GRAND COUNTY
CHANGE OF FORM OF GOVERNMENT
STUDY COMMITTEE
SPECIAL MEETING
Grand County Council Chambers
125 East Center Street, Moab, Utah
AGENDA
Friday, March 15, 2019

12:00 p.m.

☐ Call to Order (Chair Stocks)
☐ Pledge of Allegiance
☐ Approval of Minutes (Secretary Till)
  A. March 8, 2019 (Study Committee Special Meeting)

☐ General Reports
  B. Report on availability of potential trainers, target date(s), and possible large venue
     location(s) for Committee Members and public training on the four forms of county
     government; on understanding House Bill 224 (2018); and on the Open and Public Meetings
     Act (Committee Members Dabney, Day, and Greenberg)

☐ Citizens to Be Heard
☐ Presentations (none)

☐ General Business- Action Items- Discussion and Consideration of:
  C. Establishing and approving a schedule of meetings for publication, postponed from March 8,
     2019 (Committee Member Greenberg)
  D. Review and adoption of proposed bylaws (Committee Member Greenberg)

☐ Consent Agenda- Action Items
  (none)

☐ Discussion Items
  E. Discussion on engagement of Study Committee outside counsel (Committee Member
     Greenberg)
  F. Review of State Code Title 17, Chapter 52a, Part 4, le.utah.gov (County Attorney Sloan)

☐ Discussion and possible action on study strategy
☐ Public Hearings- Possible Action Items (none)
☐ Future Considerations
☐ Closed Session(s) (if necessary)
☐ Adjourn

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS. In compliance with the Americans with Disabilities Act, individuals with special
needs requests wishing to attend Change of Form of Government Study Committee meetings are encouraged to contact the County two (2) business
days in advance of the events. Specific accommodations necessary to allow participation of disabled persons will be provided to the maximum
extent possible. T.D.D. (Telecommunication Device for the Deaf) calls can be answered at: (435) 259-1346. Individuals with speech and/or hearing
impairments may also call the Relay Utah by dialing 711. Spanish Relay Utah: 1 (888) 346-3162

It is hereby the policy of Grand County that elected and appointed representatives, staff and members of Grand County Council may participate in
meetings through electronic means. Any form of telecommunication may be used, as long as it allows for real time interaction in the way of
discussions, questions and answers, and voting.

At the Change of Form of Government Study Committee meetings/hearings any citizen, property owner, or public official may be heard on any agenda
subject. The number of persons heard and the time allowed for each individual may be limited at the sole discretion of the Chair. On matters set for public
hearings there is a three-minute time limit per person to allow maximum public participation. Upon being recognized by the Chair, please advance to the
microphone, state your full name and address, whom you represent, and the subject matter. No person shall interrupt legislative proceedings.

Requests for inclusion on an agenda and supporting documentation must be received forty-eight (48) hours prior to a regular or special Change of
Form of Government Study Committee Meeting, subject to the Chair’s authorization. Information relative to these meetings/hearings may be obtained at the
Grand County Council’s Office, 125 East Center Street, Moab, Utah and at www.grandcountyutah.net; (435) 259-1346.

A Change of Form of Government Study Committee agenda packet is available at the local Library, 257 East Center St., Moab, Utah, (435) 259-1111 at
least 24 hours in advance of the meeting.
Convening
Ruth Dillon, Grand County Council Administrator and as authorized by the Grand County Council, convened the initial meeting of the Grand County Change of Form of Government Study Committee on the above date in the County Council Chambers. The meeting was convened at 12:08 p.m. In attendance were Study Committee Members Judy Carmichael, Walt Dabney, Jeramy Day, Cricket Green, Bob Greenberg, Stephen Stocks, and Marcy Till.

A. Nominations and election of Study Committee Chair
Ruth presented the agenda item for the Study Committee.
MOTION: Nomination by Bob for Stephen to be Chair, seconded by Jeramy carried 7-0. Stephen accepted the nomination and began presiding, first by asking each Committee member to provide a brief introduction of themselves.

