

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

**September 1, 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, Ken Ballantyne, Audrey Graham, Patricia Holyoak, Chris Conrad, Gene Ciarus and Chris Baird along Grand County Clerk/Auditor Diana Carroll.

**Elected Official Reports**

**A. Introduction of Treasurer's Office Interns and Report on Progress (Peggy Taylor, Treasurer)**

Grand County Treasurer Peggy Taylor introduced Logan Morris and Travis Yazzie who have been working in the Treasurer's Office through stimulus funded positions. The task completed to date is microfilming County Treasurer records up to the 1960's. The work of the two interns has saved the county \$11,571.00 in labor costs.

**Department Head Reports**

Carrie Valdes reported the Blue Sky Grant, to allow solar panels on the library, was approved. The Council Chair will sign the award document and place it on the Consent Agenda for ratification at the next meeting.

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

Carrie reported the Advisory Committee reviewed the IT Job Description. No other issues were reported.

**Agency Reports**

**B. Utah Recreation Land Exchange Implementation**

John Andrews, Associate Director/Chief Legal Counsel of Utah School & Institutional Trust Lands Administration, explained the implementation process of the land exchange program. Roughly half of the mineral revenue comes back to the State of Utah and is distributed in part to the Community Impact Board with a portion directed to Special Service Districts for roads.

**C. Report on Proposed Natural Gas Pipeline Maintenance Workspace (Bryan Torgerson, Utah School & Institutional Trust Lands Administration)**

SITLA received an application from Northwest Pipeline CP who desire to utilize trust lands for the purpose of a temporary workspace near the Harley Dome area. The workspace area would be used in conjunction with a pipeline maintenance project on an existing natural gas pipeline operated by the applicant.

**D. National Park Service Updates: 1) Improvements at Potash Boat Launch Ramp; 2) Renewal of Special Use Permit for Williams Northwest Pipeline's Natural Gas Pipeline through Arches National Park (Kate Cannon, Superintendent, Southeast Utah Group)**

1) National Park Service staff is working with river outfitters and with Intrepid Potash Company to make improvements at the Potash Launch Ramp. This will include installing new restrooms, kiosks, and a shade structure/picnic area. Work will begin in August.

2) National Park Service staff is working with Williams Pipeline Company to begin the process of renewing their Special Use Permit for the natural gas pipeline running through Arches.

**E. Announcement of Castle Valley Fire Chief Retirement and Announcement of New Castle Valley Fire Chief (Dave Vaughn, Commission Chair of the Grand County Special Area for Castle Valley Fire Protection)**

Castle Valley Fire Protection District recently appointed Ron Drake to fill the vacancy of retiring Fire Chief Floyd Stoughton. A retirement party in Floyd's honor will be held September 19, 2009 at 5:00 p.m. at Fire Station #2 in Castle Valley.

**Action Items**

**F. Discussion and Consideration of Approving a Facility Improvement Plan for Old Spanish Trail Arena (OSTA) (Council Member Baird) and Authorizing Noticing and Requests for Bids (RFBs) (Marvin Day, Facilities Supervisor and Acting OSTA Manager)**

**MOTION:** Motion by Council Member Chris Baird to approve the Old Spanish Trail Arena facility improvement plan as presented for the remainder of 2009 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne. Council Member Gene Ciarus suggested that in the future the improvements should come to the Council at budget time to help with planning and scheduling. Motion carried 7 – 0.

**F.1. Heating and Cooling Upgrades**

**F.2. South Barn Electrical Upgrades**

Council Member Graham questioned staff regarding energy efficiency research done on the project. Facilities Supervisor Marvin Day reported that the new units are an upgrade to more efficient heating and cooling. **MOTION:** Motion by Council Member Chris Baird to approve the proposed RFB as presented for Old Spanish Trail Arena heating and cooling upgrades, authorize noticing of the same and authorize the Chair to sign all associated documents. Motion seconded by Council Member Patricia Holyoak. Council Member Baird noted the Recreation District has budgeted \$53,500 of the \$54,000. The estimate did not include the contract with Rocky Mountain Power. Motion carried 7 – 0.

