

**GRAND COUNTY COUNCIL
GRAND COUNTY COUNCIL CHAMBERS
125 EAST CENTER STREET
MOAB, UTAH**

September 7, 2010

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. Chair Audrey Graham called the meeting to order at 6:00 p.m. In attendance were Council Members Audrey Graham, Chris Conrad, Patricia Holyoak, Chris Baird, Ken Ballantyne, Bob Greenberg and Gene Ciarus along with Grand County Clerk/Auditor Diana Carroll and Council Administrator Melinda Brimhall. The Pledge of Allegiance was led by Roc Smith.

Elected Officials Reports

Council Administrator Report

Council Administrator Melinda Brimhall reported the following:

A. Introduction of Ruth Skouson Mattox, Human Resources Director

B. Status of Mineral Bottom Road

The road has been closed since a thunderstorm caused heavy flood damage. Federal, state and local agencies are working together to expeditiously repair the damage. Exact costs and funding sources have yet to be determined.

Department Head Reports

C. Kane Creek Campground Update (Jeff Whitney, County Building Official)

Grand County Building Official Jeff Whitney briefed the Council on the history of the property and events leading to recent compliance issues.

D. Update on Construction Projects and Upcoming Affordable Housing Application for Cinema Court (Mark Wright, County Engineer; Krissie Killoy, County Planner)

Grand County Engineer Mark Wright gave progress reports on the following:

Millcreek Bridge project is scheduled for a December completion date. There has been a change order for approximately \$30,000 for the Moab City water line.

North Moab Recreation/Moab Canyon project is on schedule and a continued good weather pattern could put the project two weeks ahead of schedule.

Overlook Road and the Transit Hub projects are both at 30% complete design review.

Grand County Planner Krissie Killoy reported that the applicant of a tentative agenda item regarding an affordable housing project will most likely request action on the project immediately following the public hearing on September 21, 2010.

Citizens to Be Heard

Grand County resident Jay Nethercott spoke in favor of using the trail along the creek near the Shuey property.

Approval of Payment of Bills

MOTION: Motion by Council Member Patricia Holyoak to approve bills presented for payment in the amount of \$621,986.45. Accounts payable check numbers 66041 – 66272 totaling \$470,775.63 and payroll in the amount of \$151,210.82 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Chris Baird carried with a 7 – 0 roll call vote.

Approval of Minutes

E. August 17, 2010 (County Council Meeting)

F. August 27, 2010 (Joint City-County Special Meeting)

MOTION: Motion by Council Member Bob Greenberg to postpone approval of minutes until the next meeting. Motion seconded by Council Member Chris Baird carried 7 – 0.

Discussion Items

G. Calendar Items and Public Notices (Melinda Brimhall, County Council Administrator)

Public Hearings- Possible Action Items

1. Public Hearing to Hear Public Input on Proposed Ordinance Amending the Use Regulations for Accessory Dwelling Units (Sec 3.3.2.B) of the Grand County Land Use Code (Community Development Representative)

MOTION: Motion by Council Member Bob Greenberg to postpone the start of the public hearing until 7:00 p.m. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

Public hearing opened at 7:00 p.m. Grand County Planner Krissie Killoy read into the record, the Grand County Land Use Code and the Grand County General Plan both as amended to date. The purpose of the proposed ordinance amending the Use Regulations for accessory dwelling unit is to encourage accessory dwelling units as an affordable housing opportunity while protecting neighborhood character and the quality of life in residential zone districts. The draft amendment proposes the following key changes: allows for detached units, allows for an increase in size from 600 to 800 square feet, establishes design guidelines differentiating the principal versus subordinate (ADU) structure, and requires the recording of a Restricted Use Covenant.

Jay Nethercott spoke in favor of the proposed amendment and encouraged favorable Council consideration.

Linda Peterson spoke in favor of the accessory building having a bathroom.

Joey Allred said the proposed ordinance change would fall in line with the “money follows the person” federal guidelines regarding Medicare paid assisted living.

Written comments will be accepted until 5:00 p.m. Wednesday September 15, 2010.

Workshop

I. Workshop on Proposed Ordinance Amending the Grand Construction Standards and Corresponding Sections of the Land Use Code (Mark Wright, County Engineer/Community Development Director)

Grand County Engineer Mark Wright led discussion regarding the proposed Land Use Code amendments.

