

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

**October 5, 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, Bob Greenberg, Patricia Holyoak, Gene Ciarus and Chris Baird along Grand County Clerk/Auditor Diana Carroll. Council Members Audrey Graham and Ken Ballantyne were absent.

**Department Head Reports**

**A. Update on U.S. 191 Moab to Potash Project (Mark Wright, County Engineer/Community Development Director)**

Grand County Engineer Mark Wright gave an update on the Moab to Potash Road UDOT Cooperative Agreement Project. The scope of work has been amended to extend the boundary of the project. Mark will be attending future meetings with UDOT and Moab City and return to Council with updates.

**Agency Reports**

**B. Request for Support of State Legislation Regarding Change in Code / Rule Governing Capital Outlay Expenditures for Local School Boards (Margaret Hopkin, Grand County School District Superintendent)**

Grand County School Board Member Jim Webster requesting support in the 2010 – 2011 legislative session adjustment that would give local school boards the latitude and autonomy to independently meet district financial shortfall.

**Action Items – Discussion and Consideration of Approving:**

**C. Hiring in 2010 for a Position that Will Open January 1, 2011 (Merlene Dalton, Recorder)**

**MOTION:** Motion by Council Member Bob Greenberg to authorize hiring for the position in the Records Office that will be vacant when Merlene Dalton retires to be funded beginning November 15, 2010. Motion seconded by Council Member Gene Ciarus carried 5 – 0.

**D. Appointments to the Southeastern Utah District Council on Aging (Verleen Striblen, Staff Liaison to the Grand County Council on Aging)**

**MOTION:** Motion by Council Member Gene Ciarus to approve the appointment of Joan Jackson to the Board of the Southeastern Utah District Council on Aging, and further to appoint Sue Allemmand and Kathy Shields as alternates to this same Board. Motion seconded by Council Member Patricia Holyoak carried 5 – 0.

**E. Contract Award for a Food and Beverage Concessionaire at the Old Spanish Trail Arena (OSTA) (Marvin Day, Acting OSTA Manager; Melinda Brimhall, Council Administrator)**

**MOTION:** Motion by Council Member Bob Greenberg to approve the contract award for food and beverage concession services at the Old Spanish Trail Arena to Shawn N. Welch through December 31, 2012, pending proof of current business licensure, including food handling permit, and proof of required amount of insurance coverage, adding to paragraph 7 COMPENSATION TO THE COUNTY...for events "at which the concessions are" grossing less... and authorize the Chair to sign all associated documents. Motion seconded by Council Member Chris Baird carried 5 – 0.

**F. Fiscal Assistance Agreement between Grand County and Utah Division of Parks and Recreation for Slickrock Bike Trail Trailhead Improvements (Andrea Brand, Sand Flats Recreation Area Program Manager)**

**MOTION:** Motion by Council Member Chris Baird to enter into the proposed agreement with Utah Department of Parks and Recreation for Slickrock Bike Trail trailhead improvements, and Fins 'n Things Trailhead improvements which obligates \$13,475 from 2011 County Fund Balance, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Patricia Holyoak carried 5 – 0.

**G. Fiscal Assistance Agreement between Grand County and Utah Division of Parks and Recreation for Fins 'n Things Trailhead Improvements (Andrea Brand, Sand Flats Recreation Area Program Manager)**

Approval Included in action of Item F.

**H. Funding for Mitigation of a Non-Motorized Trail between San Miguel and Mill Creek Drive (Mark Wright, County Engineer/Community Development Director)**

**MOTION:** Motion by Council Member Bob Greenberg to table this item and incorporate it into the 2011 Budget process. Motion seconded by Council Member Chris Baird. Grand County Engineer Mark Wright recommended a record survey of the property and will get a bid from Keogh Land Surveying. David Olsen said he can get funding for the \$3,055 screening. Motion carried 5 – 0.

**Discussion Items**

**I. Workshop to Determine Allocation of:**

- a. Mineral Lease and State PILT Funds Received in 2011
- b. Mineral Bonus Account Funds Received in 2011  
(Melinda Brimhall, Council Administrator)

**MOTION:** Motion by Council Member Chris Baird to postpone until the next meeting when Council Member Ballantyne can participate. Motion seconded by Council Member Bob Greenberg carried 5 – 0.

**J. Discussion on Current State-Mandated Building Codes (Jeff Whitney, Building Official)**

Discussion occurred regarding a draft ordinance to amend the State mandated local building codes concerning the abatement of dangerous buildings and the use of grey water. There will be a public hearing regarding the adoption of the draft ordinance.

