

ORDINANCE NO. 475

AN ORDINANCE AMENDING RESOLUTION NO. 2621 OF THE GRAND COUNTY COUNCIL ESTABLISHING THE BOUNDARY COMMISSION OF GRAND COUNTY, UTAH

WHEREAS, Utah State Code Section 10-2-409 provides that a Boundary Commission shall be created in each county, prior to or at the time necessary to review and rule upon such protests regarding annexations; and

WHEREAS, Utah State Code Section 10-2-409 states that it is the duty of the County Legislative Body to establish the Commission;

NOW THEREFORE, THE COUNTY COUNCIL OF GRAND COUNTY ORDAINS AS FOLLOWS:

Boundary Commission Responsibilities. The Grand County Boundary Commission is hereby established and is charged with carrying out duties and responsibilities as provided for in the Utah Code Sections 10-2-409 through 10-2-412.

Commission Members. The Boundary Commission shall be comprised of the following members:

- **County Representatives.** Two (2) members who are elected "County Officers" which includes any county officers who are elected to office by a vote of County residents.
- **Municipal Representatives.** One (1) member who is an elected municipal officer for the Town of Castle Valley and one (1) elected municipal officer for the City of Moab.
- **Residents.** Three (3) members who are residents of the County, none of whom is a County or municipal officer.

Appointment of Members.

The Boundary Commission shall be appointed as described by the requirements contained in the Utah State Code Section 10-2-409 through 10-2-409.5 and described hereafter.

- **County Representatives.** Two members who are elected "County Officers" shall be appointed by the county legislative body.
- **Municipal Representatives.** The municipal officers shall be appointed by the Municipal Selection Committee in accordance with Sections 10-2-409 through 10-2-409.5 of the Utah Code.
- **Residents.** Three residents of the County, shall be appointed by the four other members (County and Municipal Representatives) of the Boundary Commission as provided for in Section 10-2-409 2 a iii.

Commission Terms. The terms of the offices shall be accordance with 10-2-410 of the Utah Code. The terms of County and Municipal Representatives shall coincide with the term of their elected office in the County or municipality.

Vacancies. Vacancies on the Commission shall be filled for the remaining unexpired term of the vacating member and shall be appointed in accordance with this ordinance and Utah State Code Section 10-2-409 through 10-2-409.5

Chairperson. The election of the Chair shall conform to Section 10-2-410 3 a-b of the Utah Code and described hereafter. The members of the Boundary Commission shall elect a Chair from their membership. To be eligible for consideration as the Chair the commissioner must have a term that does not expire for at least two years prior to being elected Chair. The term of the Chair shall be for two years.

Staff. The Council's Office and Community Development Department will serve as staff to assist with the organization of meetings and to maintain minutes.

Expenses. Any expense related to the Boundary Commission shall be governed by Section 10-2-412 of the Utah Code.

Quorum & Action. The majority of the Commission constitutes a quorum, and Commission action requires the majority vote of the Commission.

Meetings. Commission shall meet at least once annually, as required by Utah Code, and as determined by the Chairperson. Meetings shall be in compliance with the Open Meeting Act Title 52 Chapter 4.

Disqualification of Commission Member and Alternate Members. The disqualification of a Commission Member and the use of an alternate member of the Commission shall occur in accordance with Utah Code 10-2-412.

Controlling Code. Notwithstanding language contained in this ordinance the controlling language in cases of conflict with the Utah Code, shall be the language contained in the Utah Code.

APPROVED THIS 7th DAY OF OCTOBER 2008, BY THE FOLLOWING VOTE:

AYE: Ciarus, McNeely, Graham, Lewis, Greenberg, Holyoak

NAY: _____

ABSENT: Langianese

ATTEST:

Diana Carroll
Diana Carroll, Clerk/Auditor

GRAND COUNTY COUNCIL

Gene Ciarus
Gene Ciarus, Chairman