

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

May 6, 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 3:15 p.m. In attendance were Council Members Gene Ciarus, Jim Lewis, Patricia Holyoak, Jerry McNeely, Joette Langianese, Bob Greenberg along with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. Council Member Audrey Graham was absent.

Elected Official Reports

Sheriff Nyland updated the Council on the motorcycle event expected in Grand County during August. The event will be held in the Kane Springs area with 200 – 1000 people expected to attend. Law enforcement agencies throughout the state have agreed to assist the Sheriff with the event. Sheriff Nyland advised the Council that the event was unexpected and will greatly impact his budget. Homeland Security will provide a \$10,000 grant to help with expenses relating to law enforcement for the event. Sheriff Nyland reported that the Willow Basin tower is up and running and they can now communicate in the eastern portion of the County.

Department Head Reports

1. Canyonlands Field Report of the Last Six Months

Airport Manager, Kelly Braun updated the Council on the events at the airport since his employment. Kelly will be attending training to become AARF certified. This will allow Kelly to cover AARF requirements for the morning flight schedule. Airport leases are currently being updated and will reflect new rates.

Agency Reports

3. Report on SITLA Sale of 320 Acres and 440 Acres of Trust Lands Near Sallies Hollow on the La Sal Mountains

Bryan Torgerson notified the County Council of a proposed sale of land on the La Sal Mountain. There are two parcels of land that are surrounded by property owned by JB Ranch. SITLA reported no foreseeable future access to the parcels and the sale is in their best interest.

Council Member Audrey Graham arrived at this time.

Presentations

4. Presentation on a Partnership with Counties, Cities, and Other Stakeholders in the Four County Southeastern Utah District Health Department

Cynthia Grant, Southeastern Utah Medical Reserve Corps Coordinator, presented information regarding the organization. The Medical Reserve Corp consists of volunteer teams of medical and health care professionals and serves Carbon, Emery, Grand and San Juan Counties. Emergency Management Services Director, Corky Brewer is a member of the Advisory Board.

Action Items

5. Discussion and Consideration of Approving a Resolution Formalizing Grand County's Sponsorship of the Canyonlands Pro-Rodeo

Grand County has historically sponsored and funded the Rodeo. This resolution formalized the County's sponsorship of the Canyonlands Rodeo. **MOTION:** Motion by Council Member Jerry McNeely to approve the resolution as presented. Motion seconded by Council Member Patricia Holyoak. Council Member Jim Lewis volunteered to represent Grand County on the Canyonlands Rodeo Committee. Motion carried 7 – 0.

6. Discussion and Consideration of Approving a Letter to Horrocks Engineering to Commence the Amendment of the Grand County Storm Drainage Master Plan Update (Mark Wright)

Grand County Engineer Mark Wright proposed an amendment to the Grand County Master Plan. **MOTION:** Motion by Council Member Bob Greenberg to table this item for two weeks. Motion seconded by Council Member Audrey Graham carried 7 – 0.

MOTION: Motion by Council Member Joette Langianese to amend the agenda to table items 7 and 8 until after 9 and 10. Motion seconded by Council Member Audrey Graham carried 7 – 0.

9. Discussion and Consideration of FCCBH Annual Sponsorship (\$994) for Registration and Housing for Four Candidates to Attend University of Utah School of Alcohol Training

Rick Donham of Four Corners Community Behavior Health requested Grand County sponsor the University Of Utah School Of Alcohol Training. The names of four members were presented who will be attending the training on treatment and prevention of alcohol and drug dependency, Cindy Cowen, Eva Beatie, Cora Shawney and Stephanie Berkner. **MOTION:** Motion by Council Member Joette Langianese to approve the sponsorship of FCCBH in the amount of \$994.00. Motion seconded by Council Member Bob Greenberg carried 7 – 0.

10. Discussion and Consideration of Approving the Purchase of Influenza Immunizations from Southeastern Utah District Health Department

Council Member Patricia Holyoak reported that SEUDHD has requested Grand County purchase the immunizations in preparation for a possible influenza pandemic. The State of Utah has been allotted Tamiflu to Counties in the amount of \$20.00 for each course. Each organization would distribute the courses to those employees who perform critical functions. The immunization is for the treatment of the flu. **MOTION:** Motion by Council Member Jerry McNeely to approve the purchase of 200 courses of influenza immunizations. Motion seconded by Council Member Bob Greenberg. Council Member Lewis stated that Grand County does not have 200 critical people. **AMENDED MOTION:** Council Member Jerry McNeely amended his motion to purchase an amount to cover the critical employees identified by Council Administrator Warnke not to exceed 200. Council Member Bob Greenberg amended the second. Motion failed 2 – 5 with Council Members Ciarus, Holyoak, Lewis, Langianese, Graham opposed. The Southeastern Utah District Health Department donated a defibrillator machine to Grand County.

