Grand County Council
Grand County Council Chambers
125 East Center Street
Moab, Utah

February 16, 2016

The Grand County Council met in Special Workshop Session on the above date in the Council Chambers of the Grand County Courthouse located at 125 East Center Street, Moab, Utah. Chairman Elizabeth Tubbs called the Council meeting to order at 2:05 p.m. In attendance were Council Members Elizabeth Tubbs, Chris Baird, Jaylyn Hawks, Ken Ballantyne, Rory Paxman, Lynn Jackson, and Mary McGann along with Grand County Clerk/Auditor Diana Carroll and Council Administrator Ruth Dillon.

Workshop
A. Housing Workshop (Zacharia Levine, Community Development Director)
The discussion occurred until 3:45 p.m. County Council and Planning Commission will continue to work on housing issues regarding Future Land Use Plan, Code Enforcement, amending Land Use Code. Agenda for the next workshop will be to discuss code enforcement and assured housing.

Recess at 3:45 p.m.

4:00 p.m.
Municipal Building Authority Meeting

4:10 p.m.
The Regular Session of the Grand County Council was called to order at 4:10 p.m. by Chair Elizabeth Tubbs on the above date in the Council Chambers of the Grand County Courthouse located at 125 East Center Street, Moab, Utah. In attendance were Council Members Elizabeth Tubbs, Chris Baird, Jaylyn Hawks, Lynn Jackson, Ken Ballantyne and Mary McGann along with Grand County Clerk/Auditor Diana Carroll and Council Administrator Ruth Dillon. Council Member Rory Paxman was absent. The Pledge of Allegiance was held during the MBA meeting.

Approval of Minutes (Diana Carroll, Clerk/Auditor)
B. February 2, 2016 (Workshop and County Council Meeting)
Action was postponed until the next meeting.

Ratification of Payment of Bills
MOTION: Motion by Council Member Chris Baird to approve payment of bills presented in the amount of $813,085.44. Accounts payable check numbers 91202 - 91392 totaling $640,517.84 and payroll in the amount of $172,567.60 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Rory Paxman carried 7 - 0 by roll-call vote.

Council Administrator Report
Council Administrator Ruth Dillon attended recent trainings regarding pipelines and ULGT training regarding event permitting.

Department Reports
C. 2015 Production Water Report (Lee Shenton, Technical Advisor)
Production Water Technical Advisor Lee Shenton gave an update on the disposal facilities located in Grand County including multi-stage and two-stage separation, purification, air emissions estimates and both facilities monitoring fees.

Grand County IT Director Matt Ceniceros gave an update on the enterprise system for GIS. The Policy Committee met to establish task timelines and have agreed to work with GIS Inc. using GSA pricing regarding data base design, servers, and best practices.

HR Director Orlinda Robertson reported that an offer has been made and accepted to Graig Thomas. He will start February 25, 2016.

Agency Reports

D. Accepting the Utah Division of Wildlife Resources (UDWR) PILT Payment (Chris Wood, Southeast Regional Supervisor, UDWR)

Southeast Regional Supervisor, UDWR Chris Wood presented Grand County's check for 2015 contractual in-lieu tax payment on land the DWR owns in Grand County.

E. 2015 Moab to Monument Valley Film Commission Report (Bega Metzner, Assistant Director and Rebecca Davidson, Moab City Manager)

Tara Penner and Bega Metzner jointly presented an update of the Moab to Monument Valley Film Commission activities.

Citizens to Be Heard

Eleanor Inskip spoke regarding a re-inventing Moab and Grand County idea she has.

Presentations

F. Presentation on Public Defender Semi-Annual Report (Don Torgerson, Torgerson Law Offices, P.C.)

Grand County Public Defender Don Torgerson gave his semi-annual report regarding the number of cases handled and the types of classes of each offense, court, client, trial, hearings and other activity in Grand County.

G. Presentation on Montrose to Moab Rimrocker Trail (Jon Waschbusch, Montrose County Government Affairs Director)

Montrose Colorado County Government Affairs Director Jon Waschbusch presented information regarding a designated route between Moab and Montrose, Colorado. The route would be on currently existing roads.

Discussion Items

H. Discussion on Next Steps to Comply with House Bill 323 – County Resource Management Plans (CRMP) (Zacharia Levine, Community Development Director)

Discussion occurred regarding the next steps necessary to comply with HB 323, County Resource Management Plans (CRMP).