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

**Consent Agenda- Action Items Ratifying:**

**L. Authorization Provided to the Office of the Governor to Allocate Forest Service Secure Rural School (SRS) Funds**

**MOTION:** Motion by Council Member Bob Greenberg to approve the Consent Agenda as presented. Motion seconded by Council Member Gene Ciarus carried 5 – 0.

*Closed Session(s) if necessary*

**MOTION:** Motion by Council Member Greenberg to enter Closed Session at 4:20 p.m. to discuss the character, professional competence, or physical or mental health of an individual. Motion seconded by Barid carried 5 – 0. Present were Council Members Conrad, Barid, Greenberg Holyoak and Ciarus. Vice-Chair Conrad announced the session was for Council Members only. Grand County Clerk/Auditor was asked to leave. **MOTION:** Motion by Council Member Patricia Holyoak to end the Closed Session at 5:28 p.m. Motion seconded by Council Member Bob Greenberg carried 5 – 0 as recorded on the Grand County Council Closed Session Form.

**Recess**

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

**Approval of Minutes**

1. September 21, 2010 (County Council Meeting)

2. September 22, 2010 (County Council Special Meeting – Auditor/Council Budget Workshop)

**MOTION:** Motion by Council Member Bob Greenberg to postpone approval of minutes until the next 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 \$373,268.43. Accounts payable check numbers 66479 – 66630 totaling \$213,176.58 and payroll in the amount of \$160,091.85 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Chris Baird carried with a 5 – 0 roll call vote.

## Citizens to Be Heard

Colleen Beaver and Barbara Hicks from the Humane Society requested funding for the 2011 spay and neutering program.

Chris Catco spoke regarding low wages, high cost of living and poor living conditions in some residential areas in Grand County.

## Presentations

### 1. Update on Plans to Conduct a 200-Acre Prescribed Wetland Fire in the Scott M. Matheson Preserve (Representatives from The Nature Conservancy, Utah Division of Wildlife Resources, and Utah Forestry, Fire and State Lands)

The Utah Division of Wildlife Resources and the Nature Conservancy are working together to prepare for a prescribed burn in the Scott M. Matheson Wetland Preserve. Chris Wood, Utah Division of Wildlife Resources explained burn plan proposed for late October mid November.

### 2. Semi-Annual Report of the Parental Defender (Joyce G. Smith, Parental Defender)

## Public Hearings- Possible Action Items (none)

## General Business- Action Items – Discussion and Consideration of Adopting:

### 3. Proposed Resolution Approving the Acceptance of Tierra del Sol Planned Unit Development (PUD) Subdivision, Phase II and Release of Escrow Bond Security Agreement (Community Development Representative)

**MOTION:** Motion by Council Member Chris Baird to adopt the proposed resolution approving the acceptance of Tierra del Sol Planned Unit Development, Phase II and authorize the Chair to sign the resolution and release the Escrow Bond Security Agreement. Motion seconded by Council Member Bob Greenberg. Motion carried 5 – 0.

### 4. Proposed Resolutions Allocating:

- a. Mineral Lease and State PILT Funds Received in 2011
  - b. Mineral Bonus Account Funds Received in 2011
- Matter Postponed from September 21, 2010 Council Meeting  
(Melinda Brimhall, County Council Administrator)**

**MOTION:** Motion by Council Member Chris Baird to postpone until the next meeting. Motion seconded by Council Member Bob Greenberg carried 5 – 0.

## General Council Reports

Council Member Greenberg

- CIB application submitted for Airport fire truck and storage building.
- Congressman Matheson and 12 others submitted letters to support the current pace of activity at the Atlas Tailings site.

Council Member Baird

- Beginning meetings with Clerk/Auditor and Building Inspector regarding Impact Fees.

Council Member Conrad

- FCCBH presented audit.
- Health Department is very close to submitting CIB application.


## Future Considerations

*Closed Session(s) if necessary*

**MOTION:** Motion by Council Member Bob Greenberg to enter Closed Session 7:32 p.m. Motion seconded by Council Member Chris Baird carried. 5 – 0 at 7:30 to discuss the character, professional competence, or physical or mental health of an individual. Motion seconded by Baird carried 5 – 0. Present were Council Members Conrad, Baird, Greenberg, Holyoak and Ciarus. Vice-Chair Conrad announced the session was for Council Members only. Grand County Clerk/Auditor was asked to leave. Closed session ended at 9:47 p.m.

**Adjourn**

  
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Grand County Council Chair  
Audrey Graham

**ATTEST:**   
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Grand County Clerk/Auditor  
Diana Carroll