

**Grand County Council**  
**June 6, 2006**

The Grand County Council met in regular session on the above date. The meeting was called to order by Chair Joette Langianese at 4:00 p.m. Others in attendance were Councilmen Nate Knight, Jim Lewis, Rex Tanner, Judy Carmichael, Jerry McNeely, Audrey Graham with Grand County Clerk/Auditor Fran Townsend and Diana Carroll.

**Elected Official Reports**

**A. Discussion of Need for a County Human Resources Position (Happy Morgan)**

Grand County Attorney, Happy Morgan stressed the need for trained Human Resource staff. The Clerk's Office is charged with the responsibility of personnel records and they should be filed in that office. Happy requested that Diana Carroll and Pat Byrd attend the training needed to move the Human Resource portion from the County Administrator to the Clerk/Auditor's Office. Fran Townsend is in favor of the move stating that questions and problems currently come to the Clerk/Auditor's Office first. Jim Lewis is concerned since the County Administrator does hiring and firing. Happy Morgan reiterated the need for a long-term person to do the job. A job description will come from the Clerk/Auditor's Office for approval at the July 18, 2006 Council meeting.

**Presentations**

**B. Student Health and Risk Prevention (SHARP) Survey Results (Mary Frothingham)**

Mary Frothingham presented a slide show with the results of a recent survey done through the Grand County School District. The survey was done in connection with a tobacco prevention program.

**Action Items**

**C. Acceptance of FAA Grant Agreement for Canyonlands Field Runway 3/21 Safety Area Improvements (Nate Knight)**

The Airport Board recommends approval of the FAA Grant is in the amount of \$2.8 million dollars for Runway 3/21 Safety Area Improvements. **MOTION:** Motion by Councilman Nate Knight to accept the FAA Grand Agreement. Motion seconded by Judy Carmichael and carried unanimously 7 – 0.

**D. Consideration of Approval of Class III Airport Certification Manual (Nate Knight)**

The Airport Board has worked with Armstrong Consultants in preparation of the Certification Manual and will continue making necessary changes as required for FAA Part 139 Certification. The Board has closely reviewed the manual and recommends approval. **MOTION:** Motion by Councilman Judy Carmichael to approve the Class III Airport Certification Manual with changes made necessary for certification. Motion seconded by Councilman Jerry McNeely carried unanimously 7-0.

**E. Consideration of Approval of Addendum to Airport FBO/Manager Contract (Nate Knight)**

The contract broadens the scope of work for the Airport FBO/Manager to include the Part 139 Certification compliance. The contract will add an addition \$1,000 per month to the current contract. Councilman Audrey Graham brought up the fact that Moab City pushed for larger planes and maybe they should be asked to contribute to the added costs. MOTION: Motion by Councilman Nate Knight to approve the contract as presented and recommended by the Airport Board. Motion seconded by Councilman Jim Lewis carried unanimously 7 – 0.

**F. Consideration of Approval of Airport Emergency Response Plan (Corky Brewer)**

It was requested by the Airport Board to combine the Certification Manual and Emergency Response Plan. MOTION: Motion by Councilman Nate Knight to approve the preliminary draft Emergency Response Plan. Motion seconded by Councilman Jerry McNeely carried unanimously 7 – 0.

**G. Consideration of Approval of Application of Retail Beer License to Tim Stewart – Moab Ironhorse LLC Motorcycle Rally (Judy Carmichael)**

MOTION: Motion by Councilman Judy Carmichael to approve the Beer License. Motion seconded by Councilman Nate Knight carried unanimously 7 – 0.

**H. Consideration of Approval of Food Bank Lease (Fran Townsend)**

MOTION: Motion by Councilman Jim Lewis to table Food Bank Lease item. Motion seconded by Councilman Jerry McNeely seconded. Jim Lewis corrected the address of the building and wanted to make sure the attorney looked at the lease document. Motion carried unanimously 7 – 0.

**I. Consideration of Approval of Resolution in Support of Entrada Ranch University of Utah Facility (Audrey Graham or Dave Sakrison)**

MOTION: Motion by Councilman Audrey Graham to approve the resolution as presented. Motion seconded by Councilman Judy Carmichael carried unanimously 7-0.

**J. Other Administrative**

- The issue of electronic meetings and whether emails can be considered a violation of the open meeting law. The Attorney feels this is just sharing information, no formal decisions are made.
- Bob Fosum – a University researcher want to interview a Councilman - Jerry will participate in the interview.
- Karen Miller complaining about nuisances – The County Attorney is aware of the complaint and believes it is a legal issue that Sheriff Nyland will take care of.
- Judy Carmichael – The RFP for the phone system is in and when time permits Judy and Pat Byrd will review the proposals.

- Judy Carmichael – Tim Vetere would like to put a power line underground along 4.5 miles of Hastings Road. Dave Warner will contact Tim and take care of the easement.
- Council meeting at 5:00 Wednesday June 7, 2006 to discuss Administrative Planning.

