

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

August 17, 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. Vice-Chairman Chris Conrad called the Afternoon Session of the Council Meeting to order at 3:00 p.m. In attendance were Council Members Chris Conrad, Patricia Holyoak, Bob Greenberg, Gene Ciarus and Chris Baird along with Grand County Clerk/Auditor Diana Carroll and Council Administrator Melinda Brimhall. Council Members Audrey Graham and Ken Ballantyne were absent. The Pledge of Allegiance was led by Vice-Chairman Chris Conrad.

Council Administrator Report

Council Administrator Melinda Brimhall reported the following:

- The HR Director position has been accepted by Ruth Mattox.
- The facilities proposal period ended with no applications received. The next process is to rent the old senior center at fair market value.

Department Head Reports

Grand County Travel Council Director Marian DeLay reported that TRT collections are up by 14% year to date. Also, the Travel Council applied for a Utah Office of Tourism Marketing Grant in the amount of \$161,000, which was awarded.

Agency Reports

A. National Park Service Update (Kate Cannon, NPS Superintendent, Arches National Park)

Arches National Park Superintendent Kate Cannon reported visitation is up 8% for July and 3% year to date. The National Park Service is considering ways to reduce parking congestion and address climbing and canyoneering issues resulting from the increase in visitation of the park.

Presentations

B. Services Update from Utah Association of Counties (Brent Gardner, UAC Executive Director)

Members of the Utah Association of Counties Executive Committee met with Grand County Council to discuss common issues and receive input regarding the role of the UAC Committee and the needs of the County.

Action Items – Discussion and Consideration of Approving/Adopting:

C. Option(s) Regarding the Non-Motorized Trail Impacting Property on San Miguel Avenue Located in the Grand Vu Park Subdivision, Matter Postponed from August 3, 2010 Council Meeting (Council Member Ciarus)

Council Member Ciarus presented his findings during discussions and researching background information regarding alleged damage to private property owned by Mr. & Mrs. Paul Shuey. **MOTION:** Motion by Council Member Gene Ciarus calling for Grand County to abandon the property on the north corner and deed it back to Mr. & Mrs. Shuey. Motion died for lack of second. Discussion occurred. **MOTION:** Motion by Council Member Bob Greenberg to have the Community Development Department work on the mitigation options with the property owner, which may include fences, buffers, etc. Motion seconded by Council Member Chris Baird carried 4 – 1 with Council Member Ciarus opposed.

D. Request for Residential Sewer Connection(s) by Property Owners Tom & Shelton Johnson (Tom & Shelly Johnson; David & Dina Lance)

Property owners Tom & Shelly Johnson and David & Dina Lance are requesting a sewer connection fee be waived as per a 1996 agreement with Grand County. **MOTION:** Motion by Council Member Bob Greenberg to authorize reimbursement to the Johnsons/Lances for a sewer connection as per the intended agreement made between the Johnsons and Grand County in 1996. Motion to include the Johnson's and Lance's signing a release provided by the County Attorney that states if the family agrees to accept the additional connection as payment in full, Grand County will pay one sewer connection fee including impact fees in the total amount of

\$5,500.00 with funding to come from Discretionary Funds. Motion seconded by Council Member Ciarus carried 5 – 0.

E. Proposed Ordinance Amending the Grand County Off-Highway Vehicle (OHV) Routes Designation (Melinda Brimhall, County Council Administrator and Road Department Representative)

MOTION: Motion by Council Member Greenberg to approve the proposed Off-Highway Vehicle Ordinance and map and authorize the Chair to sign all associated documents. Motion seconded by Council Member Patricia Holyoak. **AMENDED MOTION:** Motion amended to include the Chair's signature on a letter to State Parks & Recreation with regard to working closely with BLM concerning management of the trail system carried 5 – 0.

