

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

July 7, 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 East 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 Grand County Clerk/Auditor Diana Carroll.

Elected Official Reports

A. 6-Month Budget Report

Grand County Clerk/Auditor Diana Carroll reviewed the Revenue and Expenditures for the period ending June 30, 2009. General Fund revenues in Planning Fees, Building Permits and Justice Court Fines show decreases over the same period in 2008, while the Federal PILT payment increased approximately \$32,000. Grand County is following the same trend of approximately 7% increase in sales tax revenue recently reported by Moab City.

Department Head Reports

B. Follow up on Sand Flats Recreation Area Fee Change Proposal Presentation to BLM Utah Recreation Resource Advisory Council (Andrea Brand, Sand Flats Recreation Area Program Manager)

Sand Flats Recreation Area Program Manager Andrea Brand attended the Recreation Resource Advisory Council meeting and reported that the proposed camping fee change was approved. The new fees will go into affect when Grand County Fee Ordinance is adopted.

C. Report on Maintenance of the Pedestrian/Bike Bridge at Lions Park

Mark Wright, Community Development Director/County Engineer reported that the Pedestrian/Bike Bridge at Lions Park has settled on the south approach. Horrocks Engineers is monitoring the damage and has offered to buy the material to repair the settlement if the County could supply the labor to install dowels into the concrete. Mark will inform the Trail Mix Committee and bring their recommendation to the Council for consideration.

Department Head Advisory Committee Report and Review of Interim Measures in the Absence of a Council Administrator

Marvin Day reported that the acting Department Head Advisory Committee has met and have no new issues to report. Council Members requested the Committee sit in on a potential supervisory issue.

Agency Reports

D. Update on Hazardous Fuels Reduction Project in Willow Basin (Mike Diem, District Ranger, Moab/Monticello Ranger District)

Mike Diem was unable to attend the meeting.

Presentations

E. Presentation on Grand County/Four Corners Community Behavioral Health (FCCBH) Substance Abuse and Mental Health Services Annual Area Plan (Jan Bodily, Executive Director of FCCBH)

Grand County is required annually to submit an area plan outlining how we will provide mandated mental health and substance abuse services. FCCBH is contracted with Grand County to provide

those services. Executive Director of FCCBH, Jan Bodily presented the plan to Council Members and reported that some mandates may change due to budget cuts.

Action Items

F. Discussion and Consideration of Approval of Grand County/Four Corners Community Behavioral Health Annual Area Plan for Fiscal Year (FY) 2010 (Chair Greenberg)

MOTION: Motion by Council Member Chris Conrad to approve the Grand County/Four Corners Community Behavioral Health Annual Area Plan for Fiscal Year 2010 as presented and authorize all Council Members signatures requested. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

G. Discussion and Consideration of Contract between Grand County and Horrocks Engineering with Concurrence by the Federal Transit Authority (FTA) for Design and Construction Administration of the Transit Hub at Lions Park (Mark Wright, Community Development Director and Diana Carroll, Clerk/Auditor)

MOTION: Motion by Council Member Audrey Graham to table approval of the contract as Mark Wright was not in attendance. Motion seconded by Council Member Chris Baird carried 7 – 0. It was reported that the contract was a time sensitive document and although the official award has not been received it was listed in the federal registrar. **MOTION:** Motion by Council Member Ken Ballantyne to approve the master agreement and authorize the chair to sign associated documents pending the receipt of official contract award. Motion seconded by Council Member Chris Baird carried 7 – 0.

H. Discussion and Consideration of Proposed Amendment to Grand County Employment Policies and Procedures to Change References of “Personnel Director” to “Human Resources Director” and to Amend the Cell Phone Policy (Todd Peterson, Human Resources Director and Jana Smith, Chief Deputy Auditor)

MOTION: Motion by Council Member Chris Baird to postpone the agenda item until the next Council Meeting. Motion seconded by Council Member Gene Ciarus failed 0 – 7. **MOTION:** Motion by Council Member Audrey Graham to approve the amendment to the Grand County Employment Policies and Procedures adding “It is not the intent of this document to place the Human Resource Director above Elected Officials or Department Heads. Motion seconded by Council Member Ken Ballantyne. **MOTION:** Motion by Council Member Chris Baird to strike the sentence on page 54 “Every termination must be approved in advance by the Human Resource Director”. Motion seconded by Council Member Audrey Graham. Council Member Audrey Graham revised the motion to include changing the “should” in the same paragraph on page 54 to “shall”. The amended motion carried 5 – 0 with Council Members Ciarus and Holyoak abstaining from the vote. The main motion to amend the Policy with recommended changes carried 6 – 0 with Council Member Ciarus abstaining from the vote.

