

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

November 17, 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, Chris Conrad, Gene Ciarus and Chris Baird along Grand County Clerk/Auditor Diana Carroll and Council Administrator Melinda Brimhall. Council Member Patricia Holyoak was absent.

Agency Reports

A. Introduction of Interim Executive Director of the Housing Authority of Southeastern Utah (HASU) (Gary Jacobson, HASU Board Chair)

Gary Jacobsen introduced Freemont Woodward, the Interim Director of the Housing Authority of Southeastern Utah. Freemont took over operations of HASU on Thursday November 12, 2009.

Action Items

B. Discussion and Consideration of Adding a Second Tier to the Sand Flats Recreation Area Organizational Structure by Creating a Recreation Technician II Position (Andrea Brand, Sand Flats Recreation Area Program Manager)

Andrea Brand reported that the current Sand Flats Recreation Technician/Seasonal job description does not adequately reflect the duties that all seasonal staff members are performing. Andrea proposed creating a two-tiered system with a Recreation Technician I/Seasonal position and a Recreation Technician II/Seasonal position. Both positions would be seasonal with no benefits. **MOTION:** Motion by Council Member Audrey Graham to approve the addition of a Sand Flats Seasonal Recreation Technician II position and to accept the proposed Grand County Job Description changes and authorize the Chair to sign all associated documents. Motion seconded by Council Member Baird carried 6 – 0.

C. Discussion and Consideration of Approving a Sublease Template for Airport Garage Company, LLC for Subleasing Individual Garage Units at Canyonlands Field (Kelly Braun, Airport Manager)

MOTION: Motion by Council Member Chris Conrad to approve the revised version of the proposed sublease template to allow Airport Garage Company, LLC to sublease individual garage units at Canyonlands Field. Motion seconded by Council Member Ken Ballantyne carried 6 – 0.

D. Discussion and Consideration of Recommendation to U.S. Department of Transportation Concerning Essential Air Service (EAS) to Canyonlands Field (Chairman Greenberg)

MOTION: Motion by Council Member Chris Baird to recommend to the U.S. Department of Transportation the acceptance of Great Lakes Aviation's bid of Essential Air Service (EAS) and to authorize the Chair to sign the proposed letter recommending the same. Motion seconded by Council Member Chris Conrad carried 5 – 1 with Council Member Ciarus opposed.

E. Discussion and Consideration of Protocol to Streamline County Council Communication and Reduce the Number of Emails and Make Council Business More Transparent (Chairman Greenberg)

MOTION: Motion by Council Member Chris Baird to approve the proposed protocol with changes recommended. Motion seconded by Council Member Chris Conrad. After a lengthy discussion the motion failed 0 – 6.

F. Discussion and Consideration of Approval of \$3,100 Expenditure from Discretionary Funds for Legal Matter (Chairman Greenberg)

MOTION: Motion by Council Member Chris Conrad to approve the expenditure from discretionary funds. Motion seconded by Council Member Chris Conrad. Council Member Baird amended the motion to include the Chair signature on associated agreements. Motion carried 6 – 0.

Discussion Items

- G. Discussion of Calendar Items and Public Notices (Melinda Brimhall, County Council Administrator and Ruth Dillon, Council Assistant)
- H. Discussion of Evening Session Items

Consent Agenda- Action Items

- I. Approval of a Ground Lease Agreement with Airport Garage Company, LLC for a Garage Structure at Canyonlands Field
- J. Approval of a Ground Lease with U.S. Geological Survey at Canyonlands Field
- K. Approval of a Draft Memo Regarding Council Administrator Reimbursement for Offsite Wireless Modem Access

MOTION: Motion by Council Member Chris Conrad to approve the consent agenda as presented. Motion seconded by Council Member Chris Baird carried 6 – 0.

CLOSED SESSION(S)

MOTION: Motion by Council Member Chris Baird to enter Closed Session at 4:08 p.m. for the purpose of discussion of the character, professional competence, or physical or mental health of an individual and litigation. Motion seconded by Council Member Chris Conrad carried 6 – 0. Present were Council Members Greenberg, Ciarus, Baird, Conrad, Graham, Ballantyne, Council Administrator Melinda Brimhall, Clerk/Auditor Diana Carroll, HR Director Todd Peterson, EMS Director Jeff Davis and James Jackson. At 4:54 p.m. Todd Peterson, Jeff Davis and James Jackson left the room. For the property acquisition/litigation portion of meeting Mark Wright and Bill Jackson arrived. **MOTION:** Motion by Council Member Audrey Graham to end the closed session at 5:15 p.m. Motion seconded by Council Member Chris Conrad carried 6 – 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, Ken Ballantyne, Chris Baird and Chris Conrad with Clerk/Auditor Diana Carroll and Council Administrator Melinda Brimhall. Council Member Patricia Holyoak was absent. The Pledge of Allegiance was led by Lance Christie.

Approval of Minutes

1. October 6, 2009

MOTION: Motion by Council Member Chris Conrad to approve the minutes of the October 6, 2009 meeting with the corrections discussed. Motion seconded by Council Member Chris Baird carried 6 – 0.

2. October 20, 2009 (County Council Meeting)

MOTION: Motion by Council Member Chris Conrad to approve the minutes of the October 20, 2009 Council meeting. Motion seconded by Council Member Chris Baird carried 5 – 0 with Council Member Graham abstaining from the vote due to absence.

3. November 4, 2009 (County Council Meeting)

No action taken.

Approval of Payment of Bills

MOTION: Motion by Council Member Gene Ciarus to approve payment of bills presented in the amount of \$515,304.81. Accounts payable check numbers 62005 – 62230 totaling \$368,314.69 and payroll in the amount of \$146,990.12 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Chris Baird carried with a 6 – 0 roll call vote.

Citizens to Be Heard

Sarah Melnicoff & Rose Scolden spoke regarding a Millcreek Parkway Partnership and the possibility of using the old food bank building for a homeless shelter.

Daniel Shellenberger spoke in favor of a homeless shelter.

Public Hearings- Possible Action Items

4. Public Hearing to Hear Public Comment on a Proposed Rezone from Range and Grazing (RG) to Resort Special (RS) for Property Located at State Route 313 and US Highway 191 (Krissie Killoy, County Planner)

Read into the record were the General Plan and Land Use Code both as amended to date. This application is submitted by Kristie Whipple, Property Owner Representative on behalf of Gerald Gierlinski, applicant (property currently under contract). The applicant requests a rezone from Range and Grazing (RG) to Resort Special (RS) of 43.5 acres located approximately seven miles north of Moab adjacent to Highway 191 and State Road 313 at the turnoff to Dead Horse Point (DHP) and Canyonlands National Park. The Planning Commission reviewed the application in a public hearing on October 14, 2009 and forwarded a favorable recommendation to the Grand County Council. The Public Hearing was opened for comments at 7:20 p.m.

Lance Christie spoke in favor of the rezone as it is consistent with the General Plan.

There were no other comments from the public. Written comments will be accepted until November 25, 2009 at 5:00 p.m.

General Business- Action Items

5. Discussion and Consideration of Approving a Resolution for Cougar Canyon Recreational Subdivision Final Plat (Krissie Killoy, County Planner)

This application is submitted by Floyd Harrell. The application requests approval of a six lot recreational subdivision to be located off of Sand Flats Road on an existing 76.69 acre parcel. **MOTION:** Motion by Council Member Gene Ciarus to approve the final plat with the suggested changes. Motion seconded by Council Member Ken Ballantyne carried 6 – 0.

6. Discussion and Consideration of Proposed Purchase Contracts for Right-of-Way Acquisition and Associated Expenses for Mill Creek Drive Project (Mark Wright, County Engineer)

MOTION: Motion by Council Member Chris Baird to postpone the action on right-of-way acquisition until the next meeting. Motion seconded by Council Member Gene Ciarus. Council Member Ciarus is not opposed to approval upon attorney review. Motion failed 1 – 5 with Council Member Baird opposed. **MOTION:** Motion by Council Member Gene Ciarus to approve the process with the signature of the Chair pending attorney review. Motion seconded by Council Member Ken Ballantyne carried 6 – 0.

7. Discussion and Consideration of Adopting the 2010 Tentative Budget (Diana Carroll, County Clerk/Auditor)

MOTION: Motion by Council Member Ken Ballantyne to adopt the 2010 Tentative Grand County Budget. Motion seconded by Council Member Gene Ciarus carried 6 – 0. The public hearing is scheduled for the December 1, 2009 Council Meeting at 7:00 p.m.

8. Discussion and Consideration of a Board Appointment to the Housing Authority of Southeastern Utah (HASU) Board of Commissioners to Fill a Vacancy Due to a Board Member's Resignation (Melinda Brimhall, County Council Administrator)

MOTION: Motion by Council Member Audrey Graham to appoint Martha McGraw to fill the current vacancy on the HASU Board with the term expiring December 31, 2012. Motion seconded by Council Member Chris Baird carried 6 – 0.

General Business- Discussion Items

9. Discussion of a Proposed Process to Develop a Grand County Public Lands Bill (Chairman Greenberg)

General Council Reports

Council Member Ciarus

- Attended a meeting in Price with Forest Service regarding SRS and RAC Committee.

- Attended Utah Association of Counties Conference in St. George.
- Attended a UDOT meeting in Green River and the AOG meeting in Price.

Council Member Baird

- GWSSA raised irrigation rates 20 – 30%.

Council Member Greenberg

- Travel Council is reviewing grant applications.
- Attended a special Airport Board meeting regarding the Essential Air Service recommendation.

Council Member Graham

- Attended the Utah Housing Coalition Annual Conference
- Is supportive of seeing HASU move forward

Future Considerations

Council Member Conrad is interested in a discussion regarding the use of the county owned building for homeless shelter.

Council Member Greenberg noted that the Council considered and acted on a request for Sand Flats employees and suggested we do the same for Search and Rescue.

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 Audrey Graham carried 6 – 0.

Grand County Council Chairman

ATTEST:

Diana Carroll
Grand County Clerk/Auditor