F. Proposed Resolution Approving a Conditional Use Permit for Sand/Gravel Extraction and Asphalt Plant (Community Development Representative)

Public Hearing regarding the Conditional Use Permit was held August 3, 2010 and there have been no comments since that time. **MOTION:** Motion by Council Member Chris Baird to adopt the proposed resolution approving the Conditional Use Permit for sand and gravel extraction and a temporary asphalt plant subject to the following conditions:

1. Project duration is limited to 5 years unless an extension is approved by the County.
2. Hours of operation are limited to daylight hours only.
3. Outdoor lighting on the site will be pursuant to Sec 6.6 of the Grand County Land Use Code.
4. Provisions of monitoring documents and on-going mitigation of fugitive dust.

Motion seconded by Council Member Gene Ciarus carried 5 – 0.

G. Process for Appointing a Grand County Justice Court Judge, Matter Postponed from April 6, 2010 (Melinda Brimhall, County Council Administrator)

MOTION: Motion by Council Member Greenberg to postpone until the September 21, 2010 Council Meeting. Motion seconded by Council Member Chris Baird carried 5 – 0.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve payment of bills presented in the amount of \$671,076.53. Accounts payable check numbers 65840 – 66040 totaling \$525,704.81 and the payroll in the amount of \$145,371.72 confirming all bills presented were within budgeted appropriations. Motion seconded by Chris Baird carried with a 5 – 0 roll call vote.

Approval of Minutes

H. August 3, 2010 (County Council Meeting)

MOTION: Motion by Council Member Chris Baird to approve minutes of the August 3, 2010 Council Meeting. Motion seconded by Council Member Gene Ciarus carried 5 – 0.

Discussion Items

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

Consent Agenda- Action Items Approving:

J. Proposed Letters to the U.S. Department of Energy Urging Support of the Funding Level Required to Continue the Momentum for the Moab Tailings Project:

- a. Secretary of Energy
- b. Deputy Chief Operations, Office of Environmental Management
- c. Deputy Director, Recovery Act Program

K. Proposed Road Project Agreement between Grand County and the Forest Service for the Manti-La Sal National Forest Regarding La Sal Loop Road Traffic Counts

L. Proposed Contracts through June 30, 2011 between Southeastern Utah Association of Local Governments (SEUALG) Area Agency on Aging and Grand County Retired Senior Volunteer Program (RSVP) to Provide:

- a. State Action Funds for the Provision of Volunteer Travel Reimbursement
- b. Volunteer Counselors, Training, Staff Support, Provision of Service, and Administer State Health Insurance Information Program (SHIP)
- c. Payment for Various Services Related to Aging and Nutrition

MOTION: Motion by Council Member Bob Greenberg to adopt the Consent Agenda to approve the proposed documents as presented and authorize the Chair to sign all associated documents. Motion seconded by Council Member Patricia Holyoak carried 5 – 0.

Citizens to Be Heard

Travis Kelly spoke as a representative of a community of mobile home owners who reside on property belonging to Charlie & Lucy Nelson. The residents are requesting a variance and asked that the County consider all options.

General Council Reports

Council Member Ciarus

- Attended meetings of SEUALG and CDBG regarding the rating and ranking of requests for funding.

Chair Greenberg

- Reported on a recent trip to Washington DC with Council Member Holyoak for meetings with DOE, FAA and Environmental Quality committees.

Council Member Baird

- Reported attending meetings of the Recreation District and the Rural Summit in Cedar City.
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Council Member Holyoak

- Attended the Chamber of Commerce meeting.

Council Member Conrad

- Has received letters from citizens on Kane Creek Blvd who are getting eviction notices.

Future Considerations

Pam Juliano reported that Congressman Matheson is interested in pursuing a public lands bill.

Council Members requested future considerations regarding policies & procedures, letter to SEUALG in support of Atlas Tailings funding and budget meetings.

Adjourn

MOTION: Motion by Council Member Greenberg to adjourn at 5:27 p.m. Motion seconded by Council Member Holyoak carried 5 - 0



Grand County Council Chair
Audrey Graham

ATTEST: 

Grand County Clerk/Auditor
Diana Carroll