

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

**November 4, 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, Patricia Holyoak, Ken Ballantyne, Chris Conrad, Gene Ciarus and Chris Baird along Grand County Council Administrator Melinda Brimhall and Clerk/Auditor Diana Carroll.

**Action Items**

**A. Discussion and Consideration of a Bid Award for Heating and Cooling Upgrades at the Old Spanish Trail Arena (OSTA) with an Energy Efficiency Addendum (Jeff Foster, OSTA Manager and Marvin Day, Facilities Supervisor)**

Marvin Day and Jeff Foster recommended the bid for heating and cooling upgrades at the Old Spanish Trail Arena be awarded to Nelson's Heating & Refrigeration, Inc. **MOTION:** Motion by Council Member Chris Conrad to accept the low bid and authorize a change order for a 15 seer unit at a cost not to exceed \$12,978. Motion seconded by Council Member Chris Baird failed 0 – 7. **MOTION:** Motion by Council Member Gene Ciarus to waive the normal bidding process due to the urgency of the need for heating at OSTA and to get telephone bids on a 15 seer unit. Motion seconded by Council Member Audrey Graham carried 7 – 0.

**B. Discussion and Consideration of an Interlocal Agreement between Grand County and San Juan County for Library Services (Carrie Valdes, Library Director)**

**MOTION:** Motion by Council Member Audrey Graham to approve the Interlocal agreement between Grand County and San Juan County with the minor changes discussed. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

**C. Discussion and Consideration of Approving a Proposed Resolution Amending the Grand County Council on Aging Bylaws (Verleen Striblen, Grand Center Program Director)**

**MOTION:** Motion by Council Member Chris Conrad to adopt the proposed resolution amending the Council on Aging Bylaws. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

**D. Discussion and Consideration of a Process for Informal Appeal Hearings of Employee Disciplinary Action (Chairman Greenberg)**

**MOTION:** Motion by Council Member Ken Ballantyne moved to approve the process for informal appeal hearings of employee disciplinary action. Motion seconded by Council Member Gene Ciarus carried 7 – 0.

**Discussion Items**

E. Discussion of Calendar Items (Melinda Brimhall, County Council Administrator and Ruth Dillon, Council Assistant)

F. Discussion of Evening Session Items

**Consent Agenda- Action Items**

**G. Ratification of Letter of Meeting Invitation Sent to Housing Authority of Southeastern Utah (HASU) Commissioners**

**MOTION:** Motion by Council Member Chris Conrad to approve the consent agenda as presented. Motion seconded by Council Member Chris Baird carried 7 – 0.

**RECESS at 3:45**

**4:00 p.m. CLOSED SESSION(S)**

**MOTION:** Motion by Council Member Patricia Holyoak to enter into closed session at 4:00 p.m. to discuss the character, professional competence, or physical or mental health of an individual. Motion seconded by Council Member Gene Ciarus carried 7 – 0. Present were Council Members Greenberg, Holyoak, Ciarus, Baird, Conrad, Graham and Ballantyne, Clerk/Auditor Diana Carroll, Council Administrator Melinda Brimhall, Rick Donham, Marcia Milligan, Shelly Goble, Dave Conine, Katie Hanway, Gary Jacobsen and Janie Tuft.

**MOTION:** Motion by Council Member Audrey Graham to end the closed session at 4:05 p.m. 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, Patricia Holyoak, Ken Ballantyne, Audrey Graham, Gene Ciarus, Chris Baird and Chris Conrad along with Council Administrator Melinda Brimhall and Clerk/Auditor Diana Carroll. The Pledge of Allegiance was led by Diane Allen.

**Approval of Minutes**

**Approval of Payment of Bills**

**MOTION:** Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$555,034.19. Accounts payable check numbers 61831 – 62004 totaling \$403,489.17 and payroll in the amount of \$151,545.02 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**

**Ed Bridges** – informed residents of an upcoming band concert at the Grand County High School Auditorium.

**Presentations**

**1. Update on the Humane Society of Moab Valley (Diane Allen, HSMV Secretary)**

Diane Allen updated Council Members on the status, activities, budget and plans of the Humane Society of Moab Valley.

**General Business- Action Items**

**2. Discussion and Consideration of a Proposed Resolution to Adopt the “Grand County and City of Moab Housing Study and Affordable Housing Plan” as an Amendment to the Grand County General Plan (Krissie Killoy, County Planner)**

At the direction of the Planning Commission on July 8, 2009, staff developed a Resolution that, if adopted, would amend the General Plan adding the Grand County and City of Moab Housing Study and Affordable Housing Plan. The amendment adds the General Plan goals, objectives, and five-year action plan to Section 4.2.12 of the General Plan. **MOTION:** Motion by Council Member Audrey Graham to adopt the resolution as presented as an amendment to the General Plan with the Grand County and City of Moab Housing Study and Affordable Housing Plan included. Motion seconded by Council Member Chris Baird. Council Member Graham amended the motion to remove the status under 5e and 13d. Council Member Baird agreed. Graham also thanked the people involved. Motion carried 7 – 0.

**3. Discussion and Consideration of a Proposed Ordinance Establishing a Moratorium on Production Water Facilities (Krissie Killoy, County Planner)**

Council instructed staff to draft an ordinance establishing use-specific regulations for production water facilities. A six month time period would allow for Land Use Code Amendments to occur.

Ed Bridges addressed the council regarding the moratorium it will allow the Planning Commission time to review public safety issues and the benefits, if any, to the county.

Bryan Walston spoke in favor of the water facilities as they would help ease the burden of the tax payer.

**MOTION:** Motion by Council Member Chris Baird to approve the ordinance to initiate a temporary moratorium/land use regulation on production waster, disposal and recycling facilities. Motion seconded by Council Member Chris Conrad carried 6 – 2 with Council Member Ciarus and Holoyak opposed.

**County Council Correspondence**

Discussion occurred regarding communication received by council office. This item will be a future agenda item.

**General Council Reports**

Council Member Ciarus

- Met with UDOT & Forest Service regarding the Loop Road
- Attended ALG meeting

Council Member Baird

- Matrimony Spring – Engineer recently tested the water and ordered dye for further testing.
- Recreation District wants to transfer its asset to Grand County.

Council Member Greenberg

- Airport Board has not taken a position regarding the Essential Air Service.
- Travel Council is reviewing the funding applications they have received.

Council Member Graham

- Health Department is holding flu shot clinics.

Council Member Ballantyne

- Hospital construction is beginning.

**Future Considerations**

*Closed Session(s) if necessary*

**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.

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Grand County Council Chairman

**ATTEST:**

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Diana Carroll  
Grand County Clerk/Auditor