**MOTION:** Motion by Councilman Jim Lewis to enter into Executive Session at 5:34 p.m. to discuss legal issues. Motion seconded by Councilman Jerry McNeely carried unanimously 7 – 0. Present were Councilmembers McNeely, Knight, Tanner, Carmichael, Langianese, Graham and Lewis, Grand County Attorney Happy Morgan and Chief Deputy Clerk/Auditor Diana Carroll. **MOTION:** Motion by Councilman Audrey Graham to end the Executive Session at 5:45 p.m. Motion seconded by Councilman Judy Carmichael carried unanimously 7 – 0.

**MOTION:** Motion by Councilman Audrey Graham to enter into Executive Session at 5:46 p.m. to discuss personnel issues. Motion seconded by Councilman Judy Carmichael carried unanimously 7 – 0. Present were Councilmembers McNeely, Knight, Tanner, Carmichael, Langianese, Graham and Lewis, Grand County Attorney Happy Morgan and Chief Deputy Clerk/Auditor Diana Carroll. **MOTION:** Motion to end the Executive Session at 6:15 p.m. by Councilman Rex Tanner. Motion seconded by Councilman Judy Carmichael carried unanimously 7 – 0.

Recess at 6:20 p.m.

The evening session of the Grand County Council meeting was called to order at 7:00 p.m. by Chairman Joette Langianese. Others in attendance were Councilmen Nate Knight, Jim Lewis, Rex Tanner, Judy Carmichael, Jerry McNeely and Audrey Graham with Chief Deputy Clerk/Auditor Diana Carroll.

The Pledge of Allegiance was led by Boy Scout Cody Barker.

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

**MOTION:** Motion by Councilman Carmichael to approve bills presented for payment in the amount of \$459,906.21. Accounts payable check numbers 448218 - 45077 totaling \$350,234.51 and payroll check numbers 22086 – 22157 and 52806 – 52896 totaling \$109,671.70. Motion seconded by Councilman Knight and carried unanimously with a 7-0 roll call vote.

#### **K. Approval of Minutes of Council Meeting: May 16, 2006 (Fran Townsend)**

**MOTION:** Motion by Councilman Audrey Graham to approve the minutes from the May 16, 2006 meeting. Motion seconded by Councilman Judy Carmichael and carried unanimously 7 – 0.

#### **Citizen to be Heard**

Joe Kingsley reminded citizens of Rodeo Week and the change in the parade route to 400 East due to the construction project on Main Street.

Charles Pipkin representing the Moab Builders Alliance – they would like to see an increase in salary for the new county manager position to get a top notch person for the job.

**L. Manti La Sal Forest Plan Revision (Alice Carlton, Forest Supervisor)**

Comments must be received by June 7 on the Manti La Sal Forest Plan Revision Final Draft. The Forest Service would like to release the plan for public comment by the end of the month. The national office must approve the “Categorical Exclusion”, a term used as opposed to “Environmental Impact Statement”. A 90 day public comment period will be held after the plan is released. Alice extended an invitation to the Council to an Open House on June 15 in Price and thanked the council for being involved. Rock Creek, Mill Creek Gorge and Miners Basin have received Wild & Scenic River eligibility. There is no wilderness to recommend on the Manti La Sal at this time. The Forest Service is working closely with Dixie and Fish Lake National Forest crafting collaboration together. Councilman Audrey Graham asked if the Forest Service have received comments on the water shed. Alice assured the Council the watershed questions were being addressed.

**M Public Hearing on an Ordinance for a Preliminary Plat for the Noy Desert Wind Subdivision located on Highway 191 Lot 72. The proposed subdivision is 2.4 acres with 20 single family lots in the HC Highway Commercial Zone (Mary Hofhine)**

The preliminary PUD subdivision plat application is submitted by Tim Keogh on behalf of Burakorn (Noy) Kasavadhana (Applicant). The applicant proposes division of 2.4 acres of land into 20 footprint lots. The property is zoned HC, Highway Commercial and is located on Highway 191 Government Lot 72. Highway Commercial District is designed primarily to accommodate commercial uses, but residential uses are allowed.

The site plan includes the required 20% “open space”, plus additional common areas and includes a perimeter trail system. A Home Owners Association will be formed to be responsible for maintenance of common and open space areas. The Planning Commission review the application in a public hearing on April 26, 2006 and recommend approval to the County Council subject to five conditions listed in the staff memorandum.

Mike Bennion – This application is the epitome of bad planning. Twenty homes on 2.4 acres. Mike would like to suggest other avenues to this gentleman.

Joe Kingsley – Introduced Noy who addressed the connectivity issue. Noy is moving to Moab from Michigan and has suggested a trail connecting the two sections of the subdivision.

