

GRAND COUNTY COUNCIL MEETING  
April 4, 2006

Grand County Council met in regular session on the above date. Present were Councilmen Joette Langianese, Chairman presiding, Nate Knight, Jim Lewis, Rex Tanner, Judy Carmichael, and Audrey Graham with Clerk Fran Townsend and Administrator Nancy Woodside.

Motion: Carmichael moved to amend agenda to move executive session to end of afternoon session seconded by Lewis. Motion carried 7-0.

**A. PRESENTATION OF GRAND COUNTY WILDFIRE PROTECTION PLAN:** Castleland R C & D is considering signing a contract with Utah State which would include Emery, Carbon, San Juan and Grand County. It would be broken up into four county plans and each county would be a chapter of that plan. Castle Land RC&D would like a letter from Grand County Council indicating interest in doing this county wide fire plan. There would be funding available through federal agencies that require local participation in putting together a general plan. Gary's role is to gather information from all entities. McNeely asked if we don't sign on – would it jeopardize his grant? Gary says County is the key representative in the eyes of the state and feds. Areas such as water shed areas need to be identified. Maggie Wyatt with BLM stated she would like to see the plan come in to play or coincide with their plan and budget.

**B. REVIEW OF 2006 BUDGET:** County Auditor Fran Townsend presented a current print-out of the 2006 budget for various funds including the General Fund. She also presented a fund balances recap showing carry over from 2005. Noted was the increase in the General Fund came from the Land Sale in San Juan County last year. Without that revenue, we would have decreased our fund balance by \$281,864. Budgets were put together for 2006 in the General Fund with limited allowance for extra expenses. Therefore, we need to monitor any changes made to be sure funds are available before increase in spending occurs. Council asked for explanation of transfers from one fund to another. Fran said she could present that to the Council at the May meeting.

**C. APPROVAL OF POTATO SALAD HILL SIGN:** The Sign would stay up only until after Jeep Safari and would give direction to help flow of traffic. **Motion: Graham moved to approve temporary sign seconded by Lewis. Directional Sign. Motion carried 7-0.**

**D. INFORMATION TECHNOLOGY PROPOSAL FROM DAN NEUSS:** Administrator Woodside has had a discussion with Footprints concerning our needs. She got our Inventory of equipment, etc. from them. Difficulty both see with the information, it is outdated. Footprints old proposal changes little in proposal from Dan but he thinks one list will be valuable as it locates equipment and servers. Amount of Cost has yet to be determined. County Auditor asked where this expense would be

charged. **Motion: Carmichael moved to table seconded by Knight. Motion carried 7-0.**

**E. LETTER OF SUPPORT FOR SITLA LAND EXCHANGE:** John Andrews reported a hearing was held in September before the Subcommittee. Dept of Interior has issues with proposed legislation. Staff has had several meetings. We are looking at all revenue needs that state and various counties with regard to energy boom have going on. They are looking at expense side of the ledger, i.e. what impacts there are to state and counties. What are revenues in the form of severance tax – mineral lease, royalties, etc? Are they best being collected and distributed as they should? It would great if those monies could come directly to county general fund – unrestricted. **Motion: Carmichael moved to send letters of support for the Utah Recreational Land Exchange Act, S1135 to Senator Bennett and Kathleen Clark of Dept. of Interior, BLM seconded by Graham. Motion carried 7-0.**

**F. REALIGNMENT OF COAL CANYON ROAD:** Blue road on colored map is Coal Canyon Road. Motion: Lewis moved to approve realignment of Coal Canyon Road for Tim Vetere and for Tim to work with county and BLM. Road would then be turned over the County as a B Road. We would not abandon existing road until new road is complete. County may need to upgrade the road. Motion died for lack of second. **Motion: Motion to table made by Graham until next meeting seconded by Knight. Motion carried 7-0.**

**G. DISCUSSION OF DEDICATION OF CANYONLANDS FIELD TERMINAL:** Councilman Knight advised the Council the Airport Board recommends dedicating the Airport Terminal to Bob Dalla for his years of dedication to the operation and upgrade of Canyonlands Field. He would like to see the terminal named after Dalla. Council will plan to do this May 2<sup>nd</sup> meeting.

