

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

October 19, 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 Audrey Graham, Chris Conrad, Bob Greenberg, Patricia Holyoak, Gene Ciarus and Chris Baird along with Grand County Clerk/Auditor Diana Carroll. Council Member Ken Ballantyne was absent.

Elected Officials Reports

Grand County Clerk/Auditor reported that early voting started today and will continue until October 29, 2010.

Council Administrator Report

Melinda Brimhall reported that she will be conducting interviews for the OSTA Manager position tomorrow, October 20, 2010.

Discussion / Workshop Items

A. Discussion Concerning Grand County's Form of Government and Clarification of Elected Officials and County Council Roles

MOTION: Motion by Council Member Gene Ciarus to suspend the discussion until the November 3, 2010 Council meeting. Motion seconded by Council Member Chris Baird carried 6 - 0.

B. Workshop to Determine Allocation of:

- i. Mineral Lease and State PILT Funds Received in 2011
- ii. Mineral Bonus Account Funds Received in 2011
(Matter Postponed from October 5, 2010)
(Melinda Brimhall, Council Administrator)

MOTION: Motion by Council Member Chris Baird to postpone this item until after the Consent Agenda (after item G. on this agenda.) Motion seconded by Chris Conrad carried 6 - 0.

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

Action Items – Discussion and Consideration of Approving:

D. 2011 County Road and Paved Path Priorities for Submission to the Grand County Transportation Special Service District (Bill Jackson, Road Department Supervisor)

MOTION: Motion by Council Member Chris Baird to approve the 2011 Proposed Road Project Priority List as presented along with the addition of \$9,900 for paved bike trail accruing fund, forward the same to the Grand County Transportation Special Service District for consideration, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Bob Greenberg carried 6 - 0.

Consent Agenda- Action Items Approving:

E. Beer Permit for WabiSabi Fashion Show

F. 2010 November Election Poll Workers

G. Cooperative Law Enforcement Agreement between the Sheriff's Office and the Manti-La Sal Forest Service through September 30, 2015

MOTION: Motion by Council Member Patricia Holyoak 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 Chris Conrad carried 6-0.

Chair Graham called for a 5 minute recess at 3:33 p.m.

MOTION: Motion by Council Member Bob Greenberg to postpone the Allocation of Mineral Lease monies until the evening session. Motion seconded by Chris Baird carried 6 - 0.

CLOSED SESSION

MOTION: Motion by Council Member Chris Conrad to enter Closed Session at 3:40 p.m. for the purpose of discussion of the character, professional competence, or physical or mental health of an individual. Motion seconded by Council Member Patricia Holyoak carried 5 – 0 with Council Member Gene Ciarus abstaining from the vote. Chair Graham requested Council Members only be present and with the absence of the Clerk there was no official record of the meeting. **MOTION:** Motion by Council Member Bob Greenberg to end the Closed Session at 5:32 p.m. Motion seconded by Council Member Chris Baird carried 7 – 0.

Recess

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, Chris Conrad, Ken Ballantyne, Bob Greenberg, Gene Ciarus, Chris Baird and Patricia Holyoak with Clerk/Auditor Diana Carroll. The Pledge of Allegiance was led by John Hartley.

Approval of Minutes

1. **September 21, 2010 (County Council Meeting), Matter Postponed from October 5, 2010 (Diana Carroll, Clerk/Auditor)**

MOTION: Motion by Council Member Chris Conrad to approve the minutes of the September 21, 2010 Council Meeting with the recommended changes. Motion seconded by Council Member Chris Baird carried 7 – 0.

2. **September 22, 2010 (County Council Special Meeting – Auditor/Council Budget Workshop, Matter Postponed from October 5, 2010 (Diana Carroll, Clerk/Auditor)**

3. **October 5, 2010 (County Council Meeting) (Diana Carroll, Clerk/Auditor)**

4. **October 6, 2010 (County Council Special Meeting – Auditor/Council/Elected Officials/Department Heads Budget Workshop (Diana Carroll, Clerk/Auditor)**

MOTION: Motion by Council Member Chris Conrad moved to postpone the remaining minutes until the next meeting. Motion seconded by Bob Greenberg carried 7 – 0.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve payment of bills presented in the amount of \$464,893.67. Accounts payable check numbers 66631 – 66827 totaling \$306,153.79 and payroll in the amount of \$158,739.88 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Chris Baird carried with a 7 – 0 roll call vote.

Citizens to Be Heard

John Corkery – spoke regarding the Desert Rocks Music Festival being relocated to a venue in Grand County. The citizen will return to the Council when more research has been done.

