AGENDA
Friday, April 12, 2019

12:00 p.m.

- **Call to Order** (Chairperson Stocks)
- **Pledge of Allegiance**
- **Approval of Minutes** (Secretary Till)
  - A. March 15, 2019 (Study Committee Special Meeting)
  - B. March 21, 2019 (Study Committee Special Meeting/Gavin Anderson Informational Sessions)
- **General Reports**
  - C. Availability of additional potential trainers and target date(s) for informational sessions for Committee Members and the public on the four forms of government and on House Bill 224 (2018), continued from March 15, 2019 (Committee Members Day and Greenberg)
  - D. Fee information for future engagement of outside counsel (Committee Member Greenberg)
- **Community Outreach and possible action**
  - E. County website update for a Study Committee page (www.grandcountyutah.net/change) and a citizen email address for contacting Study Committee members at studycommittee@grandcountyutah.net (County Council Administrator Dillon)
  - F. Cost of mailers/postcards for a possible direct mail campaign to registered voters (Committee Member Greenberg)
  - G. Cost of Facebook advertising, use of Instagram, and the like (Committee Member Day)
  - H. Review of Study Committee Member lists for creating a master distribution list (Chairperson Stocks)

- **Citizens to Be Heard**
- **Presentations** (none)
- **General Business- Action Items- Discussion and Consideration of:**
  - I. Amending previous adoption of Study Committee Bylaws in order to change to the affirmative vote of four (4) rather than five (5) Committee members present at a meeting at which a quorum is present in order to serve as the act of the Committee (Committee Member Day)

- **Consent Agenda- Action Items** (none)
- **Discussion Items**
  - **Discussion and possible action on study strategy**
    - J. Review of the forms of government and compensation of County Commissioners and Council Members in Utah (Committee Member Carmichael)
    - K. Review of 2019 County Council and Administrator operating budgets (Committee Member Carmichael)
    - M. Review of Tooele County’s 2017 survey form (County Council Administrator Dillon)
    - N. Ideas for garnering input from County staff and previous County Council Members regarding the future form of government (Committee Member Till)
Public Hearings- Possible Action Items (none)

Future Considerations
O. Ideas for monthly progress report for presenting at the April 16, 2019 County Council meeting (Chairperson Stocks)

Closed Session(s) (if necessary)

Adjournment

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS. In compliance with the Americans with Disabilities Act, individuals with special needs requests wishing to attend Change in Form of Government Study Committee meetings are encouraged to contact the County two (2) business days in advance of these 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 in 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 in 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 in Form in 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.
Call to Order
The Grand County Change in Form of Government Study Committee (“Study Committee”) met in Special Session on the above date in the County Council Chambers. The meeting was called to order by Chairperson Stephen Stocks at 12:00 p.m. with a quorum present. In attendance at the call to order were Study Committee Members Stephen Stocks, Judy Carmichael, Walt Dabney, Jeramy Day, Cricket Green, Bob Greenberg, and Marcy Till. Also in attendance were Ruth Dillon (County Council Administrator) to take minutes and Christina Sloan (County Attorney).

Pledge of Allegiance
The Pledge of Allegiance to the Flag of the United States of America was led by Judy.

Approval of Minutes
A. March 8, 2019- Secretary Till reported that the proposed minutes met with her approval.

MOTION: Motion by Judy to approve the minutes of March 8, 2019, seconded by Marcy carried 7-0.

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.

Walt reported that Gavin Anderson, Salt Lake County Deputy District Attorney, is available March 21, 2019 for a public meeting and is willing to return in April on a Tuesday or a Friday if follow-up is needed. Mr. Anderson will provide ethics training for County Council Members and other County Officers, Study Committee Members and the general public, as well as an informational session on the four forms of county government, especially for Study Committee Members. Committee Members discussed the need for more public notice versus the need for the Study Committee to have the training right away. Walt requested, and Ruth volunteered, to submit a public notice about the event to both local major political parties through representative Study Committee Members and to the radio stations. Walt will inquire of any audio/visual needs and let Ruth know. Committee Members agreed to the March 21st date to be held in the County Council Chambers with a 5PM start time for ethics class and a 6PM start time for discussing the four forms of county government. Ruth suggested that, in the lucky event that we do have a large public turnout despite last-minute announcement, Star Hall is already reserved as a backup venue.

