

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

May 5, 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, Gene Ciarus and Chris Baird along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll.

Department Head Reports

A. Process and Status of Increasing Fees at the Sand Flats Recreation Area (Andrea Brand)

Andrea Brand, Director of Sand Flat Recreation Area reported that the last fee increase for day use was in 1998. The Steering Committee will meet to prepare a final recommendation for Council consideration at the next meeting.

B. State of Utah Outstanding Library for 2009 Award (Carrie Valdes)

Council Chairman Bob Greenberg congratulated Grand County Library Director Carrie Valdes who recently accepted an award for 2009 State of Utah Outstanding Library.

Action Items

C. Discussion and Consideration of Approving Documents Associated with the Federal Transit Administration Grant for Lions Park (Mark Wright)

MOTION: Motion by Council Member Gene Ciarus to approve the documents associated with the Federal Transit Administration Grant for Lions Park as submitted. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

D. Discussion and Consideration of Proposed Solution Regarding Mineral Lease Allocation Issues for Fiscal Year 2008 (Shawn Warnke)

MOTION: Motion by Council Member Ken Ballantyne to leave 2008 mineral lease allocation as it is and not to correct the error by reallocating the 2009 mineral lease funds. Motion seconded by Council Member Patricia Holyoak carried 5 – 2 with Council Members Baird and Conrad opposed.

E. Discussion and Consideration of Reorganizing the Community Development Department and Building Department (Shawn Warnke)

MOTION: Motion by Council Member Chris Baird to postpone acting on reorganization until a new council administrator is established. Motion seconded by Council Member Gene Ciarus. Discussion occurred regarding the possibility of having the Building, Planning and Engineering Departments each stand alone. Motion carried 7 – 0.

F. Discussion and Consideration of Procedure for Search and Recruitment for County Council Administrator (Chair Greenberg and Todd Peterson)

MOTION: Motion by Council Member Patricia Holyoak to proceed with advertising for the position of Council Administrator until June 12, 2009. Motion seconded by Council Member Ken Ballantyne carried 7 – 0. HR Director Todd Peterson will begin the process and revise the hiring procedure. The funds for recruitment of the position will come from Discretionary Funds.

G. Discussion and Consideration of Interim Transition Plan for the Council Administrator Position (Shawn Warnke)

MOTION: Motion by Council Member Ken Ballantyne to follow Shawn's recommendations with the authorization to seek temporary help in the office. Motion seconded by Council Member Gene Ciarus. Motion amended by Council Member Chris Baird to add informing each department of the Council decision regarding the interim procedures. Motion carried 7 – 0.

MOTION: Motion by Council Member Gene Ciarus to enter into Executive Session at 4:31 p.m. to discuss pending litigation. Motion seconded by Council Member Chris Baird carried 7 – 0. Present were Council

Members Greenberg, Ballantyne, Graham, Conrad, Baird, Ciarus and Holyoak, Clerk/Auditor Diana Carroll, Attorney Happy Morgan, Danalee Gerber, Council Administrator Shawn Warnke, from the Public Lands Coordination Office John Harja and Richard Rathbun. **MOTION:** Motion by Council Member Gene Ciarus to end the Executive Session at 5:15 p.m. Motion seconded by Council Member Chris Conrad carried 7 – 0.

Discussion Items

H. Discussion of a Proposed Memorandum of Understanding (MOU) and a Draft Interlocal Agreement for HazMat Services (Chief Brewer)

Discussion occurred with Chief Corky Brewer regarding the HazMat task force. The MOU will be prepared for an action item for the next meeting.

I. Discussion of Calendar Items and Public Notices (Ruth Dillon)

J. Discussion of Evening Session Items (Shawn Warnke)

Consent Agenda- Action Items

- K. Approval of the Submission of the Blue Sky Grant (through Rocky Mountain Power) for Solar Panels on the Grand County Library
- L. Approval of a Contract Between Grand County and Rocky Mountain Power for Electrical Distribution Upgrades at Canyonlands Field
- M. Approval of a Designated Board Representative to Serve as Grand County's Representative on the Multicounty Appraisal Trust
- N. Approval of the County's Participation in the Stimulus Internship Program for Young Adults
- O. Approval of a Draft Thank You Letter to Wadsworth Brothers for Installing a Water Line in Lions Park

MOTION: Motion by Council Member Gene Ciarus to approve the Consent Agenda and authorize the Chair to sign all necessary documents. Motion seconded by Council Member Conrad carried 7 – 0.

Recess at 5:50 p.m.

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 Bill Jackson.

Approval of Minutes

1. March 31, 2009

MOTION: Motion by Council Member Ken Ballantyne to approve minutes of the March 31, 2009 Council Meeting. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

2. April 7, 2009

MOTION: Motion by Council Member Audrey Graham to approve minutes of the April 7, 2009 Council Meeting with the suggested corrections. Motion seconded by Council Member Chris Baird carried 7 – 0.

3. April 21, 2009

MOTION: Motion by Council Member Gene Ciarus to approve minutes of the April 21, 2009 Council Meeting correcting the attendance. Motion seconded by Council Member Audrey Graham carried 7 – 0.