B. Discussion, nominations and election of other officers as desired
MOTION: An offer by Marcy to be the Secretary, seconded by Jeramy carried 7-0. After some discussion about staff providing board secretarial responsibilities of minute-taking, motion by Jeramy to allow Marcy to delegate secretarial responsibilities to staff as she sees fit, amended by Bob to change the word “allow” to “direct,” motion/amendment seconded by Cricket carried 7-0.

Committee Members discussed whether a Vice Chair is needed for this committee; it was agreed that a Chair Pro-tem would be allowed as needed by the Chair, and as apparently provided in Robert’s Rules of Order.

Ruth inquired as to who will be taking minutes for this meeting. Marcy delegated the responsibility to Ruth for this meeting and going forward; Ruth accepted.

Citizens to Be Heard
Citizen Barbara Hicks requested that Committee Members speak into the microphones.
Citizen Marc Horwitz expressed relief that Committee Members appear to get along, pleased that the meetings are being streamed live by YouTube, and reiterated the request to speak into the microphones. He further requested that the Pledge of Allegiance be placed on future agendas, and that the Committee begin by making the Pledge at this meeting.

Cricket requested that the Pledge of Allegiance be made. The Committee agreed, and the Pledge was led by Cricket.

General Business- Action Items- Discussion and Consideration of:
C. Establishing and approving a schedule of meetings for publication
Bob requested that Committee Members submit their schedules to Ruth for meetings roughly every other week. The request was made to attempt to include the County Attorney’s schedule as well.
MOTION: Motion by Bob to postpone this item until next meeting and to tentatively set the next meeting date to Friday, March 22, 2019 at noon subject to the County Attorney’s availability. After realizing that the Council Chambers would not be available on March 22nd, motion was amended by Bob to hold the next meeting on March 15, 2019 at noon in the Council Chambers, motion/amendment seconded by Judy carried 7-0.
Committee Members discussed the possibility of electronic attendance as allowed in the Open and Public Meetings Act (Title 52, Chapter 4, Section 202). Bob stated he had spoken with County Attorney Sloan about whether a resolution was required for remote participation and expressed his understanding that, if required, that she would draft it.

Committee Members discussed the need for defining a quorum. Ruth stated that this is typically defined in bylaws. Ruth agreed to provide bylaws templates as options for a draft in time for next week’s meeting. Bob emphasized that critical to the bylaws is the definition of the quorum, the number of votes needed to pass a motion, and whether electronic participation is allowed (unless provided via a separate resolution). Committee Members requested to have bylaws on the agenda for adoption next meeting.

**Discussion Items**

D. Review of first meeting mandates for the Study Committee (Utah Code § 17-52a-402)
Chair Stocks declared that the first meeting mandate to elect a chair has been completed.

E. Review of general mandates for the Study Committee (Utah Code § 17-52a-403(3)(a))
Bob pointed out that State Code allows up to one year from this initial meeting to recommend an allowed form of government. He suggested the need to ask the County Attorney whether the Committee could recommend more than one plan. He noted that State Code allows for hearings after the filing of the detailed report, followed by “small tweaks,” additional alteration if needed that are subject to restrictions. He noted further that State Code authorizes the Committee to review other elected official offices in determining “whether the administration of local government could be strengthened, made more clearly responsive or accountable to the people, or significantly improved in the interest of economy and efficiency.” Walt suggested that having a clear understanding from the County Attorney about what this means would be helpful. Further, Walt suggested that having an understanding of reviewing judicial proceedings under way would also be helpful.

Walt noted that §17-52a-405(2) discusses four other—structural—forms allowed that should be reviewed by Committee Members and inquired of the County Attorney for the meaning of State Code § 35b Part 3, “Structural Forms of County Government.”

Walt inquired in general to have a clear understanding of what is expected of this Committee.

Bob requested to have an agenda item, “Discussion on engagement of Study Committee counsel.” Suggestions were made by Committee Members: Lt. Governor, other government entities

F. Discussion and possible action on study strategy
Bob suggested that the only two criteria to consider are inclusiveness and efficiency. It was suggested to inquire of the County Clerk the possible number of districts.

Bob suggested that four types of information need to be considered:

1. Review of counties that are trying to make things work, across the political spectrum
2. Use of academic research and possibly commission BYU, USU, or U of U on how the form of government impacts inclusiveness
3. Grand County citizens
4. Study Committee member ideas, prejudices, and experiences

Bob requested a standing agenda item for study strategy discussions until the “how” is determined. Marcy suggested that the strategy will need to be tied to milestones and dates.

Walt suggested having a lot of public involvement, and to ask citizens such questions as “What do you think will be a better form of government for us? Why?”

Judy suggested the need for a forum in which Committee Members and the public get up to speed in the four forms
Marcy suggested having routine press releases to keep the community informed. Ruth offered her idea to have a standing County Council agenda item for the Committee Chair or a Committee member to provide a report.

Jeramy suggested having a workshop in the four forms and follow up with a large town hall for public input.

Committee Members agreed in principle to have the Chair, or the Chair’s delegatee, provide a written factual monthly progress report to County Council to be read aloud during the Council meeting, assuming County Council desires this as a monthly standing agenda item.

G. Discussion on scheduling a training on the four forms of county government and on the Open and Public Meetings Act
Chair Stocks inquired about delegating research for trainers and report next meeting. Walt agreed to reach out to Gavin Anderson who spoke at a community event held at Star Hall last fall (and who is District Deputy Attorney for Salt Lake County and author of “County Government in Utah: The Official County Government Resource Guide of the Utah Association of Counties.”) Jeramy agreed to invite a representative from the Lt. Governor’s Office. Bob agree to reach out to Representative Albrecht for an introduction to the attorney author of House Bill 224 (2018) as someone with expertise on the bill’s intentions. Walt, Jeramy, and Bob agreed to provide trainer availability to Ruth and to report on their findings at the next meeting, with Committee desires of having the trainers available on the same day, and soon. Ruth will check availability of large venues such as Star Hall or the Grand Center for tentative dates, and will plan to provide notice to the public once a date is set.

H. Discussion on establishing committee bylaws if desired
Chair Stocks inquired for further discussion on this matter, discussed earlier. There was no further discussion.

Future Considerations
I. Review by County Attorney of State Code Title 17, Chapter 52a, Part 4 (le.utah.gov)
Committee Members inquired as to County Attorney Sloan’s availability for the next meeting, March 15th to review §17-52a Part 4.

Ruth agreed to have her staff forward to Committee Members the link to online Open & Public Meetings Act training. She announced that the next in-person Open & Public Meetings Act training, led by LeGrand Bitter, Executive Director of Utah Association of Special Districts, is being scheduled for May or June for those who prefer an in-person group training.

Committee Members stated that they received a security email training from the Grand County IT Director.

Adjourn
The meeting was adjourned on a motion by Jeramy, seconded by Walt that carried 7-0 at 1:08 p.m.

Stephen Stocks
Chair

Marcy Till
Secretary
March 2019 (Mountain Time - Denver)

- Happy birthday!
- Daylight Saving Time begins
- St. Patrick's Day
- 12pm - Study
<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thu</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
</tr>
<tr>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
</tr>
<tr>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **Sun, Mon, Tue, Thu, Fri, Sat**
- **12pm - Study** on Fri
- **Tax Day** on Mon 15
- **Easter Sunday** on Sat 21
- **Easter Monday** on Sun 22
- **12pm - Study** on Thu 18
- **12pm - Study** on Fri 19
- **12pm - Study** on Sat 20
Ruth Dillon, Contacts, Holidays in United States

Jun 2019 (Mountain Time - Denver)

Sun | Mon | Tue | Wed | Thu | Fri | Sat
---|-----|-----|-----|-----|-----|-----
26 | Memo | 27  | 28  | 29  | 30  | 31  | 1
   | rial Day |     |     |     | 12pm - Study |     |     
2   | 3   | 4   | 5   | 6   | 7   | 8   
   |     |     |     | 12pm - Study |     |     | 
9   | 10  | 11  | 12  | 13  | 14  | 15  
   |     |     |     | 12pm - Study |     |     | 
16  | 17  | 18  | 19  | 20  | 21  | 22  
   | Father's Day |     |     |     |     |     | 
23  | 24  | 25  | 26  | 27  | 28  | 29  
   |     |     |     | 12pm - Study |     |     | 
30  | 1   | 2   | 3   | 4   | 5   | 6   
   |     |     |     |     | 12pm - Study |     | 

Independence Day
<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thu</th>
<th>Fri</th>
<th>Sat</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
</tr>
<tr>
<td>Sun</td>
<td>Mon</td>
<td>Tue</td>
<td>Wed</td>
<td>Thu</td>
<td>Fri</td>
<td>Sat</td>
</tr>
<tr>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td></td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Labor Day</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>30</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Sun</td>
<td>Mon</td>
<td>Tue</td>
<td>Wed</td>
<td>Thu</td>
<td>Fri</td>
<td>Sat</td>
</tr>
<tr>
<td>------</td>
<td>------</td>
<td>------</td>
<td>------</td>
<td>------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td><strong>Halloween</strong></td>
<td>12pm - Study</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Daylight Saving</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Veterans Day</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>13</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>16</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>17</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>18</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>19</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>21</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12pm - Study</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>23</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>24</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Thanksgiving Day</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>26</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Black Friday</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>28</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>29</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>30</td>
</tr>
</tbody>
</table>
December 2019 (Mountain Time - Denver)

Sun Mon Tue Wed Thu Fri Sat

1 2 3 4 5 6 7

12pm - Study

8 9 10 11 12 13 14

12pm - Study

15 16 17 18 19 20 21

12pm - Study

22 23 24 25 26 27 28

Christmas Eve  Christmas Day

29 30 31 1 2 3 4

New Year's Eve  New Year's Day
BYLAWS
OF THE
GRAND COUNTY
CHANGE IN FORM OF GOVERNMENT
STUDY COMMITTEE

Article I. Name

The name of this organization shall be the Grand County Change in Form of Government Study Committee (the “Committee”), a committee of Grand County created pursuant to Utah Statute §§ 17-52a-101 et seq. (Changing Forms of County Government).

Article II. Object

The Committee shall study the form of government within the county and perform those duties specifically set forth in Utah Statute § 17-52a-403(3)(a).

Article III. Members

Section 1. Composition. The Committee consists of seven (7) individuals appointed pursuant to the procedure set forth in Utah Statute § 17-52a-401.

Section 2. Vacancies. Vacancies in the Committee shall be filled within thirty (30) days of resignation or death of a Member by an affirmative vote of five (5) of the remaining Committee members present at a meeting at which a quorum is present. In filling a vacancy, the Committee shall select an individual who meets the qualifications and requirements of Utah Statute § 17-52a-403(b) and (c).

Article IV. Officers

The Members shall elect a Chairperson and Secretary and any other officers deemed necessary.

Section 1. Chairperson. The Chairperson shall be the presiding officer of each meeting. The Chairperson shall be responsible to call meetings, set the agenda, and conduct the meetings. The Chairperson shall be elected from the Members of the Committee.

Section 2. Secretary. The Secretary shall keep all minutes of the meetings and send copies to all Committee Members. The Secretary shall assist the Chairperson in preparing an agenda for the meetings, posting notices, approving minutes of all Committee meetings, and keeping necessary records to help the Committee perform its function. Once the Committee has approved the minutes, the official signed copy of the minutes shall be forwarded to the County Clerk/Auditor and Council Administrator for retention. The Committee may delegate the administrative duties of the Secretary to the County Council Administrator or a member of their staff.

Article V. Meetings

Section 1. Quorum. Four (4) Committee members shall constitute a quorum for the transaction of business of the Committee. If at any meeting of the Committee, there be less than a quorum present, the majority of those present may adjourn the meeting until a quorum is present.
Section 2. Action. The affirmative vote of five (5) Committee members present at a meeting at which a quorum is present shall be the act of the Committee.

Section 3. Regular Meetings. The Committee shall publish and advertise a schedule of regular meetings. Meetings shall be held in the County Council Chambers at 125 East Center Street, Moab, Utah, subject to change with advance notice. Meetings shall be in compliance with the Open and Public Meetings Act, Utah Statute §§ 52-4-101 et seq.

Section 4. Electronic Meetings. One or more Committee members may participate in public meetings by means of electronic communication in accordance with Grand County Resolution #2944 and Utah Statute § 52-4-207, so long as a quorum of the Committee is present at the anchor location. Any form of telecommunication may be used, as long as it allows for real-time interaction in the way of discussions, questions and answers, and voting.

Section 5. Special Meetings and Emergency Meetings. Special meetings and emergency meetings may be called by the Chairperson and shall be in compliance with the Open and Public Meetings Act.

Section 6. Sub-committees. Sub-committees may be informally formed during any public meeting and shall exist until the sub-committee’s purpose has been met or the sub-committee is otherwise deemed no longer necessary.

Article VI. Parliamentary Authority

The Committee shall use Robert’s Rules of Order when conducting its business, which business shall be considered, as far as practicable, in the following order:

- Call to Order
- Approval of Minutes
- Action Items
- Discussion Items
- Future Considerations
- Closed Session(s) if necessary
- Adjournment

Article VII. Amendment of Bylaws

The Committee may amend these Bylaws by an affirmative vote of five (5) Committee members present at a meeting at which a quorum is present, subject to Utah Statute §§ 17-52a-101 et seq.
The above Bylaws were duly and regularly introduced and passed at a Regular Meeting of the Grand County Change in Form of Government Study Committee on the March 15, 2019, by the following vote:

AYES:______________________________________________

NAYS:______________________________________________

ABSENT:_____________________________________________

GRAND COUNTY CHANGE IN FORM OF GOVERNMENT STUDY COMMITTEE

______________________________
Stephen Stocks, Chairperson

ATTEST:

______________________________
Ruth Dillon, Secretary
§ 52-4-207. Electronic meetings - Authorization - Requirements.

Utah Statutes

Title 52. Public Officers

Chapter 4. Open and Public Meetings Act

Current through 2/28/2019

§ 52-4-207. Electronic meetings - Authorization - Requirements

(1) Except as otherwise provided for a charter school in Section 52-4-209, a public body may convene and conduct an electronic meeting in accordance with this section.

(2) (a) A public body may not hold an electronic meeting unless the public body has adopted a resolution, rule, or ordinance governing the use of electronic meetings.

(b) The resolution, rule, or ordinance may:

(i) prohibit or limit electronic meetings based on budget, public policy, or logistical considerations;

(ii) require a quorum of the public body to:

(A) be present at a single anchor location for the meeting; and

(B) vote to approve establishment of an electronic meeting in order to include other members of the public body through an electronic connection;

(iii) require a request for an electronic meeting to be made by a member of a public body up to three days prior to the meeting to allow for arrangements to be made for the electronic meeting;

(iv) restrict the number of separate connections for members of the public body that are allowed for an electronic meeting based on available equipment capability; or

(v) establish other procedures, limitations, or conditions governing electronic meetings not in conflict with this section.

(3) A public body that convenes or conducts an electronic meeting shall:

(a) give public notice of the meeting:

(i) in accordance with Section 52-4-202; and
(ii) post written notice at the anchor location;

(b) in addition to giving public notice required by Subsection (3)(a), provide:

(i) notice of the electronic meeting to the members of the public body at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and

(ii) a description of how the members will be connected to the electronic meeting;

(c) establish one or more anchor locations for the public meeting, at least one of which is in the building and political subdivision where the public body would normally meet if they were not holding an electronic meeting;

(d) provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the meeting; and

(e) if comments from the public will be accepted during the electronic meeting, provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

(4) Compliance with the provisions of this section by a public body constitutes full and complete compliance by the public body with the corresponding provisions of Sections 52-4-201 and 52-4-202.

Cite as Utah Code § 52-4-207

History. Amended by Chapter 31, 2011 General Session.
Part 4
Study Committee and Optional Plan

17-52a-401 Procedure for appointing members to study committee.
(1) If a majority of voters voting in an election described in Section 17-52a-304 vote in favor of appointing a study committee, an appointment council shall appoint the members of a study committee as provided in this section.

(2) (a) The county executive shall, within 10 days after the canvass of an election conducted under Section 17-52a-304, convene the first meeting of the appointment council members described in:
(i) for a council-initiated appointment council, Subsections 17-52a-102(2)(a), (b), and, if applicable, (c)(i)(A); or
(ii) for a petition-initiated appointment council, Subsection 17-52a-102(4).
(b) Within 10 days of the convening of the first meeting under Subsection (2)(a)(i), the members of the appointment council described in Subsection (2)(a) shall designate the remaining members of the appointment council.

(3) (a) Within 30 days after the day on which the appointment council meets under Subsection (2)(a)(ii), or the last appointment council member is appointed under Subsection (2)(b), the appointment council shall:
(i) appoint the members to the study committee; and
(ii) notify in writing the appointees, the county executive, and the county legislative body of the appointments.
(b) In making appointments to the study committee, the appointment council shall work to achieve a broadly representative membership.
(c) The appointment council may not appoint an individual to the study committee unless that individual:
(i) is a registered voter in the county whose form of government will be studied by the study committee; and
(ii) does not hold any public office or employment other than membership on the appointment council.

Renumbered and Amended by Chapter 68, 2018 General Session

17-52a-402 Convening of first meeting of study committee.
(1) The county executive shall convene the first meeting of the study committee within 10 days after the county executive receives the notification described in Subsection 17-52a-401(3)(a) of the study committee members' appointment.

(2) (a) At the study committee's first meeting, the study committee shall select a chair from among the members of the study committee.
(b) The chair of the study committee is responsible for convening each future meeting of the study committee.

Renumbered and Amended by Chapter 68, 2018 General Session
17-52a-403 Study committee -- Members -- Powers and duties -- Report -- Services provided by county.

1. (a) A study committee consists of seven members.
   (b) A member of a study committee may not receive compensation for service on the committee.
   (c) The county legislative body shall reimburse each member of a study committee for necessary expenses incurred in performing the member's duties on the study committee.

2. A study committee may:
   (a) adopt rules for the study committee's own organization and procedure and to fill a vacancy in its membership;
   (b) establish advisory boards or committees and include on the advisory boards or committees persons who are not members of the study committee; and
   (c) request the assistance and advice of any officers or employees of any agency of state or local government.

3. (a) A study committee shall:
    (i) study the form of government within the county and compare it with other forms available under this chapter;
    (ii) determine whether the administration of local government in the county could be strengthened, made more clearly responsive or accountable to the people, or significantly improved in the interest of economy and efficiency by a change in the form of county government;
    (iii) hold public hearings and community forums and other means the committee considers appropriate to disseminate information and stimulate public discussion of the committee's purposes, progress, and conclusions; and
    (iv) file a written report of the study committee's findings and recommendations with the county executive, the county legislative body, and the county clerk no later than one year after the convening of the study committee's first meeting under Section 17-52a-402.
   (b) Within 10 days after the day on which the study committee submits the study committee's report under Subsection (3)(a)(iv) to the county legislative body, if the report recommends a change in the form of county government, the county clerk shall send to the county attorney or, if the county does not have a county attorney, to the district attorney, a copy of each optional plan recommended in the report for review in accordance with Section 17-52a-406.

4. Each study committee report under Subsection (3)(d) shall include:
   (a) the study committee's recommendation as to whether the form of county government should be changed to another form authorized under this chapter;
   (b) if the study committee recommends changing the form of government, a complete detailed draft of a proposed plan to change the form of county government, including all necessary implementing provisions; and
   (c) any additional recommendations the study committee considers appropriate to improve the efficiency and economy of the administration of local government within the county.

5. (a) If the study committee's report recommends a change in the form of county government, the study committee may conduct additional public hearings after filing the report under Subsection (3)(d) and, following the hearings and subject to Subsection (5)(b), alter the report.
(b) Notwithstanding Subsection (5)(a), the study committee may not make an alteration to the report:

(i) that would recommend the adoption of an optional form different from that recommended in the original report; or

(ii) within the 120-day period before the election under Section 17-52a-501.

(6) Each meeting that the study committee holds shall be open to the public.

(7) If the study committee's report does not recommend a change in the form of county government, the report is final, the study committee is dissolved, and the process to change the county's form of government is concluded.

(8) The county legislative body shall provide for the study committee:

(a) suitable meeting facilities;

(b) necessary secretarial services;

(c) necessary printing and photocopying services;

(d) necessary clerical and staff assistance; and

(e) adequate funds for the employment of independent legal counsel and professional consultants that the study committee reasonably determines to be necessary to help the study committee fulfill its duties.

Renumbered and Amended by Chapter 68, 2018 General Session

17-52a-404 Contents of proposed optional plan.

(1) The study committee, a county legislative body that adopts a resolution described in Subsection 17-52a-302(1)(b), or the sponsors of a petition described in Subsection 17-52a-303(1)(a) shall ensure that each optional plan the committee, legislative body, or registered voters propose under this chapter, respectively:

(a) proposes the adoption of one of the forms of county government listed in Subsection 17-52a-405(1)(a);

(b) contains detailed provisions relating to the transition from the existing form of county government to the form proposed in the optional plan, including provisions relating to the:

(i) election or appointment of officers specified in the optional plan for the new form of county government;

(ii) retention, elimination, or combining of existing offices and, if an office is eliminated, the division or department of county government responsible for performing the duties of the eliminated office;

(iii) continuity of existing ordinances and regulations;

(iv) continuation of pending legislative, administrative, or judicial proceedings;

(v) making of interim and temporary appointments; and

(vi) preparation, approval, and adjustment of necessary budget appropriations;

(c) specifies the date the optional plan becomes effective if adopted, which may not be earlier than the first day of January next following the election of officers under the new plan; and

(d) notwithstanding any other provision of this title and except with respect to an optional plan that proposes the adoption of the county commission or expanded county commission form of government, with respect to the county budget provides that:

(i) the county executive's role is to prepare and present a proposed budget to the county legislative body; and

(ii) the county legislative body's role is to adopt a final budget.

(2) Subject to Subsection (3), an optional plan may include provisions that are considered necessary or advisable to the effective operation of the proposed optional plan.
(3) An optional plan may not include any provision that is inconsistent with or prohibited by the Utah Constitution or any statute.

(4) The optional plan proponent described in Subsection (1) shall ensure that each optional plan proposing to change the form of government to the county executive-council form under Section 17-52a-203 or the council-manager form under Section 17-52a-204:

(a) provides for the same executive and legislative officers as are specified in the applicable section for the form of government that the optional plan proposes;
(b) provides for the election of the county council;
(c) specifies the number of county council members, which shall be an odd number from three to nine;
(d) specifies whether the members of the county council are to be elected from districts, at large, or by a combination of at large and by district;
(e) specifies county council members' qualifications and terms and whether the terms are to be staggered;
(f) contains procedures for filling vacancies on the county council, consistent with the provisions of Section 20A-1-508; and
(g) states the initial compensation, if any, of county council members and procedures for prescribing and changing compensation.

(5) The optional plan proponent described in Subsection (1) shall ensure that each optional plan proposing to change the form of government to the county commission form under Section 17-52a-201 or the expanded county commission form under Section 17-52a-202 specifies:

(a)
(i) for the county commission form of government, that the county commission shall have three members; or
(ii) for the expanded county commission form of government, whether the county commission shall have five or seven members;
(b) the terms of office for county commission members and whether the terms are to be staggered;
(c) whether members of the county commission are to be elected from districts, at large, or by a combination of at large and from districts;
(d) if any members of the county commission are to be elected from districts, the district residency requirements for those commission members; and
(e) if any members of the county commission are to be elected at large, whether the election of county commission members is subject to the provisions of Subsection 17-52a-201(6) or Subsection 17-52a-202(6).

Renumbered and Amended by Chapter 68, 2018 General Session

17-52a-405 Plan may propose changing forms of county government -- Plan may propose change of structural form -- Partisan elections.

(1)
(a) The optional plan proponent described in Subsection 17-52a-404(1) shall ensure that each optional plan proposes changing the form of county government to:

(i) the county commission form under Section 17-52a-201;
(ii) the expanded county commission form under Section 17-52a-202;
(iii) the county executive and council form under Section 17-52a-203; or
(iv) the council-manager form under Section 17-52a-204.
(b) The optional plan proponent described in Subsection 17-52a-404(1) may not recommend an optional plan that:

(i) proposes changing the form of government to a form not included in Subsection (1)(a);
(ii) provides for the nonpartisan election of elected officers;
(iii) imposes a limit on the number of terms or years that an elected officer may serve;
(iv) provides for elected officers to be subject to a recall election; or
(v) provides, in a county with a population of 225,000 or more, for a full-time county commission in an expanded county commission form of government under Section 17-52a-202.

(2) In addition to proposing the adoption of any one of the optional forms of county government under Subsection (1)(a), an optional plan may also propose the adoption of any one of the structural forms of county government provided under Chapter 35b, Part 3, Structural Forms of County Government.

(3) A county that provides for the election of the county's elected officers through a partisan election may not change to a process that provides for the election of the county's elected officers through a nonpartisan election.

Renumbered and Amended by Chapter 68, 2018 General Session

17-52a-406 County or district attorney review of proposed optional plan -- Conflict with statutory or constitutional provisions -- Processing of optional plan after attorney review. (1) Within 45 days after the day on which the county or district attorney receives the recommended optional plan from the county clerk under Subsection (3)(d), 17-52a-303(3)(c), or 17-52a-403(3) (b) or from the county legislative body under Subsection (3)(c) or 17-52a-302(3), the county or district attorney shall send a written report to the county clerk containing the information described in Subsection (2).

(2) A report from the county or district attorney under Subsection (1) shall:

(a) state the attorney's opinion as to whether implementation of the optional plan described in Subsection (1) would result in a violation of any applicable statutory or constitutional provision;
(b) if the attorney concludes that a violation would result:

(i) identify specifically each statutory or constitutional provision that implementation of the optional plan would violate;
(ii) identify specifically each provision or feature of the proposed optional plan that would result in a statutory or constitutional violation if the plan is implemented; and
(iii) recommend how the proposed optional plan may be modified to avoid the statutory or constitutional violation.

(3) (a) Except as provided in Subsection (3)(b), if the attorney determines under Subsection (2) that a violation would occur, the proposed optional plan may not be the subject of an election under Section 17-52a-501.

(b) The study committee may:

(i) modify an optional plan that the study committee recommends in accordance with Section 17-52a-403 to avoid a violation that a county or district attorney's report describes under Subsection (2); and
(ii) file a new report under Subsection 17-52a-403(3)(d).
(c) A county legislative body may:
(i) modify an optional plan that the county legislative body proposes in accordance with Subsection 17-52a-302(1)(b) to avoid a violation that a county or district attorney's report describes under Subsection (2); and
(ii) within 10 days of modifying the optional plan, send the modified optional plan to:
(A) the county clerk; and
(B) the county or district attorney for review in accordance with this section.

(d)
(i) The petition sponsors may:
(A) modify an optional plan that the petition proposes in accordance with Subsection 17-52a-303(1)(a)(ii) to avoid a violation that a county or district attorney's report describes under Subsection (2); and
(B) submit the modified optional plan to the county clerk.
(ii) Upon receipt of a modified optional plan described in Subsection (3)(d)(i), the county clerk shall send the modified optional plan to the county or district attorney for review in accordance with this section.

(4) The county executive, county legislative body, county or district attorney, and county clerk shall treat the following as an original:
(a) a new report that a study committee files under Subsection 17-52a-403(3)(d);
(b) a modified optional plan that a county legislative body sends under Subsection (3)(c); and
(c) a modified optional plan that petition sponsors submit to the county clerk and that the county clerk sends under Subsection (3)(d).

(5) If the attorney's report under Subsection (2) does not identify any provisions or features of the proposed optional plan that, if implemented, would violate a statutory or constitutional provision, the proposed optional plan is subject to the provisions described in Section 17-52a-501.