

**GRAND COUNTY COUNCIL**  
**Grand County Council Chambers**  
**125 East Center Street**  
**Moab, Utah**

**August 19, 2014**

The Grand County Council met in regular session on the above date in the Council Chambers of the Grand County Courthouse located at 125 East Center Street, Moab, Utah. Chairman Lynn Jackson called the Council meeting to order at 4:00 p.m. In attendance were Council Members Lynn Jackson, Gene Ciarus, Rory Paxman, Elizabeth Tubbs, Patricia Holyoak, Ken Ballantyne and Jim Nyland, along with Grand County Clerk/Auditor Diana Carroll and Council Administrator Ruth Dillon. The Pledge of Allegiance was led by Chair Lynn Jackson.

**Approval of Minutes (Diana Carroll, Clerk/Auditor)**

**A. August 5, 2014 (County Council Meeting)**

Action postponed until the next meeting.

**Ratification of Payment of Bills**

**MOTION:** Motion by Council Member Patricia Holyoak to approve payment of bills presented in the amount of \$547,068.18. Accounts payable check numbers 84330 - 84496 totaling \$376,777.49 and payroll in the amount of \$170,290.69 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 reported the Onion Creek Grant is now submitted and the new County website will be launching soon.

**Department Reports**

**B. Public Defender Semi-Annual Report, Postponed from August 5, 2014 (Don Torgerson, Torgerson Law Offices, P.C.)**

Grand County Public Defender Don Torgerson reported that most cases right now have a drug, sexual conduct or domestic violence component. In the past year 127 cases have been appointed to the Public Defender.

**C. Update on Division of Air Quality Permit Issued to Danish Flats (Lee Shenton, UMTRA Liaison)**

Lee Shenton reported that Danish Flats has been given permission by the Utah Division of Air Quality to operate and they were issued a \$50,000 fine for operating without a permit. Danish Flats will have 18 months to install the required equipment to keep them in compliance with emissions with the exception of methanol and the release of carbon dioxide.

**Citizens to Be Heard**

Sarah Stock, Castle Valley resident spoke regarding the public comment process.

Bill Love spoke regarding the presence of law enforcement during Council Meetings.

Kevin (would not supply last name) spoke regarding the last meeting and the conduct of the Chair.

**Presentations**

**D. Update on Canyonlands 50<sup>th</sup> Anniversary Celebration (Joette Langianese, Executive Director, Friends of Arches and Canyonlands National Parks)**

Joette Langianese presented invitations to the upcoming Canyonlands 50<sup>th</sup> Anniversary Celebration.

**Discussion Items**

**E. Calendar Items and Public Notices (KaLeigh Welch, Council Office Coordinator)**

**General Business- Action Items- Discussion and Consideration of:**

**F. Approving Proposed Resolution Authorizing Creation of the Seven County Infrastructure Coalition and Approving Proposed Interlocal Cooperation Agreement for the Purpose of Establishing a**

**Seven County Infrastructure Coalition, Postponed from August 5, 2014, Pending Legal Review (Chairman Jackson)**

Mary McGann requested the Council postpone or cancel action until a large majority of citizens can work together.

Bill Love sent an email regarding the money being taken from the State that belongs to us. Uintah and Duchesne counties have done a study. The 5 counties up north want the study to move oil and gas out of the basin.

Steve Lawry spoke in support of the coalition and the importance of having a voice at the table on the coalition.

Emily Stock spoke in opposition of the coalition.

Kevin T. spoke regarding the effects of false promises.

Phil Muehler spoke in favor of a voice on both sides of the issue.

Tory Davis spoke in opposition of the coalition.

Sarah Fields agreed with Mary McGann and requested the Council delay action until there are some public workshops.

Dave Early Grand County citizen and Mayor of Castle Valley thanked Council for the opportunity to speak. He wanted to see enough time given to the process and requested a no vote.

Jay Prentice requested democracy from the Council.

Chris Baird spoke regarding the CIB process and the formula used to distribute funds.

David McClain encouraged Council to vote no on the coalition.

Mary O'Brian a Castle Valley resident agreed with the public meeting idea to allow the community to contribute.

County Attorney Andrew Fitzgerald outlined the legal review presented to Council.

**MOTION:** Motion by Council Member Elizabeth Tubbs to postpone action until there can be some more meaningful discussions. Motion seconded by Council Member Ken Ballantyne carried 4 – 3 with Council Members Jackson, Ciarus and Nyland opposed.

**G. Approving Proposed Interlocal Cooperative Agreement for the Purpose of Establishing an Economic Development Study for a Potential Bookcliffs Transportation Corridor, Postponed from August 5, 2014, Pending Legal Review (Chairman Jackson)**

Comments from the audience include:

Sarah Fields spoke in opposition of the study and requested the Council vote no on the study.

Chris Baird spoke regarding the sensitivity of the SITLA land on the Bookcliffs.

John Weisheit spoke regarding potential water issues.

Chair Lynn Jackson clarified that the proposed Interlocal Cooperative Agreement is simply a question of Grand County's participation in a study.

