Transportation Equity Act) (Council Member Baird & Mark Wright)**

**MOTION:** Motion by Council Member Ken Ballantyne to approve the authorization of applications for funding under the 2009 reauthorized transportation bill (TEA-4 Transportation Equity Act) and authorize the chair to sign the necessary documents. Motion seconded by Council Member Audrey Graham carried 7 – 0.

### **General Council Reports**

Council Member Holyoak attended meetings of the Cemetery Board and the Chamber of Commerce.

Council Member Ciarus went to the UAC Management Conference, attended the Utah Association of Local Governments meeting and met with the television group.

Council Member Baird did not attend the Recreation District and GWSSA meetings but reported that the Recreation Board is taking a close look at their money. GWSSA will be preparing for water restrictions.

Council Member Conrad reported that he was impressed with the control of the jeep safari and that he has heard from many citizens regarding Matrimony Springs.

Council Chairman Greenberg reported that the Solid Waste District is sponsoring a trip to tour a recycling facility in Boulder, Colorado. The Travel Council will be marketing a city in California.

Council Member Graham attended the Transportation Special Service District meeting. John Hartley was elected as Chairman and Audrey Graham Vice – Chair. The District will meet at the Library the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month. A Proclamation declaring National County Government Week will be presented for consideration at the joint city/county meeting Friday.

**Future Considerations**

- 8. Grand County Economic Dashboard (Chair Greenberg)
- 9. Joint City-County Meeting (Chair Greenberg)

Council Member Graham requested the Clerk and Attorney follow-up on the GRAMA discussion. The public is asking for ordinance enforcement.

**Closed Session(s) if necessary**

**MOTION:** Motion by Council Member Patricia Holyoak to enter into closed session at 8:33 p.m. to discuss pending litigation. Motion seconded by Council Member Audrey Graham carried 7 – 0. Present were Council Members Greenberg, Graham, Ballantyne, Conrad, Baird, Ciarus and Holyoak along with Council Administrator Shawn Warnke, County Attorney Happy Morgan and Clerk/Auditor Diana Carroll. **MOTION:** Motion by Council Member Gene Ciarus to end the closed session at 8:47 p.m. Motion seconded by Council Member Chris Conrad carried 7 – 0.

**Adjourn**

**MOTION:** Motion by Council Member Audrey Graham to adjourn at 8:48 p.m. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

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Bob Greenberg  
Grand County Council Chairman

ATTEST:

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Diana Carroll  
Grand County Clerk/Auditor