**G. Discussion and Consideration of Change Order No. 1 of Hell's Revenge Parking Lot Improvement Project (Andrea Brand, Sand Flats Recreation Manger)**

An unanticipated error was made in elevations in the original survey of the Hell's Revenge Parking Lot Improvement project. Part of the problem is that the Sand Flats Road has a low spot near the center of the parking lot. Another factor is that the toilet was installed before the parking lot. Funds for the change order will come from the original bid overage and fund balance. **MOTION:** Motion by Council Member Audrey Graham to approve Change Order No. 1 of the Hell's Revenge Parking Lot Improvement Project and associated costs and authorization of the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

**H. Discussion and Consideration of Proposed Amendments to Grand County Consolidated Fee Ordinance No. 477 (Diana Carroll, Clerk/Auditor)**

**MOTION:** Motion by Council Member Chris Conrad to approve the ordinance with the proposed amendments. Motion seconded by Council Member Patricia Holyoak. Council Member Gene Ciarus spoke in opposition to the proposed filing fee for Planning and Zoning. **MOTION:** Motion by Council Member Gene Ciarus to drop the proposed Planning & Zoning fee. Motion died for lack of a second. Motion carried 5 – 2 with Council Members Greenberg and Ciarus opposed.

**I. Discussion and Consideration of Proposed Council Administrator Appointment and Contract (Chair Greenberg)**

**MOTION:** Motion by Council Member Ken Ballantyne to appoint Melinda Brimhall as the new Council Administrator. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

**J. Discussion and Consideration of Authorizing Recruitment for the Information Technology (IT) Position (Todd Peterson, Human Resource Director)**

**MOTION:** Motion by Council Member Chris Conrad to recruit for the IT Position at Grade 15 and re-title the position IT Director, and authorize the Chair to sign associated documents. Motion seconded by Council Member Gene Ciarus carried 6 – 1 with Council Member Ballantyne opposed.

**K. Discussion and Consideration of Next Steps for Storm Drain Funding and Prioritization (Mark Wright, Community Development Director/County Engineer)**

Staff recommended a workshop be held to allow public input to help prioritize the necessary drainage projects identified in the Storm Drain Master Plan. Planning Staff will coordinate the public hearings and arrange for field trips in mid-October.

**L. Discussion and Consideration of Commitment to Financial Participation with Moab City on the Mill Creek Drive Road and Bike Lane Improvements (David Olsen, Moab City Community Development Director & Dan Stenta, Moab City Engineer)**

**MOTION:** Motion by Council Member Ken Ballantyne to authorize Grand County's participation as a financial partner with Moab City on the proposed Mill Creek Drive Overlay and Bike Lanes Project not to exceed \$65,000. Motion seconded by Council Member Chris Baird. **AMENDED MOTION:** Motion was amended by Council Member Audrey Graham to authorize financial participation from unanticipated revenues. Motion seconded by Council Member Chris Baird. Road Department Supervisor Bill Jackson is working with the City regarding future maintenance of the trail and striping. **SUBSTITUTE MOTION:** Council Member Gene Ciarus made a substitute motion to send the request to the Transportation Special Service District so the money will not come from the General Fund. Motion seconded by Council Member Patricia Holyoak. **MOTION:** Motion by Council Member Chris Baird to amend the amended motion to put the money up front and also send it to the Transportation Special Service District. Motion died for lack of a second. Substitute Motion failed 1 – 6 with Council Member Ciarus voting in favor. **MOTION:** Motion by Council Member Audrey Graham to amend the motion to fund the project from unanticipated revenue and to prioritize the project on the list to the Transportation Special Service District. Chair called the motion out of order because the priority list is not on the table for consideration. Main amended motion carried 7 – 0.

**M. Discussion and Consideration of Steel Bender (Old Mail Trail) Road Realignment (Dave Vaughn, Road Department Assistant Supervisor)**

Dave Vaughn, Road Department Assistant Supervisor presented the proposed realignment of the Steel Bender Road that provides a solid mechanism for current prescriptive RS2477 rights in the form of a right-of-way for public passage through the property. The property owner has constructed the road using County Road specifications preserving surrounding vegetation. **MOTION:** Motion by Council Member Chris Baird to approve the Steel Bender Road re-alignment and authorize the Chair to sign associated documents. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

**Discussion Items**

**N. Discussion of Procedures for Amending the Grand County Travel Plan (Chris Baird, Council Member)**

A work group will be formed consisting of necessary County and BLM Staff to develop a travel plan that concurs with the current RMP.