Bob reported that he corresponded by email with Representative Albrecht requesting an introduction to the head of the legislative office for a contact of attorney author(s) of the 2018 House Bill 224. Bob stated that he will reattempt next week, given that the State’s Legislative Session just closed yesterday, and will report next regular meeting.

Jeramy reported that he will follow up next week with the Lieutenant Governor’s Office who had stated they are willing to work out something for the future. Jeramy will report next regular meeting.

Ruth reported that the annual in-person Open and Public Meetings Act training is now scheduled for Thursday, May 23, 2019, at the Grand Center with pizza at noon and training by LeGrand Bitter, Executive Director of Utah Association of Special Districts from 12:15 to approximately 3:00. Study Committee
Members indicated that they had received the link to the online Open and Public Meetings Act 2019 training (training.auditor.utah.gov) which provides an introduction to the Act and is taught by the Office of the State Auditor.

Citizens to Be Heard- none

General Business- Action Items- Discussion and Consideration of:
C. Establishing and approving a schedule of meetings for publication, postponed from March 8, 2019

Ruth reported that she received schedules from most Study Committee Members and drafted a proposed schedule according to the most available number of Study Committee attendees.

**MOTION: Motion by Bob to meet (as regular Study Committee meetings) on April 12 & 19, May 10 & 17, June 14 & 21, July 19 & 26, and August 2 & 9 at 12:00 in the County Council Chambers, seconded by Judy carried 7-0.** It was stated that additional meetings may be needed after August 2019 and can be scheduled with notice to the public. It was also stated that if Study Committee Members agree in the future that a given regular meeting is not needed after all, such meeting can simply be canceled. Ruth announced that she will ensure that this newly adopted official schedule is published in the newspaper and will send the schedule to Committee Members and to County Attorney Sloan.

D. Review and adoption of proposed bylaws

**MOTION: Motion by Bob to change Article V, Section 2 of the proposed bylaws to read “The affirmative vote of 4 Committee members present at a meeting at which quorum is present shall be the act of the Committee” so that a quorum of 4 can act with a vote of 4, seconded by Marcy.** Ruth reported that the bylaws were drafted by County Attorney Sloan who then proceeded to review highlights of the bylaws with Committee Members. County Attorney Sloan explained her recommendation for a minimum of 5 to carry a motion due to State Statute requirements for the Committee to be broadly representative of the voting public, stating that 5 of 7 affirmative votes helps fulfill this requirement. She explained that a quorum of 4 is just to hold a meeting. Regarding electronic meetings, she reviewed the recommendation to have an anchor location for meetings in the Council Chambers. She reviewed the fact that the Study Committee, by State Statute, and thus in the proposed bylaws, is allowed to appoint vacant seats within the Study Committee, stating that there is no requirement to return to the Appointment Council. **Motion failed 1 to 6, with all opposed except Bob.**

**MOTION: Motion by Bob to adopt the proposed bylaws as submitted, seconded by Jeramy carried 7-0.**

Discussion Items
E. Discussion on engagement of Study Committee outside counsel

Bob reported that he requested help from the County Attorney for finding outside counsel. County Attorney Sloan explained that State Statute allows the Study Committee to hire outside counsel, pay for professional consultants and associated travel, and that the County Council budgeted $10,000 for calendar year 2019 for this. Additionally, other costs such as printing and photocopying have been budgeted. She explained her role is to have the Study Committee’s ultimate recommendation be consistent with State Statute. She explained that there exists a potential to have to start the process over and that it makes sense to hire outside counsel although she stated that she is happy to work with the Study Committee. County Attorney Sloan reported that she reached out to Clyde Snow, a Salt Lake City law firm with a municipal department, reportedly more affordable than national firms the county has used in the recent past. She further stated that Gavin Anderson could provide a recommendation to the Committee for Salt Lake area legal counsel.

Walt stated his opinion of a lack of a compelling need for outside counsel at this point and instead a desire to utilize the County Attorney for regular feedback.
Bob suggested that it would be worthwhile to have a letter of engagement for outside counsel advice, if needed, who would be paid only if utilized.

Jeramy suggested the use of the law firm of Snell & Wilmer, with the need for the parties to the recent lawsuit (who had utilized Snell & Wilmer) to waive the potential conflict of interest. Bob agreed to report next regular meeting on the cost of a retainer for outside counsel if required and the hourly fee. County Attorney Sloan stated that she will attend the Study Committee meetings if the Committee desires; otherwise, if independent counsel attends, then she will not.