MOTION: Motion by Council Member Audrey Graham to recall from the table Items 7 and 8. Motion seconded by Council Member Jerry McNeely carried 7 – 0.

7. Discussion and Consideration of the Process to Implement Salary Adjustments of Elected Officials Other than Council Members

MOTION: Motion by Council Member Bob Greenberg to hold a public hearing during the 2009 budget process to propose raising the salaries of elected officials, with the exception of the County Council. Motion seconded by Council Member Jim Lewis carried 7 – 0.

8. Consideration and Consideration of Approving a Clerical Position in the Clerk Auditor's Office

MOTION: Motion by Council Member Joette Langianese to table until more information from Council Administrator Shawn Warnke on the full time employee that works for the council and collection of administrative fees. Motion seconded by Council Member Jim Lewis carried 5 -2 with Council Members Greenberg and McNeely opposed.

Discussion Items

Discussion of Notice of Intent to File Annexation Petition with Moab City Sponsored by LB Moab Land, LLC

There were no comments from Council Members.

Discussion of Councilpersons' Participation on Boards, Commissions, Committees and Informational Meetings

Council Member Patricia Holyoak requested the discussion due to the nature of Council positions and she would like to clarify what meetings Council Members can attend. It was decided that out of respect to the Council Member on the board, other Council Members should notify the board liaison when they plan to attend a meeting.

Recess at 6:23

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, Holyoak, Graham, Lewis, Greenberg, Langianese, and McNeely with Council Administrator Shawn Warnke and Clerk/Auditor Diana Carroll. The Pledge of Allegiance was led by Chairman Gene Ciarus.

Approval of Minutes

MOTION: Motion by Council Member Joette Langianese to approve minutes of the March 18, April 1 and April 15, 2008 Council meetings with minor corrections. Motion seconded by Council Member Jim Lewis carried 7 – 0.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$671,160.30. Accounts Payable check numbers 54358 – 54594 in the amount of \$549,120.44 and payroll in the amount of \$122,039.86. Motion seconded by Council Member Bob Greenberg carried with a 7 – 0 roll call vote.

Citizens to be Heard

Ryan Holyoak a concerned citizen and property owner spoke regarding a proposed private development on South Highway 191 and the dangerous highway access posed for recreation vehicles.

Ray Tibbetts spoke in opposition of increasing transient room tax and the number of trucks required to move the Atlas tailings to Crescent Junction.

Presentations

Presentation on Grand County School Districts Bond Election (Margaret Hopkin, Superintendent & Jim Webster, Board Member, Grand County School District)

Superintendent Margaret Hopkin together with Board Member Jim Webster presented the anticipated plan for new and improved schools in the District. The Grand County School District will have one more public forum before the June 24, 2008 Bond Election.

Consent Agenda

- E. Approval of a Lease Agreement for ARINC for Leased Space at the Canyonlands Field
- F. Approval of a Lease Agreement for Redtail Aviation for Leased Space, Fuel Farm- Ground Lease, and Tie Downs at the Canyonlands Field
- G. Approval of a Lease Agreement for Redtail Aviation for Hangar B at the Canyonlands Field
- H. Approval of a Lease Agreement for Slickrock Air Guides for Leased Space at the Canyonlands Field
- I. Approval of a Lease Agreement for Slickrock Air Guides for Hangar A at the Canyonlands Field
- J. Approval of a Lease Agreement for Thrifty Rental Car (Westrac Inc.) for Leased Space at the Canyonlands Field
- K. Approval of a Lease Agreement for Vaisala, Inc. for Leased Space at the Canyonlands Field
- L. Approval of a Lease Agreement for Skydive Moab
- M. Approval of a Release of all Claims between Grand County, Larry Hubbert, and Illinois National Insurance Company, AIG Aviation Inc regarding property damage that occurred on March 18, 2008 at the Canyonlands Field
- N. Ratification of a Letter Supporting a Trail Project which is Part of the Grand County Master Trails Plan (along 500 West from Williams Way to Kane Creek Boulevard) to Be Part of a State Trails Grant Application