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

**P. Discussion of Evening Session Items (Chair Greenberg)**

**Consent Agenda- Action Items**

- Q. Approval of a Draft Thank You Letter to Participants in the Council Administrator Hiring Process
- R. Approval of a Draft Letter to the Department of Energy Regarding Night Lighting at the UMTRA Site
- S. Approval of Open Meeting Act Training for Board Members and for Department Heads with County Boards/Commissions/Committees, and Associated Letters
- T. Approval of a Request from the Solid Waste Special Service District and Canyonlands Community Recycling Center to 1) Cancel a Lease Agreement between Canyonlands Community Recycling Center and Grand County and 2) Revise a Lease Agreement between the Solid Waste Management Special Service District and Grand County
- U. Ratification of Changes Made to the Parental Defender Contract Including Contract Term of through December 31, 2010

**MOTION:** Motion by Council Member Audrey Graham to approve the consent agenda as presented with minor corrections. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

**Recess**

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

**1. August 18, 2009**

**MOTION:** Motion by Council Member Chris Conrad to approve the minutes of the August 18, 2009 meeting with suggested corrections. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

**MOTION:** Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$619,312.95. Accounts payable check numbers 60964 – 61145 totaling \$478,311.53 and payroll in the amount of \$141,001.42 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Gene Ciarus carried with a 7 – 0 roll call vote.

## **Citizens to Be Heard Presentations**

**2. Presentation on Matrimony Spring's History and Options for Redevelopment (Council Member Baird)**  
Council Member Baird presented findings from research done.

## **General Business- Action Items**

**3. Discussion and Consideration of Approving Further Testing of Matrimony Spring (Chris Baird, Council Member)**

**MOTION:** Motion by Council Member Chris Baird to appropriate up to \$1,500 to come from Council discretionary funds to further test Matrimony Spring. Motion seconded by Council Member Gene Ciarus carried 6- 1- with Council Member Audrey Graham opposed.

**4. Discussion and Consideration of Approving the Tailings Project Liaison Position Job Description and Authorizing Recruitment (Todd Peterson, Human Resource Director)**

**MOTION:** Motion by Council Member Patricia Holyoak to approve the position and authorize recruitment. Motion seconded by Council Member Chris Conrad carried 7 – 0.

**5. Discussion and Consideration of Proposed Resolution Supporting a Fair Redistricting Process (Council Member Graham)**

**MOTION:** Motion by Council Member Audrey Graham to approve the Resolution of Grand County in support of a Fair Redistricting Process in Utah and authorize the Chair to sign all associated documents. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

**6. Discussion and Consideration of Proposed Resolution to Establish a County Emergency Medical Services (EMS) Advisory Council (Council Members Ballantyne and Conrad)**

The committee working on establishing the EMS Council needs more time to prepare. **MOTION:** Motion by Council Member Chris Conrad to postpone the agenda item until after his meeting with the State EMS Director. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

**7. Discussion and Consideration of Appointment of a Council Member to the Housing Authority of Southeastern Utah Board of Commissioners to Fill a Vacancy Due to a Resignation (Chair Greenberg)**

**MOTION:** Motion by Council Member Gene Ciarus to advertise to fill the vacancy on the Housing Authority of Southeastern Utah Board of Commissioners. Motion seconded by Council Member Audrey Graham carried 7 – 0.

## **General Council Reports**

Council Member Ciarus will attend Urban Wildland Interface and AOG meetings.

Council Member Baird reported that Ken's Lake water level is very low. San Juan Water Conservancy District is working with Spanish Valley Service District and SITLA regarding transferring water rights in Spanish Valley. San Juan County is also working with GWSSA regarding sewer and water.

Chair Greenberg reported that Chair Bill Groff took a leave of absence from the Airport Board. At the CCP Meeting the issue of the extended bear pursuit season was discussed.

Council Member Graham will attend the Transportation SSD meeting and the Envision Utah follow-up meeting.

*Closed Session(s) if necessary*

**MOTION:** Motion by Council Member Patricia Holyoak to enter Closed Session to discuss the character, professional competence, or physical or mental health of an individual and pending litigation at 8:15 p.m. Motion seconded by Council Member Chris Baird carried 7 – 0. Present were: Council Members Greenberg, Ballantyne, Graham, Conrad, Baird, Ciarus and Holyoak and Clerk/Auditor Diana Carroll. **MOTION:** Motion by Council Member Patricia Holyoak to end the closed session at 8:45 p.m. Motion seconded by Council Member Chris Conrad carried 7 – 0.

**Adjourn**

Meeting adjourned at 8:45 p.m.

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Grand County Council Chairman

**ATTEST:**

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Diana Carroll  
Grand County Clerk/Auditor