F. Review of State Code Title 17, Chapter 52a, Part 4, le.utah.gov

County Attorney Sloan introduced Title 17 (Counties), Chapter 52a (Changing Forms of County Government), Part 4 (Study Committee and Optional Plan). She explained that Sections 401 (Procedure for appointing members to study committee) and 402 (Convening of first meeting of study committee) have already been completed by the Committee. She began with review of Section 403 (Study committee – Members – Powers and duties – Report – Services provided by county), highlighting that Study Committee Members may not receive compensation but may be reimbursed for actual expenses; may adopt rules such as the bylaws; may establish advisory committees that are comprised of members who are not on the Study Committee; and may request government assistance. She emphasized (3)(a) in which the Study Committee must compare the County’s current form of government with the valid four forms; “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;” “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 “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” from the first meeting held March 8, 2019. County Attorney Sloan stated that the Committee does not have to utilize the entire twelve months prior to making their recommendation to the County Council for ultimate presentation to the voters.

Ruth interjected, with respect to the Study Committee’s role of determining improvements in economy and efficiency, in order to inform Committee Members that the County recently commissioned a professional needs assessment to project staffing, operational space, and interlocal efficiency needs over the next five years. She invited the Study Committee to attend the County Council meeting next Tuesday, March 19th, at 4:00 p.m. to hear the high-level results of the findings.

County Attorney Sloan continued, stating that each Study Committee report must include: “a complete detailed draft of a proposed plan to change the form of county government, including all implementing provisions” to be reviewed at a future Study Committee meeting as covered in Part 5 (Adoption and Implementation of Optional Plan). Further, that once the proposed plan is submitted, that a public hearing could be held afterwards, and the Study Committee would be allowed to take in community information that could potentially alter the report. She reiterated that each Study Committee meeting must be open to the public, and thus publicly noticed according to the Open and Public Meetings Act.

County Attorney Sloan reviewed aloud State Statute requirements by the County Council, the county legislative body: “suitable meeting facilities; necessary secretarial services; necessary printing and photocopying services; necessary clerical and staff assistance; and 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.”

County Attorney Sloan reviewed Section 404 (Contents of proposed optional plan). She stated that the Study Committee is to propose only one form of government and that it must contain “detailed provisions relating to the transition from the existing form of county government to the form proposed in the optional plan” (to be covered in Part 5), “including provisions related to the election or appointment of officers specified in the optional plan for the new form of county government; retention, elimination, or combining of existing offices and, if an office is eliminated, the division or department of county government responsible for performing the
Committee Members and County Attorney Sloan summarized that the transition plan, for which the Study Committee is responsible to recommend, needs to ensure that government will continue to work and that existing ordinances (laws) will continue as well as various proceedings, such as judicial proceedings.

County Attorney Sloan continued, noting that “an optional plan may include provisions that are considered necessary or advisable to the effective operation of the proposed optional plan; an optional plan may not include any provision that is inconsistent with or prohibited by the Utah Constitution or any statute,” again stating that it is the County Attorney’s responsibility to provide final review.

The next subsections briefly reviewed by County Attorney Sloan relate to the form of government proposed; the number of members (“an odd number from three to nine” for the county-executive council form or the council-manager forms, “five or seven” for the expanded county commission form, or “three” for the county commission form); whether elected from districts, at large, or by a combination; qualifications (for council forms) and terms; district residency requirements for commissions and provisions for commissions elected at large; procedures for filling vacancies; and initial compensation and procedures for changing it.

County Attorney Sloan briefly reviewed Section 405 (Plan may propose changing forms of county government – Partisan elections). She explained that this section lists the four legal forms of county government and states that a proposed optional plan may not include a proposal for nonpartisan elections of elected officers, term limits, or election recall (except in circumstances related to criminal behavior).

For the record, and respectfully submitted, this section, although not specifically reviewed during the meeting, states, “in addition to proposing the adoption of any one of the (four) optional forms of county government…. an optional plan may also propose the adoption of any one of the structural forms of county government” as follows: ‘General county (modified)’ structural form of county government; urban county structural form of county government; community council form of county government; or consolidated city and county -- structural form, as provided in Title 17, Chapter 35b, Part 3 (Structural Forms of County Government).