**MOTION:** Motion by Council Member Gene Ciarus to approve the proposed Interlocal Cooperative Agreement for the purpose of establishing an Economic Development Study for a Potential Bookcliffs Transportation Corridor, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman. Discussion occurred regarding the ILA and the County Attorney provided a review. Motion carried 6 – 1 with Council Member Tubbs opposed.

**H. Approving Moab UMTRA Project's 2014 Annual Statement of Continued Compliance (Lee Shenton, UMTRA Liaison)**

**MOTION:** Motion by Council Member Patricia Holyoak to formally accept the Moab UMTRA Project's 2014 Annual Statement of Continued Compliance and authorize the Chair to sign all associated documents. Motion seconded by Council Member Elizabeth Tubbs carried 7 – 0.

**I. Approving Proposed Reclassification of Sand Flats Recreation Area Program Manager Position (Orlinda Robertson, Human Resources Manager and Ruth Dillon, Council Administrator)**

**MOTION:** Motion by Council Member Ken Ballantyne to approve the proposed reclassification of the Sand Flats Recreation Area Program Manager position as presented retroactive to May 8, 2014 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Elizabeth Tubbs carried 7 – 0.

**J. Approving Skydive Boogie Special Event to be Held at Canyonlands Field Airport September 25<sup>th</sup>-29<sup>th</sup>, 2014 to Exclude Camping and Bonfires (Kelly Braun, Airport Manager & KaLeigh Welch, Council Office Coordinator)**

**MOTION:** Motion by Council Member Elizabeth Tubbs to approve the M.O.A.B, Skydiving event to be held at Canyonlands Field, (CNY) September 25 – 29, 2014 to exclude camping and bonfires and to include that the premises must be vacated by 10:00 p.m. nightly and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

**K. Approving Proposed Office Lease Agreement with Vaisala Inc. at Canyonlands Field Airport (Kelly Braun, Airport Manager)**

**MOTION:** Motion by Council Member Rory Paxman to approve the proposed 5 year office lease with Vaisala Inc. at the Canyonlands Field Airport and authorize the Chair to sign all associated documents. Motion seconded by Council Member Gene Ciarus carried 7 – 0.

**L. Approving Proposed Office Lease Agreement with Canyonlands Jeep Adventures at Canyonlands Field Airport (Kelly Braun, Airport Manager)**

**MOTION:** Motion by Council Member Rory Paxman to approve the proposed 2 year office lease agreement with Canyonlands Jeep Adventures at the Canyonlands Field airport and authorize the Chair to sign all associated documents. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

**M. Approving Proposed Office, Hangar, and Ramp Lease Agreement with Redtail Aviation at Canyonlands Field Airport (Kelly Braun, Airport Manager)**

**MOTION:** Motion by Council Member Gene Ciarus to approve a 6 year office, hangar and ramp lease agreement with Redtail Aviation at Canyonlands Field Airport to include the \$15,000 rent credit and authorize the Chair to sign all associated documents. Motion seconded by Council Member Rory Paxman carried 7 – 0.

**N. Approving Proposed Amendments to the Consolidated Fee Schedule Ordinance (Ruth Dillon, Council Administrator)**

**MOTION:** Motion by Council Member Ken Ballantyne to approve amendments to the Consolidated Fee Schedule Ordinance and authorize the Chair to sign all associated documents. Motion seconded by Council Member Elizabeth Tubbs carried 7 – 0.

**O. Approving Appointment to the Housing Authority of Southeastern Utah Board (Council Member Tubbs)**

**MOTION:** Motion by Council Member Elizabeth Tubbs to approve the appointment of Audrey Graham to serve on the Housing Authority of Southeastern Utah Board of Commissioners, with term expiring 12/31/2016. Motion seconded by Council Member Ken Ballantyne carried 5 – 2 with Nyland and Ciarus opposed.

**Consent Agenda- Action Items**

**P. Ratifying Chair's Signature on a Bureau of Land Management Certification for Federal Assistance for a Grant Application for Onion Creek Road Stabilization and Water Quality Protection Project**

**Q. Ratifying Chair's Signature on Contracted Primary Provider Change of Address Form for the Family Support Center**

**MOTION:** Motion by Council Member Ken Ballantyne to approve the Consent Agenda as presented. Motion seconded by Council Member Patricia Holyoak carried 7 – 0.

**General Council Reports and Future Considerations**

Council Member Nyland attended the Transportation Special Service District meeting where they approved the ILA regarding the Bookcliffs Economic Development Study.

Council Member Tubbs attended the Housing Authority Board meeting.

Council Chair Jackson gave an update of the Spanish Valley aquifer study suggested by Utah Division of Water Rights. The Planning Commission is working on an update that would bring up the Cedar Hills development issue again.

Council Member Paxman wants to make sure Council Members keep up on the Seven County issue to bring it to a vote.

Council Member Holyoak attended the Council on Aging and Cemetery District meetings. The Cemetery Board is facing a big issue regarding a columbarium.

Joe Kingsley spoke regarding a required hydrology study for Matrimony Springs. The Rotary Club would not be able to pay \$500,000 for the study.

**Adjourn**

The meeting adjourned at 7:10 p.m.

  
Grand County Council Chair

**ATTEST:**

  
Diana Carroll, Grand County Clerk/Auditor