Ed Bridges – Member of the Planning Commission. Ed was not at the P&Z meeting when the plan was submitted. Ed was surprised by the favorable recommendation from P&Z with conditions #5 regarding connectivity. Ed recommends the subdivision be approved as is.

Rex Tanner – Is the property to the north moab valley storage? Did include site plan work but it is still a vacant lot. South side has a house and four rv units. the issue Ed brought up about the P&z meeting about the votes, is that staff opinion? Mary: No it is the pzz’s consensus. This is not a discretionary decision...except in unusual

circumstances. At who's discretion? It seems we have bad code and we seem to be pushing the letter of the code so hard we're missing the common sense. The idea of having three roads off of 2.5 acres doesn't seem right.

Judy – I was at the meeting, the p&Z did use their discretion, since there was a power line to the west. The commission did give it much consideration.

Nate: does udot require a turn lane? A frontage road may work better.

Closed public hearing at 7:50 p.m.

C. Public Hearing on an Ordinance for a Code Amendment to allow “Telecommunication Tower and Facilities” and “Outfitters and Guide Services Use and Facilities” in the GB, General Business Zones District by Conditional Use Permit (Mary Hofhine)

The ordinance amends the LUC ....

Sherri Griffith – showed a plat of her property and where the current tower is and the proposed tower. It is tucked away out of sight, but still allows service

>>>Singular representative requested a vote at tonight's meeting. Not on agenda.

Jim Lewis – this will be allowed as a conditional use.

Joette – closed the ph at 8:05

D. Public Hearing on a Resolution for a Conditional Use Permit for Cingular Wireless 80 foot Telecommunication Tower and related facilities, located at 1969 Highway 191, Sherrie Griffith, Applicant (Mary Hofhine)

The application is submitted by Cingular Wireless on behalf of the property owner Sherri Griffith Expeditions. The applicant proposes the construction of an 80 foot monopole telecommunications tower on a site behind NE of the Sherri Griffith Expeditions.

The planning commission review and recommended without condition. The Council does have discretion on a new tower.

Rex: would like a requirement be set for a reservation for the county to have a space on the tower. Is that a deal breaker? Cingular guy...does not have the authority to answer. He has never heard the request before. Closed at 8:15 p.m.

E. Public Hearing on a Resolution for Tierra del sol PUD amendment – changing front set-backs, Dan Pyatt, Applicant (Mary Hofhine)

The Tierra del Sol PUD Preliminary Plat was approved by the County Council on March .No comments...

F. Consideration of Approval of Ordinance to rezone Property from RG, Range Grazing, to RR, Rural Residential. This parcel of land West of Lemon Lane on So. Highway 191; an 81.37 acre parcel of land Under Ownership of SITLA, State & Land Trust Land Administration, Bryan Torgerson is the Agent for the Applicant.

Judy moved to table/ Audrey at the request of applicant. Motion carried 7-0.

R. Consideration of Approval of resolution establishing fees for land use application review (Mary Hofhine)

MOTION: Judy moved to approve as submitted. Audrey seconded. Motion carried 7-0.

s. Consideration of a Resolution to approve the final plat phase IV for moab springs ranch

MOTION: judy/nate to approve as submitted. Motion carried 7-0.

T. consideration of a resolution to approve George White Minor Subdivision Plat, Jean E. Souvereyns and Willy P. Bormans Applicants (Mary Hofhine)

See resolution.....MOTION: Judy/Audrey to approve as submitted. Rex – p&z heard the issue in April why is it coming to us in June. Condition of reviews....motion carried 7-0.

U. Consideration of a resolution to approve jones minor subdivision, Virginia joyce jones, applicant (Mary)

See conditions. MOTION: Judy/Nate as presented. Motion carried 7-0.

V. Consideration of a Resolution to Approve Ivy Acres minor subdivision, Ivy Noorlander, applicant. (Mary)

See resolution....

MOTION: motion to approve resolution as submitted. Nate/Judy – motion carried 7-0.

W. Consideration of Resolution of Inducement for

Rex moved to table issue. For upcoming info. Judy seconded. Jim – good to review. Motion carried 6-0 nate recused himself.

#### Other considerations

Nate – call from Bittle Lane resident Jimmie Richardson. City or county??? There is a dip in the road and there is no place for water to drain except into their home. Mary will look into.

Audrey – governor’s office Planning & Budget – moderate housing plan. Asking for a letter of interest in possibly accessing the grant money.

#### Council Reports

Judy – working on dead horse point plan by email going well.

Audrey – solid waste board is looking at the issue of cardboard build up at the recycle center. Library opened Saturday by the end of the day 900 people visited.

Joette – will not be at the next meeting will be at a meeting with the governor. 44,000 grant from cib to begin planning health care facility.

Tailings steering committee – next week. Contractor is expected in august or September.

Rex/jim to adjourn at 8:35 p.mn.