I. Discussion on Points for Drafting a Letter to Congressmen Chaffetz and Bishop in Response to the Congressmen's Draft Public Lands Initiative (Chairwoman Tubbs)

Discussion occurred regarding a letter to Congressmen Chaffetz and Bishop in response to the draft Public Lands Initiative. County Council will work on a draft to present for Council approval at a future meeting.

J. Discussion on Calendar Items and Public Notices (Bryony Chamberlain, Council Office Coordinator)

General Business- Action Items- Discussion and Consideration of:

K. Adopting Proposed Resolution of the County Council of Grand County, Utah Authorizing and Approving the Execution of an Annually Renewable Master Lease Agreement, by and between Grand County and the Municipal Building Authority of Grand County, Utah Authorizing the Issuance and Sale by the Authority of its Lease Revenue Bonds, Series 2016, in the Aggregate Principal Amount of not to Exceed $2,328,000; and Related Matters (Sheriff White; Rick Bailey, Grand County Emergency Management Director; Randy Larsen, Bond Attorney, Ballard Sphar; and Alex Buxton, Vice President, Zions Bank Public Finance)

MOTION: Motion by Council Member Chris Baird to adopt the proposed resolution of the County Council of Grand County, Utah Authorizing and Approving the Execution of an Annually Renewable Master Lease Agreement, by and between Grand County and the Municipal Building Authority of Grand County, Utah Authorizing the Issuance and Sale by the Authority of its Lease Revenue Bonds, Series 2016, in the Aggregate

Principal Amount of not to Exceed $2,328,000; and Related Matters and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

Emergency Management Director Rick Bailey gave an update of the project.

L. Adopting Proposed Ordinance for a Rezone of Property from Large Lot Residential (LLR) to Multi-Family Residential -8 (MFR-8), Including Arroyo Crossing Master Plan, Located at 2022 Spanish Valley Drive, Moab, UT (North of Resource Blvd), Postponed from February 2, 2016 (Zacharia Levine, Community Development Director)
MOTION: Motion by Council Member Ken Ballantyne to postpone action until the applicant contacts the Community Development Department. Motion seconded by Council Member Hawks carried 7- 0.

M. Approving Proposed Letter to the State Legislature Regarding Proposed House Bill 132 – Amending Municipal Business Licenses (Zacharia Levine, Community Development Director)
MOTION: Motion by Council Member Lynn Jackson to approve letter to Utah Legislators regarding proposed House Bill 132, amending Municipal Business Licenses, with revisions as discussed, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

N. Approving Proposed Letter to Utah Legislators Opposing House Bill 115, "Beekeeping Modifications" which would Nullify Grand County Ordinance No. 531, "Apiculture (Honey Bee Husbandry) Protection" (Jerry Shue, Grand County Bee Inspector)
MOTION: Motion by Council Member Ken Ballantyne to approve the proposed letter, including revisions as discussed, to the State Legislature opposing House Bill 115, "Beekeeping Modifications" which would nullify Grand County Ordinance No 531 "Apiculture (Honey Bee Husbandry) Protection" and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

O. Approving Proposed Letter to Utah Division of Air Quality (UDAQ) Requesting Accelerated Requirements for Installation of Proper Emission Control Equipment at Oilfield Water Logistics' Danish Flats Facility (Lee Shenton, Technical Advisor)
MOTION: Motion by Council Member Chris Baird to approve the proposed letter to Utah Division of Air Quality requesting accelerated requirements for installation of proper emission control equipment at Oilfield Water Logistics' Danish Flats Facility, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Mary McGann carried 7 – 0.

P. Approving Proposed License Agreement with VendMoab for Vending Concessions at Canyonlands Field Airport (Judd Hill, Airport Manager)
MOTION: Motion by Council Member Jaylyn Hawks to approve the proposed license agreement for vending concessions with Braden Scow, d.b.a VendMoab, from February 1, 2016 through February 28, 2017, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

Q. Approving 2015 Council Discretionary Funds of $3,023 for 2015-2016 Alternate Conflict Defender Invoices from Law Office of Dusten Heugly, PLLC (Diana Carroll, Clerk/Auditor)
MOTION: Motion by Council Member Chris Baird to approve payment of the alternate conflict public defender invoices from the Law Office of Dusten Heugly out of remaining discretionary funds. Motion seconded by Council Member Mary McGann carried 7 – 0.