Recess at 6:55 p.m. for 5 minutes reconvened again at 7:00 p.m. to Agenda Item H.

Action Items – Discussion and Consideration of Approving/Adopting:

J. Resolution to Create a Special County Committee to Review and Draft Revisions to County Personnel Policy (Council Member Greenberg)

MOTION: Motion by Council Member Bob Greenberg to establish a Special County Committee consisting of an appointed Council representative, the HR Director, the Sheriff, and the County Treasurer to review County personnel policies with special attention to dispute resolution/grievances and make recommendations to the Council for approval at the December 7, 2010 County Council Meeting. Motion seconded by Council Member Ken Ballantyne. Council Member Chris Conrad requested the motion be changed to reflect the invitational intention.

AMENDED MOTION: Council Member Greenberg amended his motion to include the above and invite the Sheriff and Treasurer to participate. Council Member Conrad also requested the committee review the memo from the County Attorney. Council Chair Graham suggested the employees' viewpoint have representation on the committee. Motion carried 7 – 0. Council Members Greenberg and Ciarus both indicated their interest in serving as the Council representative. Chair Graham asked for the council to vote on selecting its representative with Council Member Greenberg first. He received 5 votes with Graham, Baird, Conrad, Ballantyne and Greenberg in favor and was selected as the council's representative to the committee.

K. Proposed Resolution Approving the Tierra Del Sol, Phase III Final Plat (Community Development Representative)

The Grand County Planning Commission reviewed the Tierra Del Sol, Phase III Final Plat and forwarded a favorable recommendation to the County Council. **MOTION:** Motion by Council Member Chris Baird to adopt the proposed resolution approving the Final Plat for Tierra Del Sol PUD, Phase III and authorize the Chair to sign all associated

documents subject to the bonding requirement condition. Motion seconded by Council Member Bob Greenberg carried 7 – 0.

L. Proposed Ordinance Amending the Grand Construction Standards and Corresponding Sections of the Land Use Code (Mark Wright, County Engineer/Community Development Director)

MOTION: Motion by Council Member Gene Ciarus to approve the proposed Grand County Construction Standards and to repeal and re-enact Article 7 Subdivision Standards; Section 6.7 Drainage; and Section 6.8 Flood plains, Natural and Historic Drainages, of the Land Use Code, which reflects the changes made to the Grand County Construction Standards with changes made to 7.3.4 and 7.5 as discussed and authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne carried 7 – 0.

Consent Agenda – Action Items Approving:

- M. Ratification of Chair's Signature on Modification of Grant Agreement with U.S. Department of Energy for \$110,000 to Extend the Original Agreement to 8/19/2011 in Support of the Moab UMTRA Project
- N. Letter to State Department of Natural Resources Urging Close Coordination with the BLM for Management of OHV Travel Routes
- O. Approval of the Tendick Minor Record Survey
- P. Application for Retail Beer License for Western Spirit Cycling
- Q. Correction to the Land Lease at Canyonlands Field Airport (CNY) with Eagle North Shore Properties, LLC

Council Member Greenberg called for point of order as Item N has already been approved. **MOTION:** Motion by Council Member Chris Conrad approve the Consent Agenda as presented with the exception of Item N, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Chris Baird. **AMENDED MOTION:** Motion by Council Member Chris Baird to amend the motion to remove Item Q from the Consent Agenda. Motion seconded by Council Member Bob Greenberg carried 6 – 1 with Council Member Ballantyne opposed. Motion to approve the Consent Agenda carried 7 – 0. **MOTION:** Motion by Council Member Gene Ciarus to have Item Q on the next Council agenda as an action item. Motion seconded by Council Member Bob Greenberg carried 7 – 0.

General Council Reports

Council Member Ciarus

- Plans to attend upcoming SEUALG and UAC meetings.

Council Member Greenberg

- Reported problems with the ramp area at the airport.
- Plans to attend airport conference.
- Announced Solid Waste District glass workshop.

Council Chair Graham

- Reported HASU has had a second offer on their building.
- Thompson Springs is still considering combining Water and Fire Boards.
- Thompson Springs Fire District is hiring a new fire chief.

Meeting adjourned at 8:40 p.m.



Grand County Council Chairman

ATTEST: 

Diana Carroll
Grand County Clerk/Auditor