

**GRAND COUNTY COUNCIL  
REGULAR MEETING  
Council Chambers  
125 E. Center Street  
Moab, UT**

**February 19, 2008**

The Grand County Council met on the above date in the Council Chambers of the Grand County Courthouse located at 125 E. Center Street, Moab, Utah. Chairman Gene Ciarus called the afternoon session of the Council Meeting to order at 3:00 p.m. In attendance were Council members Gene Ciarus, Jim Lewis, Patricia Holyoak, Joette Langianese, Bob Greenberg, and Audrey Graham along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Member Jerry McNeely was absent.

**Legislation Updates**

Council Member Joette Langianese gave an update of recent legislative meetings regarding off-highway vehicle use on public highways. The bill would allow OHVs on roads with speed limits less than 50 mph. Another bill of interest would require Justice Court Judges to receive a pay increase based on the courts classification.

**Discussion Items**

A discussion occurred with Todd Jensen, representing the County Attorney's Office, regarding the creation of a Transportation Special Service District. Grand County cannot risk jeopardizing the PILT money by creating a Special Service District strictly for road issues while maintaining a county road department with substantially similar responsibilities. The County Attorney's Office will continue to research all options associated with a Special Service District.

Grand County will send a letter to begin the process to amend the Cooperative Management Agreement between the Bureau of Land Management and Grand County providing for Public Safety Resource Protection and Recreation Management and Maintenance in the Sand Flats Recreation Area. The amended agreement brings the recreation area up to 2004 Standards. The letter will be ratified at the March 4, 2008 Council Meeting.

Council Administrator Shawn Warnke discussed the possibility of a communication tower on County owned property on Sand Flats Road. The tower would benefit multiple agencies throughout Grand County and allow Verizon Wireless to also use the tower. The School District will initiate the permitting process with the Planning Commission.

The final discussion occurred prior to adopting the ordinance to amend the Land Use Code with regard to Articles 2, 3, 4, 5, 6 and 9. Grammar corrections and typographical errors will be corrected before adoption.

**Action Items**

**Discussion and Consideration of Approving a Resolution Containing Miscellaneous Amendments to the County Council's Procedures and Policies of the Governing Body**

**MOTION:** Motion by Council Member Bob Greenberg to approve the resolution as corrected with strike outs and underlines left in the document. Motion seconded by Council Member Jim Lewis carried 6 – 0.

**CLOSED EXECUTIVE SESSION**

**MOTION:** Motion by Council Member Bob Greenberg to enter into Executive Session to discuss pending litigation at 5:35 p.m. Motion seconded by Council Member Joette Langianese carried 6 – 0. Present were Council Members Ciarus, Holyoak, Greenberg, Langianese, Lewis and Graham along with Council Administrator Shawn Warnke, County Clerk/Auditor Diana Carroll and County Attorney Happy Morgan.

**MOTION:** Motion by Council Member Bob Greenberg to end the session at 6:03 p.m. Motion seconded by Council Member Patricia Holyoak carried 6 – 0.

**RECESS**

The evening session of the Council Meeting was called to order at 7:00 p.m. by Chairman Gene Ciarus. Present were Council Members Ciarus, Greenberg, Holyoak, Langianese, Lewis, and Graham with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Member Jerry McNeely was absent. The Pledge of Allegiance was led by Mark Wright.

### **Approval of Minutes**

**MOTION:** Motion by Council Member Jim Lewis to approve the minutes of the January 15, 2008 meeting with minor corrections. Motion seconded by Council Member Jim Lewis carried 6 – 0.

### **Approval of Payment of Bills**

**MOTION:** Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$407,833.05. Accounts Payable check numbers 53294 – 53552 in the amount of \$290,266.23 and Payroll in the amount of \$117,566.82. Motion seconded by Council Member Bob Greenberg carried with a 6 – 0 roll call vote.

### **Presentations**

#### **Division of Wildlife Resources Payment In Lieu of Taxes Payment**

Rick Larson, Division of Wildlife Resources Regional Supervisor presented a check to Grand County for Payment In Lieu of Property Tax from land owned by DWR in Grand County. The money used for payment comes from the sales of hunting and fishing licenses purchased.

### **Consent Agenda**

Approval of the Reclassification of the Travel Council Executive Director Position

Approval of the Reclassification of the Information Specialist Position

Approval of the Reclassification of the Travel Council Administrative Assistant Position

Approval of the Reclassification of the Internet Specialist/Graphic Designer Position

Approval of the Submission of the Yellow Star thistle Grant Request

Approval of the Submission of the APHIS Bio Grant Request

**MOTION:** Motion by Council Member Audrey Graham to approve the consent agenda with the exception of the reclassification of Travel Council positions. Motion seconded by Patricia Holyoak carried 6 – 0.

### **Public Hearings**

A continuation of an earlier Public Hearing was held on the Spanish Valley Transportation Master Plan. There were no comments from the public or Council.

### **General Business- Action Items**

#### **Discussion and Approval of an Ordinance Amending the Grand County Land Use Code Articles: 2, 3, 4, 5, 6, and 9**

**MOTION:** Motion by Council Member Joette Langianese to adopt the ordinance as presented amending the Grand County Land Use Code Articles 2, 3, 4, 5, 6 and 9. Motion seconded by Council Member Audrey Graham carried 6 – 0.

#### **Consideration for Adoption of a Resolution Authorizing the Issuance and Sale of Grand County, Utah Tax and Revenue Anticipation Notes, Series 2008 in the Aggregate Principal Amount of Approximately \$690,000; and Related Matters**

**MOTION:** Motion by Council Member Joette Langianese to approve the resolution as presented. Motion seconded by Council Member Bob Greenberg carried 6 – 0.

#### **Discussion and Consideration of Approval of a Contract between Keogh Surveyors and Grand County to Perform Survey Work Associated with a Cadastral Mapping Grant**

The Council discussed the proposed contract and whether or not County policy requires such contracts to be bid out. **MOTION:** Motion by Council Member Jim Lewis to approve the contract. Motion seconded by Council Member Joette Langianese carried 4 – 2 with Council Members Greenberg and Graham opposed.

### **Council Reports**

Council Members Greenberg, Holyoak and Langianese recently traveled to Washington D.C. to attend meetings regarding the Atlas Tailings Project.

Council Member Graham reported that on the next agenda will be a presentation regarding a 10 year plan to end chronic homelessness. The affordable housing plan will be ready for public meetings on March 12<sup>th</sup>.

Council Members Ciarus & Greenberg attended a UDOT meeting to unveil the Colorado River Bridge project.

**Future Considerations**

Council Member Langianese will attend meeting regarding revenue bonds for hospital. The County Attorney will be reviewing the agreements and have a recommendation for the Council at the next meeting.

**MOTION:** Motion by Council Member Bob Greenberg to adjourn at 7:50 p.m. Motion seconded by Council Member Patricia Holyoak carried 6 – 0.

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Gene Ciarus  
Grand Council Chairman

**ATTEST:**

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Diana Carroll  
Grand County Clerk/Auditor