- O. Approval of Draft Letter to UDOT Engineering Requesting Technical Evaluation of the Dewey Bridge as a First Step toward the Restoration Feasibility Study
- P. Approval of Draft Letter On Behalf of Southeastern Utah Medical Reserve Corps Regarding Forging a Partnership with Counties, Cities, and Other Stakeholders in the Four County Southeastern Utah District Health Department
- Q. Approval of Diana Carroll as “Public Information Officer” and Ruth Dillon, as “Poster” for the Utah Public Notice Website (www.pmn.utah.gov)
- R. Approval of a Contract with Fullam’s Fireworks, Inc. for 4th of July 2008 Fireworks Display
- S. Approval of Resolution for Acceptance of the Johnston PUD Subdivision, located on Terrace Drive

MOTION: Motion by Council Member Bob Greenberg to approve the Consent Agenda as presented. Motion seconded by Council Member Joette Langianese. Motion amended to allow the Council Administrator to correct any inconsistencies in the airport lease documents. Motion carried 7 – 0.

Public Hearings

General Business- Action Items

Discussion and Re-Consideration of Approving a Conditional Use Permit for the Ellis Recreation Vehicle Park

The Conditional Use Permit Application was submitted by Leroy Ellis to the Grand County Planning Commission on January 10, 2007 for approximately one acre of vacant land zoned Rural Residential (RR). The applicant submitted a site plan for this project proposing a private RV park with seven spaces for Class A motor homes and a common building housing toilet/shower and private storage units. Each RV lot will have utility hook-ups. The proposed use is a Conditional Use and subject to use specific standards in 3.3.2 of the Grand County Land Use Code. The Grand County Planning Commission reviewed the application and recommended approval. On September 18, 2007 Grand County Council considered the application and voted to deny the Conditional Use Permit. The applicant appealed the decision of the County Council to deny the application. At the request of the County Council, Grand County Planning Staff and individual Council Members worked with legal representatives from both the County and the applicant to negotiate the specific conditions of the application.

Legal counsel from both parties was present and presented a brief history of events followed by a lengthy discussion. **MOTION:** Council Member Jim Lewis voted with the majority to deny the conditional use permit on September 18, 2007 and moved to reconsider the approval of the Conditional Use Permit for the Ellis RV Park. At that time Chair Gene Ciarus stepped down as Chair of the meeting and turned the meeting over to Vice-Chair Joette Langianese. Motion seconded by Council Member Gene Ciarus. Deputy Attorney Scott Barrett reminded the Council that the issue is in litigation and Mr. Ellis has appealed to the Board of Adjustments either party could then appeal to a higher court. Motion carried 4 – 3 with Council Members Holyoak, Langianese and Graham opposed. **MOTION:** Motion by Council Member Gene Ciarus to approve the resolution for conditional use permit for Ellis RV Park as submitted and to include UDOT compliance with regard to Highway 191 access. Motion seconded by Council Member Jerry McNeely. Council Member Bob Greenberg requested an amended motion to include a lighting plan. **AMENDED MOTION:** Council Members Ciarus and McNeely agreed to amend the motion to include a lighting plan. Motion carried 4 – 3 with Council Members Holyoak, Langianese and Graham opposed. Vice-Chair Joette Langianese turned the meeting back over to Chair Gene Ciarus.

Council Reports

Council Member Holyoak reported that the Cemetery District will be looking at ways to increase their revenue.

Council Member Greenberg reported the updated airport leases will increase revenue at the airport.

Council Member Lewis noted the Open House for the new Pedestrian/Bike Bridge will be May 16, 2008.

Council Administrator Shawn Warnke informed the Council of a fire that completely destroyed the Road Department camp trailer. The employees had personal belongings inside that were not covered by the County's insurance. Shawn will work with Bill Jackson to help recover the loss of items.

Future Considerations

As a result of the joint City/County meeting Council Member Lewis requested the Recreation Facility be on a future agenda.

Adjourn

MOTION: Motion by Council Member Bob Greenberg to adjourn at 8:35 p.m. By consent Chair Gene Ciarus adjourned.

Gene Ciarus
Grand County Council Chairman

ATTEST:

Diana Carroll
Grand County Clerk/Auditor