I. Discussion and Consideration of Adoption of 2009 Certified Tax Rates

Grand County Clerk/Auditor Diana Carroll presented the proposed 2009 Certified Tax Rates and reported that property values are up slightly which reduces the rate at which property taxes are calculated. Overall Grand County property owners should see a decrease of property taxes in 2009. **MOTION:** Motion by Council Member Chris Baird to adopt the 2009 Certified Tax Rate as recommended. Motion seconded by Council member Audrey Graham carried 7 – 0.

J. Discussion and Consideration of Approval of Letter to Vernal BLM Regarding Uintah County’s Seep Ridge Road Paving Project Environmental Assessment (Council Member Graham)

Council Member Graham reported that she heard that another County was paving the old Book Cliffs Road. **MOTION:** Motion by Council Member Audrey Graham to send a letter concerning the Seep Ridge Road Environmental Assessment to the Vernal BLM. Motion seconded by Council Member

Chris Baird. Council Members spoke regarding concerns about the road and want to be kept informed. Motion carried 4 – 3 with Council Members Ballantyne, Holyoak and Ciarus opposed.

K. Discussion and Consideration of Proposed Ordinance to Formalize the Grand County Weed Control Board (Tim Higgs, Weed Department Supervisor)

MOTION: Motion by Council Member Chris Conrad to formally establish the Grand County Weed Board and authorize Chair to sign all associated documents. Motion seconded by Council Member Gene Ciarus carried 7 – 0.

Discussion Items

L. Discussion of Calendar Items and Public Notices (Ruth Dillon, Council Assistant)

Consent Agenda- Action Items

M. Approval of Natural Resource Conservation Services (NRCS) Congressional Earmark Grant for the Weed Department

N. Approval of Monthly Office Lease Agreement for Enterprise Rent-A-Car at Canyonlands Field Subject to Airport Board Recommendation

O. Approval of Task Agreement for National Park Service to Provide Funding for Cooperative Emergency Operations in Grand County and Arches and Canyonlands National Parks

P. Approval of Amendment and Contracts between Southeastern Utah Association of Local Governments (SEUALG) Area Agency on Aging and Grand County Retired Senior Volunteer Program (RSVP):

1. Amendment # 1 to FY2009 Contract to Increase Funding for Volunteer Counselors, Training, Staff Support, Provision of Service, and Administration of the State Health Insurance Information Program (SHIP)
2. FY2010 Contract to Provide State Action Funds for the Provision of Volunteer Travel Reimbursement
3. FY2010 Contract to Provide Volunteer Counselors, Training, Staff Support, Provision of Service, and Administer SHIP
4. FY2010 Contract to Provide Payment for Various Services Related to Aging and Nutrition

Q. Ratification of a Letter Sent to UDOT and to Tom Hunt, Property Owner, Regarding a Public Hearing to Be Held July 21, 2009 by the Grand County Council in the Matter of the Steel Bender Road Right of Away

R. Ratification of a Memo Sent to the County Attorney Regarding Request for Review of 2008 Contribution Agreement with Canyonlands Health Care Special Service District

S. Ratification of Request for Bids (RFB) for Upgrades to Heating and Cooling System for the Radio/Server Room

T. Ratification of Notice of Council Meeting Location Sent to Local Media to Change All Council Meeting Locations Back to the Council Chambers Instead of the Grand Center

MOTION: Motion by Council Member Chris Baird to approve the consent agenda as presented. Motion seconded by Council Member Patricia Holyoak. Council Member Graham disclosed a potential conflict with the husband on the Weed Board. Motion carried 6 – 0 with Council Member Graham abstaining from the vote.

Closed Session(s) if necessary

MOTION: Motion by Council Member Chris Conrad to enter into closed session at 4:50 p.m. to discuss the character, competence, or health of an individual. Motion seconded by Council Member Chris Baird carried 7 – 0. Present were Council Members Greenberg, Ballantyne, Graham, Conrad, Baird, Ciarus and Holyoak, County Attorney Happy Morgan, Clerk/Auditor Diana Carroll and EMS Director Jeff Davis.

MOTION: Motion by Council Member Gene Ciarus to end the closed session at 6:06 p.m. Motion seconded by Council Member Chris Conrad carried 7 – 0.