County Attorney Sloan briefly reviewed Section 406 (County or district attorney review of proposed optional plan – Conflict with statutory or constitutional provisions – Processing of optional plan after attorney review), stating that this section reviews what governs the County Attorney with review of the proposed optional plan.

After Committee discussion, County Attorney Sloan stated her opinion that the other elected officials in county government cannot remain nonpartisan. Jeramy clarified that they may register as unaffiliated, however.

Chairperson Stocks requested a review of Part 5 of this section of State Code for a May meeting date when the County Attorney is available, which was then scheduled for the May 10th regular meeting.

Walt raised the question as to whether the current form meets State Code except in the areas of partisanship, recall, and term limits. Ruth provided information on various ways the County Council delegates some of its executive authority through job descriptions, such as the County Council Administrator’s job description which allows hiring, firing, and supervision of the 12 non-elected Department Heads and the 2 Council Office staff. She explained that other ways the County Council delegates some of its executive authority is through various resolutions/policies and other motions, such as the resolution that allows the Administrator to sign all Travel Council advertising agreements that fall within the approved annual budget.

Bob stated that the Study Committee must specify in the recommended plan what the executive powers are to be for the position of a manager.
Discussion and possible action on study strategy

Bob reiterated that there are four types of information that need to be considered in a study strategy:

1. Review as to strengths and weaknesses of what forms Utah counties are using, perhaps in the form of field trips to talk with the various counties;
2. Use of academic research on how the form of government impacts efficiency and inclusiveness;
3. Hearing from the public; and
4. Study Committee ideas and prejudices.

Upon Judy’s request, Ruth offered to provide the Committee with a summary of what form of government is used in each county, most likely easily available from Utah Association of Counties.

Marcy suggested learning from some past County Council Members and staff over the last 25+ years about what worked and what the shortfalls are in our current form of government. Committee Members suggested that such feedback could occur in the form of a public hearing. County Attorney Sloan suggested requesting specific examples of pro’s and con’s from Mr. Anderson as part of the upcoming informational session.

Walt requested information on what Council Members and Commissioners in Utah, including Grand County, are paid in each county; Ruth offered to provide as this information is available through Utah Association of Counties.

Judy requested a copy of the County Council and Council Administrator current operating budgets for an approaching agenda item.

Walt requested Ruth to send to Bob and Jeramy, for the respective local Democrat and Republic parties, the notice to the public on the upcoming informational session on the four forms of government. He further requested that the notice specifically be sent to KZMU and the newspapers.

Marcy suggested reaching out to younger populations and stated that the School District has hired a Community Coordinator who is creating a network of contacts.

Bob suggested that registered voters could receive postcards, and he requested to know how many households Grand County has which Ruth will obtain from the Community & Economic Development Department.

Bob suggested the possibility of utilizing the County Clerk’s database of registered voters to send an Excel file and graphic layout of a postcard for the public hearings. County Attorney Sloan interjected that the four required public hearings are actually “legislative body” (County Council) requirements that will occur after the County Council adopts a resolution approving the Study Committee’s recommended Plan. She clarified that the Study Committee has no public hearing requirements (which requires 10 days’ notice to the newspaper for publication), although public hearings and/or open houses are allowed. Public meetings, however, are required.

Stephen suggested utilizing Facebook advertising for our county’s specific geographic location as well as Instagram.

Judy suggested an open house for citizens who prefer to speak to Study Committee Members one on one rather than in the public hearing setting.

Walt suggested having an email address specific for citizen comments. Committee Members agreed upon studycommitee@grandcountyutah.net and Ruth agreed to set this up through the IT Department.

Stephen suggested a timeline for an open house, perhaps two months away.

Jeramy suggested wrapping up training and informational sessions by May, to which Stephen agreed as a goal.

Bob suggested utilizing April to work on procedures for the study strategy.

Bob suggested three-month increments of major task areas involving the study strategy.
County Attorney Sloan reminded Study Committee Members that Morgan County is concurrently going through a similar process, although ahead of ours. She offered to reach out to the Morgan County Attorney for their outline strategy and any document. Bob suggested inviting their Study Committee Chairperson to meet with the Study Committee. County Attorney Sloan agreed to provide a report for the May 10, 2019 Study Committee meeting.

Jeramy suggested utilizing as resources the Chamber of Commerce, Rotary Club, and local law enforcement.