4. April 24, 2009

MOTION: Motion by Council Member Patricia Holyoak to approve minutes of the April 24, 2009 Council Meeting correcting the attendance. Motion seconded by Council Member Chris Baird carried 5 – 2 with Council Members Ballantyne and Conrad abstaining from the vote due to absence.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$563,802.45. Accounts payable check numbers 59330 – 59504 totaling \$413,168.76 and payroll in the amount of \$150,633.69 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 presented a draft of a "Respect the Desert" poster featuring Sheriff Nyland on the poster.

Harold Shephard of Red Rock Forest requested comments from the Council on the Research, Development and Demonstration (RD&D) Project the BLM is overseeing. Harold also distributed a report done by Western Resource Advocates to Council Members.

Presentations

5. Presentation of the 2009 Utah Silver Bowl Award for Exemplary Volunteer Work (Saina Carey, Silver Bowl Committee Chairman)

Saina Carey presented the Silver Bowl award to Joan Jackson in recognition of the volunteer work done in Grand County.

6. Update on Matrimony Spring (Chair Greenberg)

Chairman Greenberg reported that work is being done on testing, but it is a complicated issue.

Public Hearings- Possible Action Items

7. Postponement of Public Hearing Regarding a Proposed Amendment to the Land Use Code Defining 30 Percent Slope Sec. 5.6, Clarifying Open Space and Common Area Sec. 6.11 and Identifying Constrained Lands, 5.4.D.

Planning Staff requested postponement of the public hearing until the Planning Commission has had the opportunity for further review of the amendment. **MOTION:** Motion by Council Member Ken Ballantyne to postpone this item until further notice. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

8. Public Hearing Regarding a Proposed Zone Change from Rural Residential (RR) to Small Lot Residential (SLR) for Property Located on Bittle Lane, Moab, Utah, a 1.30-Acre Parcel of Land Owned by Rodney & Dixie Dalton and Hal Adams

This application is jointly submitted by Rodney and Dixie Dalton and Hal Adams. The subject properties consist of approximately 1.30 acres located on Bittle Lane, (Dalton property is .76 acres Adams is .48 acres). The application seeks to rezone the property currently zoned Rural Residential. There were no comments and the public hearing closed at 7:30 p.m. The County Council will continue to receive written comments until Wednesday May 12, 2009 at 5:00 p.m.

General Business- Action Items

9. Discussion and Consideration of Appointing a Scoping Committee to Make Recommendations for a Process to Develop County Air Quality and Water Quality Protection Plans (Council Member Baird)

Council Member Baird reported that developing County plans to protect our air and water sheds will likely require significant, effort and resources. A process, plan, budget and time table will need to be developed. County staff resources may need to be supplemented by outside expert help. **MOTION:** Motion by Council Member Chris Baird to appoint a committee consisting of 3 members of the Council, 3 members of the Planning Commission and 3 members of the public to develop a process to develop County air quality and water quality protection plans. Motion seconded by Council Member Audrey Graham. Discussion followed. Motion carried 4 – 3 with Council Members Ballantyne, Ciarus and Holyoak opposed. Chairman Greenberg appointed Council Members Baird, Ciarus and Greenberg to serve as the Council Members of the committee. Council Member Ciarus will communicate with the Planning Commission regarding the appointment of the committee members.

10. Discussion and Consideration of Drafting an Interlocal Agreement Between the Transportation District and Grand County (Shawn Warnke)

MOTION: Motion by Council Member Ken Ballantyne to establish a committee of Council Members to work with the Grand County Transportation Special Service District to draft an interlocal agreement between the two entities and hereby appoint the following Council Members to the committee: Ken Ballantyne and Pat Holyoak. Motion seconded by Council Member Chris Conrad carried 7 – 0. Council Member Graham will set up the meeting.

11. **Discussion and Consideration of Approving an Amended Memorandum of Understanding (MOU) Between Grand County and the Moab Valley Fire Protection District (Chief Brewer and Shawn Warnke)**

The agreement is to provide services outside the Moab Valley Fire Protection District boundaries. **MOTION:** Motion by Council Member Chris Conrad to approve an amendment of Memorandum of Understanding with the changes discussed. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

General Council Reports

Council Member Holyoak attended the May 4 ribbon cutting for tailings pile move.

Council Member Ciarus attended the SRS RAC Committee meeting.

Council Chairman Greenberg went on a field trip with the Solid Waste District to look at a recycling plant.

Council Member Graham reported that Frank Darcy requested someone on the Council step up and meet with the BLM regarding the shooting range. Council Chairman Greenberg will meet with them. Council Member Graham reported that Grand County Government Week was well attended. Council Administrator Shawn Warnke was presented a thank you as this was his last meeting.

Council Member Ballantyne reported the finance committee for HUD meets Thursday in Washington regarding the hospital funding.

Adjourn

MOTION: Motion by Council Member Chris Conrad to adjourn at 8:25 p.m. Motion seconded by Council Member Chris Baird carried 7 – 0.