Recess until 7:00 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 Clerk/Auditor Diana Carroll. The Pledge of Allegiance was led by Jim Adamson.

Approval of Minutes

1. **June 16, 2009**

2. **June 30, 2009**

By unanimous consent the minutes were postponed until they are available for consideration.

MOTION: Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$680,809.91. Accounts payable check numbers 60200 – 60376 totaling \$369,074.32 and payroll in the amount of \$311,735.59 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

Presentations

3. Review of Recent Test Results at Matrimony Spring (Jim Adamson, Southeastern Utah District Health Department)

Jim Adamson presented the most recent test results from drinking water samples taken at Matrimony Springs. The report indicated Coliform present in the water. Council will consider the issue at the next Council Meeting.

General Business - Action Items

4. Report of the Special Committee on Administrative Needs of the Grand County Emergency Medical Services (EMS) Department and Discussion & Consideration of Its Recommendations (Council Member Conrad)

Council Member Conrad led discussion with a presentation of the study committee recommendations. The committee recommends leaving the department functioning as it is currently is and to create an EMS Council. The committee also recommended the EMS Department shift the training goals to the 1999 curriculum. Chairman Greenberg suggested the EMS Director review the recommendations and report back to the County Council on whether or not the training goals would be feasibly or otherwise possible. **MOTION:** Motion by Council Member Gene Ciarus to accept the recommendations from the committee and charge them to return August 4, 2009 with considerations for County Council action. Motion seconded by Council Member Chris Baird carried 7 – 0.

5. Discussion and Consideration Regarding a Proposed Memorandum of Understanding (MOU) between Grand County and Moab City Regarding Transfer of Ownership of Lions Park from UDOT and Regarding Future Management and Operations of Lions Park

Mark Wright, Community Development Director, presented the proposed MOU and recommended the National Park Service Grant in the amount of \$100,000 be awarded to Moab City. Grand County will continue to fund services that include trash removal, water, power, and road maintenance. **MOTION:** Motion by Council Member Audrey Graham to approve the Memorandum of Understanding between Grand County and the City of Moab. Motion seconded by Council Member Ken Ballantyne. **MOTION:** Motion by Council Member Chris Baird to change “Grand County Agrees: 5. To provide, in the future...” to “5. To consider, in the future... “. Motion seconded by Council Member Patricia Holyoak

carried 6 – 1 with Council Member Greenberg opposed. **MOTION AMENDED:** Motion by Council Member Audrey Graham to amend her motion to approve the MOU and authorize the Chair’s signature. Motion seconded by Council Member Chris Conrad carried 7 – 0. **MOTION:** Motion by Council Member Ken Ballantyne to allow the Chair’s signature on the MOU if the City adopts a different version with only minor changes. Motion seconded by Council Member Patricia Holyoak carried 6 – 1 with Council Member Ciarus opposed.

General Business- Discussion Items

6. Review and Discussion of Initial Draft of Drainage Study (Mark Wright, Community Development Director)

Community Development Director Mark Wright reported the initial draft is not yet ready for review. **MOTION:** Motion by Council Member Gene Ciarus to postpone the review and discussion of the draft Drainage Study until the next Council meeting. Motion seconded by Council Member Chris Conrad carried 7 – 0.

General Council Reports

Council Member Holyoak thanked the Chamber of Commerce for their part of the 4th of July Celebration.

Council Member Ciarus attended the CCP meeting in Blanding, the SEUALG meeting and the CDBG policy meeting in Midway, Utah.

Council Member Baird reported the Housing Task Force presented the Housing Plan to both City and County Planning Commissions.

Council Member Conrad reported that the County Attorney will review the by-laws for the Grand County Weed Board. The facilities committee will be meeting on July 22, 2009 to discuss space issues.

Council Chair Greenberg attended the Travel Council meeting and also met with members of the Sportsmen’s Club regarding the proposed shooting range.

Council Member Graham reported the Transportation Special Service District will hold a public hearing regarding adoption of the budget. Council Member Graham will attend the Housing Authority meeting.

Council Member Ballantyne attended the Canyonlands Health Care Special Service District meeting.

Closed Session(s) if necessary

Adjourn

MOTION: Motion by Council Member Chris Conrad to adjourn at 8:00 p.m. Motion seconded by Council Member Chris Baird carried 7 – 0.

Grand County Council Chairman

ATTEST:
