

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

April 20, 2010

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 Audrey Graham 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.

Council Administrator Report

Council Administrator Melinda Brimhall reported the following:

- The Road Department cleared the snow drifts and opened the Loop Road last week.
- Road Department employees are attending Road School in St. George.
- The new Travel Guide is ready for distribution.
- Will be attending UAC Management Conference in Ogden.

Department Head Reports

A. Annual Building Department Report (Jeff Whitney, Building Official)

Grand County Building Official Jeff Whitney reported permit activity during the past six months. 2010 Commercial and Residential permits are down slightly over 2009. The new hospital and long term care facility make up most of the current inspections.

Agency Reports

B. Update on Fire Warden Activities (Zack Farmer, Grand County Fire Warden and Alison McCluskey, Utah Division of Forestry, Fire & State Lands)

Grand County Fire Warden Zack Farmer gave an update of recent activity including sponsoring a Four County Training and tamarisk removal near Intrepid Potash. Alison McCluskey reported on the Mill Creek, Pack Creek and Dalton Wells Tamarisk and Russian Olive tree removal and Willow Basin work.

Presentations

Action Items

C. Discussion and Consideration of Approval of a Letter to the Bureau of Land Management's State Director Regarding the Proposed Changes to the Bureau's Moab and Vernal Fire Zone Boundary, Matter Postponed from April 6, 2010 (Bill Zanotti, Southeast Area Manager, Utah Division of Forestry, Fire & State Lands)

Bill Zanotti requested the County Council support the BLM recommendation for keeping the fire zone boundary unchanged. Radio communication would be compromised creating a public safety issue. **MOTION:** Motion by Council Member Gene Ciarus to approve sending the letter of opposition to the proposed changes in the Bureau of Land Management's Moab and Vernal Fire Zone Boundary and authorize the Chair to sign all associated documents. Motion seconded by Council Member Bob Greenberg. Bill Zanotti requested the motion include sending the letter to the State Director of BLM and Bill Stringer along with other interested agencies. Motion carried 6 – 0.

D. Discussion and Consideration of Organizational Placement of the Human Resources Director Position (Council Member Baird)

MOTION: Motion by Council Member Chris Baird to transfer the HR Director position to the Council office and authorize the Chair to sign associated documents. Motion seconded by Council Member Bob Greenberg carried 5 – 1 with Council Member Ciarus opposed.

E. Discussion and Consideration of Appropriating \$20,000 from TRCC (Tourism, Recreation, Cultural & Convention Tax) Trail Maintenance Line Item for the Shortfall of the North Moab Recreation Areas - Courthouse Wash to SR 313 (Moab Canyon Trail) Project (Council Member Baird and Kimberly Schappert, Moab Trails Alliance)

MOTION: Motion by Council Member Chris Baird to move \$20,000 from the TRCC Trail Maintenance line item to help offset the Moab Canyon shortfall. Motion seconded by Council Member Ken Ballantyne carried 6 – 0.

F. Discussion and Consideration of Approval of a Letter of Support and Match-Required Grant Application to the Utah Trails and Pathways Program to Develop Three New Trails, i.e., North 40, Lazy EZ and Deadman's Ridge, in the M.O.A.B. Brands/Bar M Bicycle Focus Area (David Olsen and Sandy Freethey, Trail Mix Committee Representatives)

MOTION: Motion by Council Member Bob Greenberg to approve the Utah Trails and Pathways grant application to develop the North 40, Lazy EZ and Deadman's Ridge in the M.O.A.B. Brands/Bar M bicycle Focus Area and authorize the Chair to sign all associated documents. Motion seconded by Council Member Chris Baird carried 6 – 0.

G. Discussion and Consideration of Approval of a Final Easement for the SITLA Portion of the Pipe Dream Trail Near the Hidden Valley Trailhead, Matter Postponed from April 6, 2010 (David Olsen, Trail Mix Committee Representative)

MOTION: Motion by Council Member Ken Ballantyne to approve the final Pipe Dream Trail easement along SITLA land near Hidden Valley, with the expectation that an amended easement will be presented for approval upon final build-out of the trail, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Chris Baird carried 6 – 0.

H. Discussion and Consideration of Approval of Grant Agreement with Utah Department of Technology Services - Automated Geographic Reference Center (AGRC), Including Approval of a County Match at 20%, Matter Postponed from April 6, 2010 (Merlene Dalton, Recorder and David Vaughn, Road Department Assistant Supervisor)

MOTION: Motion by Council Member Bob Greenberg to approve the grant agreement with Utah Department of Technology Services, Automated Geographic Reference Center (AGRC) with in-kind match from the Records Office staff work. Motion seconded by Council Member Gene Ciarus carried 6 – 0.

I. Discussion and Consideration of Adopting a Proposed Resolution Amending the Canyonlands Health Care District Bylaws (Council Member Ballantyne)

Council Member Greenberg called for point of order as he stated the Grand County Council does not have the authority to amend the bylaws of a special service district and the item should be stricken from agenda. Chair Graham ruled to strike the item from the agenda.

Discussion Items

J. Workshop– Review and Discussion of a Draft Ordinance Establishing Use-Specific Standards for Production Water Disposal & Recycling Facilities (Community Development Representatives)

MOTION: Motion by Council Member Bob Greenberg to postpone discussion on this item until the end of the afternoon session. Motion seconded by Council Member Chris Baird carried 6 – 0.

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

Consent Agenda- Action Items

L. Approval of Grant Contract with Utah Weed Supervisor Association (UWSA)

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

Recess until 4:15 p.m. and returned to discuss Item J.

Closed Session(s) if necessary

Recess at 5:34 p.m.

The evening session of the Council Meeting was called to order at 7:00 p.m. by Chairman Audrey Graham. Present were Council Members Audrey Graham, Bob Greenberg, Gene Ciarus, Ken Ballantyne, Chris Baird and Chris Conrad with Clerk/Auditor Diana Carroll and Council Administrator Melinda Brimhall. Council Member Patricia Holyaok was absent. The Pledge of Allegiance was led by VFW Sgt. Major Mark Luddington.

Approval of Minutes

1. March 16, 2010 (Municipal Building Authority Meeting)
2. April 2, 2010 (Joint City-County Meeting), Matter Postponed from April 6, 2010
3. April 6, 2010 (Board of Equalization Meeting)
4. April 6, 2010 (County Council Meeting)

MOTION: Motion by Council Member Bob Greenberg to postpone approval of minutes. Motion seconded by Council Member Chris Baird carried 6 – 0.

Approval of Payment of Bills

MOTION: Motion by Council Member Chris Baird to approve payment of bills presented in the amount of \$647,061.20. Accounts payable check numbers 64103 – 64363 totaling \$479,246.72 and payroll in the amount of \$167,814.48 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Ken Ballantyne carried with a 6 – 0 roll call vote.

Citizens to Be Heard

Sue Allemand, Joan Jackson and Jan Flynn representing RSVP Volunteers spoke regarding upcoming events for Seniors and invited Council Members and the public to attend the RSVP Ice Cream Social.

Ryan Anderson, a local high school teacher invited Council Member to attend the Grand County Community Economic Summit.

Retired Coast Guard, Russell Pogue introduced VFW Commander Ed Munson, Commander Mark Luddington and Commander Matt Keogh and announced that the Veteran's Administration will open a care clinic for Veterans in Moab.

Presentation

5. Presentation on Potash Opportunities in Grand County (Del Fortner and John Glasscock, American Potash Company)

Del Fortner and John Glasscock presented information regarding potential development of potash reserves in an area just north of Moab. American Potash Company is in very preliminary stages of development and will return to the County Council for updates as necessary.

Public Hearings- Possible Action Items

6. Public Hearing to Hear Public Input on the Preliminary Plat for the Christie Subdivision Located at 3018 Old City Park Road and Zoned Rural Residential (RR) (Community Development Representative)

Community Development staff Mary Hoffine read into the record the Grand County General Plan and Land Use Code as amended to date. This application is submitted by Lance Christie. The applicant proposes division of 6.34 acres into two lots for residential use, Parcel A is one acre, Parcel B is 4.94 acres, currently a working organic farm for the production of vegetables, and the private access tract comprises .40 acres. Two existing residences and accessory structures are located on the property. The applicant seeks to create separate lots for each residential unit. Surrounding properties are also zoned RR with existing residences.

No comments were received from the public. Written comments will be accepted until Wednesday, April 28, 2010.

7. Public Hearing to Hear Public Input on a Conditional Use Application for a Public Safety Communications Tower for an 80-Foot-High Telecommunication Tower and Buildings Located at the Emergency Operations Center, 2600 South Highway 191 (Krissie Killoy, Planner and Corky Brewer, Emergency Management Director)

Grand County Planner Krissie Killoy read into the record the Grand County General Plan and Land Use Code as amended to date. There were no comments received. **MOTION:** Motion by Council Member Gene Ciarus to suspend the rules to consider action on the item this evening. Motion seconded by Council Member Ken Ballantyne carried 6 – 0. **MOTION:** Motion by Council Member Gene Ciarus to adopt the proposed resolution approving the Conditional Use Permit for an 80 foot telecommunication tower at the Emergency Operations Center subject to the condition to incorporate Section 3.2.2P.15 of the Land Use Code. Motion seconded by Council Member Ken Ballantyne carried 6 – 0.

General Business- Action Items

8. Discussion and Consideration of Sending a Comment Letter to the Utah Division of Oil, Gas and Mining (UDOGM) Regarding the PR Springs Tar Sands Project (Council Member Baird)

MOTION: Motion by Council Member Chris Baird to send the letter to the Utah Division of Oil, Gas, and Mining as presented and authorize the Chair to sign associated documents. Motion seconded by Council Member Bob Greenberg carried 6 – 0.

9. Discussion and Consideration of Approval of Letter to the U.S. Forest Service Encouraging Studies of Impacts of Fuel Reduction Projects, Matter Postponed from April 6, 2010 (Council Member Greenberg)

MOTION: Motion by Council Member Bob Greenberg to send the letter to the U.S. Forest Service, Moab Ranger District and authorize the Chair to sign all associated documents. Motion seconded by Council Member Chris Baird carried 6 – 0.

10. Discussion and Consideration of Approval of Proposed Resolution for Acceptance of the Rim Village Vistas III Planned Unit Development (PUD) Including All Required Improvements and Release of Warranty Bond (Community Development Representative)

MOTION: Motion by Council Member Bob Greenberg to adopt the proposed resolution accepting the Rim Village Vistas III PUD Subdivision including all required improvement and release of Warranty Bond before April 23, 2010 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Baird carried 6 – 0.

11. Discussion and Consideration of Proposed Amendments to the Grand County Consolidated Fee Schedule (Ordinance No. 482), Excluding Proposed Amendments to the Fees of the Old Spanish Trail Arena (Melinda Brimhall, County Council Administrator)

MOTION: Motion by Council Member Bob Greenberg to adopt the proposed ordinance excluding the OSTA fees and striking the word "monitoring" to production water fees. Motion seconded by Council Member Chris Baird carried 6 – 0.

12. Discussion and Consideration of Approval of a Federal Aid Agreement in the Amount of \$875,000.00 for Repairs to the Bitter Creek Bridge on County Road 193, Matter Postponed from April 6, 2010 (Mark Wright, County Engineer/Community Development Director)

MOTION: Motion by Council Member Gene Ciarus to approve the UDOT Federal Aid Agreement for Local Agency Project; County RD 193 MP 2.1 Bitter Creek Bridge, F-LC19(13) with a total project amount of \$875,000 and a Grand County commitment of \$175,000 with \$2,500 to come from B Road funds and the remainder from the Grand County Transportation Special Service District. Motion seconded by Council Member Ken Ballantyne carried 5 – 1 with Council Member Greenberg opposed. .

General Council Reports

Council Member Ciarus

- Projects and meetings – UAC grazing study and CDBG

Council Member Baird

- Projects and meetings – SITLA easement regarding Sovereign Lands Trail, GWSSA, USU Moab Campus Advisory Committee, OSTA user group.

Council Member Greenberg

- Projects and meetings – CIB Priority List.

Council Member Graham

- Projects and meetings – ULGT dividend, Tailings Times new edition printed, Lucas Chapman won the Sand Flats Pass during County Government Week.

Future Considerations

Council Member Greenberg will work on the CIB priority list. The fire truck for the airport is funded and the building to store the fire truck needs to be a higher priority. The Castle Valley Fire property also needs to be included.

Council Member Baird requested Council consideration of potentially getting involved in a comprehensive land use bill by forming a committee.

Chair Graham appointed Council Member Conrad to work on the Fire Warden project along with Bill Zanotti.

Council Administrator Brimhall will follow up with the Uintah County Commission regarding a meeting date.

Closed Session(s) if necessary

Adjourn

MOTION: Motion by Council Member Chris Baird to adjourn at 8:46 p.m. Motion seconded by Council Member Chris Conrad carried 6 – 0.



Grand County Council Chair
Audrey Graham

ATTEST: 

Grand County Clerk/Auditor
Diana Carroll