Consent Agenda- Action Items
R. Approving Proposed Revised Letter to U.S. Congress Emphasizing Need for Re-federalization of Transportation Security Administration (TSA) Screening Services at Canyonlands Field Airport

S. Approving Proposed One Month Office Lease Agreement for Mesquite Electric at Canyonlands Field Airport
T. Approving Proposed Cooperative Law Enforcement Agreement between the Grand County sheriff's Office and the United States Department of Agriculture (USDA), Forest Service and Manti-La Sal Forest

U. Approving Retail Beer License for Outerbike – Consumer Bike Demo to be Held at Bar M Trailhead April 1-3, 2016

V. Adopting Proposed Resolution to Repeal Resolution 2883, Board of Adjustment Bylaws

MOTION: Motion by Council Member Ken Ballantyne to approve the Consent Agenda as submitted. Motion seconded by Council Member Chris Baird carried 7 – 0.

Public Hearings- Possible Action Items

W. A Public Hearing to Solicit Public Input on a Proposed Ordinance for a Rezone of Property from a Split Zone of Rural Residential (RR) and Highway Commercial (HC) to a Single Zone of Highway Commercial. The Property is Located at the Corner of Highway 191 and Sage Avenue (North of Sage Avenue) (Zacharia Levine, Community Development Director)

Community Development Director Zacharia Levine read into the record the Grand County General Plan and Land Use Code both as amended to date. The application is submitted by Brad Lyle (Applicant), representative for the property owner's Millstream Properties LLC, Dave Nelson is the agent for the applicant. The applicant is seeking a rezone from a mixed zoned parcel of Rural Residential (RR) and Highway Commercial (HC) to a single zoned parcel of HC in order to accommodate a commercial us of the property.

The area proposed for rezone consists of 1.33 acres of vacant land, .72 of an acre is in the RR zone district, .61 of an acre is in the HC zone district. The property is located at the southeast corner of Sage Avenue and Highway 191. Surrounding properties are zoned RR, SLR, and HC, and vary in size.

The Grand County Planning Commission reviewed the referenced application in a public hearing on January 27, 2016 and voted to forward a favorable recommendation for approval of the rezone of the subject property from Rural Residential and Highway Commercial to single zone of Highway Commercial.

The Public Hearing opened at 7:50 p.m.

Dave Nelson, Principal of Millstream Properties, explained the reason for the zone change. The whole piece will be used for one unit as a duplex.

Neesha Hansen who lives across the street from the proposed rezone property, spoke in opposition of the proposed rezone.

Shaun Hansen a resident of the area, spoke in opposition of the rezone.

Dave Englelman owns the property that borders this property and wants to go on record in support of the rezone.

Dave Nelson noted that trailers must be parked on the property. ATV's are not allowed to drive on the property.

Council Member Chris Baird has historically voted against split zone and will never vote to turn residential property into commercial. SLR zoning would allow housing for our citizens.

Council Member Lynn Jackson agrees with comments regarding split zone and the terrain of the property.

The Public Hearing closed at 8:10 p.m. written comments will be accepted until Wednesday February 24, 2016 at 5:00 p.m.

X. A Public Hearing to Solicit Public Input on a Proposed Ordinance for a Rezone of Property from Range & Grazing (RG) to Rural Residential (RR). The Property is Located at 200 N. Thompson Canyon Road in Thompson Springs, Utah (Zacharia Levine, Community Development Director)

Community Development Director Zacharia Levine read into the record the Grand County General Plan and Land Use Code both as amended to date. This application is submitted by Saina Carey, the representative for the property owner Steve Widhalm (Applicant). The applicant is seeking a rezone from Range & Grazing (RG) to Rural Residential (RR) in order to accommodate a future division of land.

The area proposed for rezone consists of 2.90 acres of vacant land located at 200 N. Thompson Canyon Road, Thompson, Utah (a county road). Surrounding properties on all sides are zoned RG.

The Grand County Planning Commission reviewed the referenced application in a public hearing on January 27, 2016 and voted to forward a favorable recommendation for approval of the rezone of the subject property from Range Grazing to Rural Residential.

The Public Hearing opened at 8:20 p.m.

Saina Carey spoke as representative in favor of the rezone.

Saina Carey also read comments from Thompson resident David Haile who is in favor of the rezone.

The Public Hearing closed at 8:10 p.m. written comments will be accepted until Wednesday February 24, 2016 at 5:00 p.m.

General Council Reports and Future Considerations

Council Member Baird reported there are a couple of easements that were conveyed that are not in the BLM travel plan.

Adjourn
The meeting was adjourned at 8:15 p.m.

Elizabeth A. Tubbs
Grand County Council Chair

ATTEST:
Diana Carroll
Diana Carroll