

GRAND COUNTY COUNCIL
125 E. Center Street
Moab, Utah

June 2, 2015

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 Elizabeth Tubbs called the Council meeting to order at 4:00 p.m. In attendance were Council Members Elizabeth Tubbs, Jaylyn Hawks, Ken Ballantyne, Chris Baird, Lynn Jackson and Mary McGann, and along with Grand County Clerk/Auditor Diana Carroll and Council Administrator Ruth Dillon. Council Member Paxman was absent. The Pledge of Allegiance was led by Grand County Road Supervisor Bill Jackson.

Approval of Minutes (Diana Carroll, Clerk/Auditor)

A. May 19, 2015 (County Council Meeting)

Action postponed until the next meeting.

Ratification of Payment of Bills

MOTION: Motion by Council Member Chris Baird to approve payment of bills presented in the amount of \$422,242.18. Accounts payable check numbers 88035 - 88175 totaling \$227,730.38 and payroll in the amount of \$194,511.80 confirming all bills presented were within budgeted appropriations. Motion seconded by Council Member Jaylyn Hawks carried 6 - 0 by roll-call vote

Council Administrator Report

Ruth Dillon reported that she continues to search for a replacement for the Travel Council Director.

Department Reports

B. 2014 Road Activity Report (Bill Jackson, Road Department Supervisor)

Grand County Road Department Supervisor Bill Jackson along with the new Assistant Supervisor Glen Arthur gave an update of the Road Department activities for 2014 including the new salt shed project, the fueling station, retiring employees and ongoing county road maintenance.

Citizens to Be Heard

None

Discussion Items

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

General Business- Action Items- Discussion and Consideration of:

D. Adopting a Proposed Ordinance Amending Section 3.2.5 Other Uses of Grand County Land Use Code for additional Language for Apiculture (Beekeeping) Protection (Zacharia Levine, Community Development Director)

The Grand County Land Use Code currently allows any scale or type of beekeeping operation, including migratory commercial bees. Migratory commercial bees threaten the County's bee populations because they increase the possibility of foul brood hives, bee mite migration, and other pesticide concerns. In order to protect the County bees, a regulation in the LUC would prevent migratory commercial bee keepers from bringing their hives into the County for over wintering or pollination services.

MOTION: Motion by Council Member Chris Baird to adopt the proposed ordinance amending Section 3.2.5 Other Uses of the Grand County Land Use Code for additional language for apiculture (beekeeping) protection and authorized the Chair to sign all associated documents. Motion seconded by Council Member Mary McGann carried 6 - 0.

E. Adopting a Proposed Ordinance Approving the Rezone of Property from Multi-family Residential (MFR) to General Business (GB), Located at 2294 Resource Blvd, Moab, Utah (Zacharia Levine, Community Development Director)

MOTION: Motion by Council Member to adopt the proposed ordinance approving the rezone of the property located at 2294 West Resource Blvd. from Multi-family residential to General Business based on:

(1) Consideration for rezone in the Land Use Code, Sec 9.2.7 to correct an error, and

(2) The proposed rezone is supported by the Future Land Use Plan identified in the General Plan.

And authorize the Chair to sign all associated documents. Motion seconded by Council Member Ken Ballantyne carried 6 – 0.

Consent Agenda- Action Items

F.1. Ratifying the Chair's Signature on an Insertion Order for Moab Blues Fest Commercials on KINK-FM Nielson Radio in Portland, Oregon for the Moab Area Travel Council in the Amount of \$4,000.00

F.2. Approving Proposed Letter of Support for Utah State University

MOTION: Motion by Council Member Ken Ballantyne to adopt the Consent Agenda as revised. Motion seconded by Council Member Chris Baird carried 6 – 0.

Public Hearings- Possible Action Items

G. Public Hearing to Hear Public Input on Adopting a Proposed Resolution Approving a Conditional Use Application for Mining and Extractive Use (Extract Sand and Gravel and Temporary Hot Mix Asphalt Plant, for Use on a Utah Department of Transportation Project) (Mary Hofhine, Community Development Department)

Community Development Director Zacharia Levine read into the record the Grand County Land Use Code and General Plan both as amended to date. The application is submitted by Nielson Construction on behalf of the property owners William Hatfield (applicants). The applicant proposes the extraction of sand and gravel from a section of land, located approximately 1.25 miles north of the interstate on Hastings Road (Parcels 04-0016-0086 and 04-0016-0045). The land is currently developed with as non-irrigated farm land; the land also has gravel mineral mining operation. The site is zoned RG, Range and Grazing, and Mining on private land is allowable by Conditional Use Permit in the RG District.

MOTION: Motion by Council Member Lynn Jackson to suspend the rules and close the public hearing and take action at this meeting. Motion seconded by Council Member Ken Ballantyne carried 6 – 0.

There were no comments from the public. The Public Hearing closed at 4:45 p.m.

MOTION: Motion by Council Member Ken Ballantyne to adopt the proposed resolution approving a conditional use application for Nielson Construction for mining and extractive use and authorize the Chair to sign all associated documents. Motion seconded by Council Member Lynn Jackson carried 6 – 0.

H. Public Hearing to Hear Public Input on Adopting a Proposed Ordinance Amending Article 3 Use Regulations of the Grand County Land Use Code to Allow "All other Major Utilities" in the Resort Commercial (RC) and Resort Special (RS) Zone Districts as a Conditional Use (Zacharia Levine, Community Development Director)

Community Development Director Zacharia Levine read into the record the Grand County Land Use Code and General Plan both as amended to date. The Community Development Department sponsored this code amendment to address major utilities in the RS and RC Zone Districts previously permitted. Major utilities are not currently permitted used in the RS and RC zone districts. As a way to rectify the situation, staff would like to allow by conditional use. By definition, a conditional use may be compatible only if certain conditions are required that reasonably mitigate or eliminate the detrimental impacts. The Grand County Planning Commission reviewed the proposed amendment and forwarded a favorable recommendation to the County Council.

There were no comments from the public. Written comments will be received until June 10, 2015 at 5:00 p.m.

I. Public Hearing to Hear Public Input on Adopting a Proposed Ordinance Amending Article 3 Use Regulations of the Grand County Land Use Code to Allow "Auto Repair Garages" in the General Business (GB) Zone District as a Conditional Use (Zacharia Levine, Community Development Director)

Community Development Director Zacharia Levine read into the record the Grand County Land Use Code and General Plan both as amended to date. The Community Development Department sponsored this code amendment realizing the practicality of auto repair in General Business (GB) district and resolving a problem of "nonconformity" for such uses in the GB district; "auto repair" by definition may be compatible only if certain conditions are required that reasonably mitigate or eliminate the detrimental impacts. The Grand County Planning Commission reviewed the proposed amendment and forwarded a favorable recommendation to the County Council.

There were no comments from the public. Written comments will be received until June 10, 2015 at 5:00 p.m.

General Council Reports and Future Considerations

Council Member McGann attended the Planning Commission meeting.

Council Member Jackson attended the Governor's Energy Summit, the SEUALG and Planning Commission meeting.

Council Member Tubbs attended the Arches National Park water rights signing with the Governor, FCCBH and Health Department Board meetings.

Council Member Baird attended the Recreation District meeting and a BLM meeting regard the airport expansion area.

Adjourn

The meeting adjourned at 5:15 p.m.



Elizabeth Tubbs
Grand County Council Chair

ATTEST:



Diana Carroll, Grand County Clerk/Auditor