OTHER ADMINISTRATIVE ITEMS:

**EXECUTIVE SESSION:** Councilman Graham moved to enter into an executive session at 5:31 p.m. to discuss the Character and Competence Of an individual seconded by Tanner. Motion carried 7-0. Present were all seven Council members with Administrator Nancy Woodside. Carmichael moved to leave executive session at 6:35 p.m. seconded by Lewis. Motion carried 7-0.

Pledge of Allegiance was led by Tim Higgs.

**PAYMENT OF BILLS:** Motion: Councilman Carmichael moved to approve bills in the amount of \$ 1,027,394.25 seconded by Graham. Roll call vote: Knight - aye, Lewis - aye, Tanner - aye, Carmichael - aye, Langianese – aye, Carmichael – aye and Graham – aye. Motion carried 7-0.

**APPROVAL OF MINUTES** Councilman Lewis moved to table minutes March 21<sup>st</sup> as the Council wish to make some changes seconded by Graham. Motion carried 7-0. Councilman Tanner moved to table minutes of February 21 and March 7

to give time to give time to review properly. Seconded by Graham. Motion carried 7-0.

CITIZENS TO BE HEARD: Lorie Martin referred to the letter Council received from Jack Campbell his allegations concerning the Planning and Zoning Commission. Has council reviewed this, investigated it, any conclusions? Councilman Langianese stated all have reviewed the letter but no conclusions at this point.

PRESENTATION: Made to Tim Higgs – received an award Jerry on weed board: On Thursday of last week Tim Higgs was awarded 2006 biological weed control Assoc at their annual meeting in Vernal. Over 10 years – (Franny get from Jerry) Tim started part time several years – finally put on full time. Tim does a great job. Biological Weed control.

**K. APPROVAL TO CORRECT PUBLIC RECORD FROM MARCH 21<sup>ST</sup> 2006.**

**Motion: Graham moved to instruct the County Clerk to have the record of April 4, 2006 reflect that at the March 21, 2006 meeting, when the Council voted on two motions regarding rezoning property for Keogh-Farrell developers from RR to HC, they had no knowledge that Tanner had a conflict of interest (per the Grand County Procedures and Policies of the Governing Body and the “handbook for Members of Utah State Board and Commissions”) with the zoning request of the Keogh-Farrell developers from RR to HC for 5.74 acres on Highway 1901, and did not understand that Lewis’s failure to vote on the first motion was a yes vote. The Council has since reviewed the March 21, 2006 record; and after further discussion in the April 4<sup>th</sup> workshop, the council wishes to reconsider the approval of the Keogh-Farrell rezone. Motion was seconded by Carmichael. Lewis, Carmichael, Graham and Langianese voted aye, Knight and McNeely voted no. Motion carried 4-2. Tanner recused himself**

**Motion: Lewis moved to instruct the County Clerk to have the record of April 4, 2006 reflect that at the 3/21/06 meeting the language from the motion for an Administrative settlement made by Lewis “to uncover his signs until the issue is resolved” would be a violation of the Open Meetings Act. The issue before the council was not Red Cliffs signage but rather a dude ranch designation allowing 192 square feet of sign. Motion was seconded by Carmichael. Tanner recused himself from voting. Langianese, Carmichael, Graham, McNeely and Knight voted aye. Motion carried 6-0.**

**L. RE-CONSIDERATION OF THE ORDINANCE TO REZONE RR, RURAL RESIDENTIAL PROPERTY, TO HC, HIGHWAY COMMERCIAL ON HIGHWAY 191. Motion: Knight moved to approve ordinance with the zoning request of the Keogh-Farrell developers from RR to HC – seconded by McNeely.**

Knight stated we have not discussed this issue with property owners and feels this is the best way to go at this point. Carmichael would still like to offer the option of PUD. She would like to see it done under PUD on that property. This is strictly a zone change and not relative to any project. Graham – with zone change we have to be extremely careful and make sure it is for the health and welfare of the public. Lewis – did vote for zone change originally. However more information has been presented in the meantime, i.e. – if something should happen to current developer – future of that area could affect

property owners adjoining. Property can still develop. Councilman Knight feels we are undermining our credibility when we vote to do something and then change it. Normally as soon as you get the go ahead you start the project. By doing this we are hurting our credibility by changing our mind. Not in the best interest of the county by doing this. He said we need to agree in the future to be consistent. We need to change our land use code for future development. It is not good to go back on our decision. **McNeely and Knight voted aye, Lewis, Carmichael, Langianese, and Graham voted no – Motion failed. -2-4. Tanner recused himself.**