Public Hearings- Possible Action Items

5. **Public Hearing to Hear Public Input on Proposed Amendments to Ordinance No. 443 which Adopted the Current Editions of the Codes Governing Construction that would Include Allowing Grey-Water Use and Adding 1997 Uniform Code for the Abatement of Dangerous Buildings (Jeff Whitney, Building Official)**

All suggested codes are mandated by the State of Utah except Appendix C of the Plumbing Code and the Uniform Code for the Abatement of Dangerous Buildings. Appendix C of the Plumbing Code would allow the use of "grey water" in a controlled and healthy manner. The inclusion of the Uniform Code for the Abatement of Dangerous Buildings is in response to Council requests to have certain abandoned buildings made safe or boarded up for safety purposes.

State Sanitarian Jim Adamson spoke regarding regulations on gray-water and how it needs to be disposed of and the strict rules governing gray-water.

Public comments will be accepted until Wednesday, October 27, 2010 at 5:00 pm.

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

6. **Violence Against Women Act (VAWA) Grant (Michelle Peterson, Victim Advocate)**

Grand County Victim Advocate Michelle Peterson reviewed her grant and explained her job as the victim advocate.

MOTION: Motion by Council Member Gene Ciarus to approve the VAWA grant application. Motion seconded by Council Member Bob Greenberg carried 7 – 0.

7. 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 and October 5, 2010)
(Melinda Brimhall, Council Administrator)

MOTION: Motion by Council Member Gene Ciarus to allocate the Mineral Lease Revenue to the Health Care Special Service District, Solid Waste Special Service District and Transportation Special Service District with each receiving 1/3 of the total and 100% of the Bonus Mineral Lease Revenue going to the Recreation Special Service District. PILT to be allocated 40% to the Health Care Special Service District, 30% to the Recreation Special Service District and 30% to the School District. Motion seconded by Council Member Ken Ballantyne. A lengthy discussion occurred and clarification of the disbursement to reflect the last payment received. **SUBSTITUTE MOTION:** Motion by Council Member Patricia Holyoak to split the PILT 50% to Health Care District and 50% to Grand County Schools. Motion died for lack of a second. Original motion by Council Member Ciarus carried 5 – 2 with Council Members Graham and Greenberg opposed.

8. Council Prioritization of Countywide Capital Improvement Projects for Submission to the Permanent Community Impact Fund Board (CIB) for Potential Funding (Melinda Brimhall, County Council Administrator)

Discussion occurred regarding the prioritization of the Capital Improvement Projects to be submitted to the Permanent Community Impact Fund Board. **MOTION:** Motion by Council Member Bob Greenberg to approve the short-term and medium-term lists of Countywide Capital Improvement Projects, as agreed per today's prioritization discussion for submission to the Permanent Community Impact Fund Board. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

9. 2010 Tax Abatements and State Refund (Peggy Taylor, Treasurer)

MOTION: Motion by Council Member Gene Ciarus to approve the 2010 property tax abatement as presented by Grand County Treasurer Peggy Taylor in the amount of \$144,345.82. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

10. 2010 Board of Equalization Hearing Officer Recommendations (Diana Carroll, Clerk/Auditor)

MOTION: Motion by Council Member Chris Baird to approve the 2010 Board of Equalization recommendations reducing property values \$7,691,010. Motion seconded by Council Member Patricia Holyoak carried 6 - 1 with Council Member Greenberg opposed.

General Council Reports

Council Member Holyoak

- Attended Chamber of Commerce meeting.

Council Member Baird

- Still working with Clerk/Auditor and Building Inspector regarding Impact Fees.

Council Member Greenberg

- Attended Policy & Procedure committee meeting.

Council Member Ciarus

- Reviewed several items from the SEALG meeting.

Council Member Graham

- Attended Housing Authority meeting.
- Presented ULGT dividend payment.

Future Considerations

Council Member Greenberg

- "Hand-shake" deals with Special Service Districts.

Council Member Graham


- Bee Inspector request.

Closed Session(s) if necessary

MOTION: Motion by Council Member Chris Conrad to enter Closed Session at 9:36 p.m. for the purpose of discussion of the character, professional competence, or physical or mental health of an individual. Motion seconded by Council Member Bob Greenberg carried 7 – 0. Chair Graham requested Council Members only be present and with the absence of the Clerk there was no further official record of the meeting. **MOTION:** Motion by Council Member Bob Greenberg to end the Closed Session at 10:28 p.m. Motion seconded by Council Member Gene Ciarus carried 7 – 0.



Grand County Council Chair
Audrey Graham

ATTEST: 

Grand County Clerk/Auditor
Diana Carroll