**M. ADMINISTRATIVE AGREEMENT – SCENIC BYWAY SIGNAGE:** Agreement has been signed by Administrator on behalf of Grand County and Colin Fryer, owner of Red Cliffs Lodge. Total property signage will be 140.50 square feet. Some adjustment has been made. Dave Stapely from UDOT will help position safety sign, i.e. a 32 foot square sign that slows traffic down for safety. Colin thanked Administrator Woodside for working with him.

**OTHER CONSIDERATIONS:**

February Monthly report from Library

Piece in Paper

Legislative SB170 died SB 268 passed. SB 267 changes to local govt. passed.

Alcohol ordinance – Administrator is working on writing a policy for county buildings.

Lewis asked about Arena.

Fence for Betty Wimmer – will be finished in next 10 days.

Ask Council to represent County at Bennett’s conference in Vernal.

Solid Waste Ordinance for Tailings Project. Ball is in Wilson’s court – not able to give opinion in Utah right now.

Reminder – tomorrow is annual meeting at Grand Center with UDOT from nine to noon.

Next joint City/Council meeting is 28<sup>th</sup> at noon.

Call from Larry Reasch with Horrocks Engineering needs approval to apply for an easement across Colorado River for the Bike Bridge Projects and needs Council ok to move forward.

Nancy Schedule for the next three weeks – she is now between houses. She will be working out of her own office in Provo for the next two weeks.

Pam Juliano from Matheson office will be here Friday 7<sup>th</sup> here in Chambers.

Nancy will create a staff memo so all council are informed at the same time.

**COUNCIL REPORTS:** Audrey – April 6<sup>th</sup> is the meeting with Solid Waste Board to discuss solutions to junk cars in the community.

She also feels the council needs to look at accusations toward the P&Z. Carmichael says we need to talk to P&Z.

Graham was the Team captain for Relay for Life Cancer walk. Grand County had 14 on our team and we raised about \$1000. There were 21 teams all together who made over \$16,000 dollars. County personnel who participated: Diana Carroll, Mary Hofhine, Jennifer Garlett, Dorothy Gough, Debbie Swasey, Cody McKinney, Bill Hulse and Audrey Graham. Grand County had best campsite and as such won a trophy. The County Assessor’s office went all out!

Knight feels we need to respond to implied conflicts to P&Z. Seems like a town our size will have conflicts but thinks it is one of those issues – if is our opinion, it is ok, if someone else, then it is not. If County appoints a board, they stay there until term ends unless there is unethical conduct. He feels this has been blown out of proportion. If we have a board, we need to support them and take advice and suggestions they give us.

Jim Lewis – Moab City and Recreation board will start meeting to discuss more recreation needs – including the swimming pool.

Tanner – letters and email concerning Planning and Zoning noticed a common theme throughout these letters. He considers them to be no growth people. He senses that the county has been responsibility to put diversity on boards. There were 400 people who voted for him expect him to move forward in best interest of growth of the county. We place people on boards who have some goals and visions he has. Make up on P&Z configures to make up of community. We want people on boards that have vested interest in the community; want people that have kids in school and pay taxes and have vested interest in seeing the community succeed.

Carmichael – Kingsley and I have been working on junk cars clean-up. Bid opening will be on Thursday of this week at 3:00 p.m. on Airport project. She also feels the Planning and Zoning issue should not be on the agenda, it needs to go to P&Z. We need to be more tolerant of people who are getting started and learning.

New Letter from DOE on the Tailings Project.

MAPS go to CIB for grant for assisted living and nursing facility.

Had good visit from Governor Huntsman.

EXECUTIVE SESSION: Lewis moved to enter into an executive session at 8:08 p.m. to discuss a legal land issue seconded by Carmichael. Present were all seven Council Members along with Clerk Fran Townsend and Administrator Woodside.

Carmichael moved to close executive session at 8:26 p.m. seconded by McNeely. Motion carried 7-0.

Motion to adjourn was made by Knight seconded by McNeely. Motion carried 7-0.