Others suggested reaching out to the Multicultural Center, high school, and to 17- and 18-year-olds who will potentially be eligible to vote. It was suggested to ask the high school Government teacher to make the topic of changing a county form of government part of their class, with student credit for attending Study Committee meetings.

Stephen asked for volunteers for assignments. Bob agreed to find out about the cost of a mailer. Jeramy agreed to find out about the Facebook advertising costs and looking into Instagram as a possible resource. Stephen requested that Committee Members return for the April 12th meeting with listed groups to reach out to in order to create a master list of whom to “spread the word.”

Stephen requested to have a standing agenda item, “Community Outreach”, and it was suggested to have this as possible action. There is a possibility of publishing newspaper ads soon.

**Future Considerations**
For the next regular meeting: Review of Grand County’s current Plan for County Government. Ruth agreed to send Committee Members, as part of the meeting packet, the ordinance that adopted the current Plan.

Stephen provided and reviewed his draft synopsis of the progress report to be provided to County Council for the meeting on March 19th.

The next special Study Committee meeting for which the public is invited to participate, will be held March 21, 2019 in the County Council Chambers at 5PM for an ethics class and 6PM for an informational session on the four forms of government, both led by attorney Gavin Anderson. There will be an option to move the special meeting, or a portion of it, to Star Hall if needed.

The next regular Study Committee meeting will be held Friday, April 12, 2019, at noon in the County Council Chambers.

**Adjourn**
The meeting was adjourned at 1:31 p.m. on a motion by Walt, seconded by Bob that carried 7-0.
GRAND COUNTY CHANGE IN FORM OF GOVERNMENT
STUDY COMMITTEE
SPECIAL MEETING

Grand County Council Chambers
125 East Center Street, Moab, Utah

March 21, 2019, 5:00 p.m.

Call to Order
The Grand County Change in Form of Government Study Committee (“Study Committee”) met in Special Session on the above date starting in the County Council Chambers. The meeting was called to order by Chairperson Stephen Stocks at 5:00 p.m. with a quorum of four present. In attendance at the call to order were Study Committee Members Stephen Stocks (Chairperson), Judy Carmichael, Walt Dabney, and Marcy Till (Secretary). Also in attendance were Ruth Dillon (County Council Administrator) to take minutes and, shortly after the call to order, Christina Sloan (County Attorney). Committee Member Bob Greenberg arrived shortly after the call to order. Committee Member Cricket Green arrived at approximately 5:48 p.m. toward the end of the Ethics Class. Committee Member Jeramy Day arrived at Star Hall at approximately 6:05, prior to the start of the Forms of County Government discussion.

Welcome and Introduction of Gavin Anderson, Salt Lake County Deputy District Attorney
Chairperson Stocks introduced Gavin Anderson, Salt Lake County Deputy District Attorney.

Presentations by Gavin Anderson
A. Ethics Class – Mr. Anderson provided handouts on “Grand County Disclosure Statement;” draft “Ordinance Updating Policies and Procedures Governing Professional Ethics and Conflicts of Interest of Grand County Officers and Employees and Repealing Ordinance No. 462;” and “Summary: Utah Statutes – Government Employee Ethical Requirements.” He proceeded with the class, engaging Study Committee Members and audience alike. During the class, County Attorney Sloan indicated she plans to make further revisions to the draft ordinance.

In addition to attending Study Committee Members, there were approximately two dozen attendees, representing County Council, County special service districts, County department heads, other County staff, City Council, and members of the general public.

Recess - At approximately 5:55 p.m. Chairperson Stocks called an impromptu recess until 6:05 p.m. for the purpose of moving the remaining portion of the special meeting to Star Hall Auditorium, 159 East Center Street, in order to accommodate the larger crowd.

B. Forms of County Government Discussion and Public Participation – At Star Hall Auditorium at approximately 6:10 p.m. the recess ended, Gavin Anderson welcomed participants and provided a handout on “Change in Form of County Government: Four Optional Forms”. He proceeded with the informational session/discussion with the Study Committee, attending County Council Members, County Council Administrator, and members of the general public. This included discussion included in the handout on “Typical Powers and Duties of a County Legislative Body” and “Typical Powers and Duties of a County Executive.” Mr. Anderson provided comparative information as follows:

- Currently there is one county in Utah (Cache) operating under the Elected Executive-Council form;
- no county in Utah is currently operating under the Expanded County Commission form;
- no county in Utah has ever changed into the default 3-person County Commission form from another form;
- one County (Toole) recently changed from the County Commission form to a Council-Manager form.
- of Utah’s 29 counties, 6 counties have moved from the default 3-person County Commission form to:
  - 7-member County Council form, at large, elected County Executive with veto power (Cache)
Mr. Anderson encouraged Study Committee Members to attempt to make a recommendation as to the form of, and plan for, government for Grand County in time for the November 2019 election, explaining that a bill (House Bill 257, “Form of County Government Amendments”) was entertained—but not passed—during the 2019 State General Legislative Session that could come back and would potentially limit the available options to the County Commission form for a county of the 5th or 6th class (populations less than 4,000 to 11,000) that initiates a change in the county’s form of government.

In addition to all seven Study Committee Members, there were approximately three dozen attendees from the general public.

Future Considerations – Chairperson Stocks inquired of Study Committee Members as to future considerations. There were none.

Adjournment
The meeting was adjourned at 7:43 p.m. by Chairperson Stocks.

__________________________________________  ________________________________
Stephen Stocks                                  Marcy Till
Chairperson                                    Secretary
Changing Form of Government

Grand County is currently in the process of changing its form of government. This process has been initialized as part of 2018 House Bill 224. This page is intended to keep the public informed as to the progress of this process.

The first step of this process was to form an "Appointment council" which was tasked to select the "Study Committee".

On February 15, 2019 the Appointment Council members were selected and comprised of Walt Dabney, Jeramy Day, Judy Carmichael, Stephen Stocks and Cole Howe.

On February 26, 2019 the Appointment Council selected the members of the Study Committee, the members are shown to the right.

The approved meeting schedule for the "Change of Form of Government- Study Committee" are Fridays at noon in the County Council Chambers, 125 E. Center Street, Moab, Utah.

Current 2019 meeting dates are:

- March 21, Special Meeting, 5:00 pm
- April 12 & 19
- May 10 & 17
- June 14 & 21
- July 19 & 26
- August 2 & 9

As explained in State Code Title 17, Chapter 52a, Part 4, Section 403:

(3) (a) A study committee shall:

1. study the form of government within the county and compare it with other forms available under this chapter;
2. 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;
3. 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
4. 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 (held March 8, 2019)

The County Council Administration office is tasked with assisting the Study Committee to provide administrative support, office space, and photocopies for the entire form of government study process, including posting the open, public meeting notices.

The Grand County Change of Form of Government- Study Committee is an official body as recognized by the State of Utah and is required to post public meeting notices, audio recordings and minutes to the Public Meeting Notice Website. Agendas, minutes and recordings are also posted on this website for your convenience.
Marcy Till
mtill@grandcountyutah.net

Stephen Stocks
sstocks@grandcountyutah.net

Walt Dabney
wdabney@grandcountyutah.net
Hi,

In our discussion of possibly using direct mail as a method to increase community participation in the Study Committee’s efforts, I promised some info: a direct mail campaign hitting every household in Grand County with an active voter would be 2920 pieces. At $0.35 per 6”x4.5” postcard it would be just under $1000 plus printing to mail to the whole county. Please put that in our next meeting packet as my report.

Thanks for all of your excellent support for last night’s meetings.

Bob
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-four (5 4) 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 Special Meeting of the Grand County Change in Form of Government Study Committee on March 15, 2019, by the following vote:

AYES: _______________________________________

NAYS: _______________________________________

ABSENT: _____________________________________

GRAND COUNTY CHANGE IN FORM OF GOVERNMENT STUDY COMMITTEE

______________________________
Stephen Stocks, Chairperson

ATTEST:

______________________________
Marcy Till, Secretary
<table>
<thead>
<tr>
<th>County</th>
<th>Size</th>
<th>#</th>
<th>Form of Government</th>
<th>Part Time</th>
<th>2019 Commission/ Council Compensation</th>
<th>Executive/Manager/Administrator</th>
<th>Other Commission/Council Office Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salt Lake</td>
<td>1st</td>
<td>9</td>
<td>Council-Elected Mayor</td>
<td>PT</td>
<td>$41,709</td>
<td>Council Member Advisors/Administrators (10)</td>
<td>Executive Secretary to Mayor/Council Secretary</td>
</tr>
<tr>
<td>Davis</td>
<td>2nd</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$128,107</td>
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<td>Commission Office Manager</td>
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<tr>
<td>Utah</td>
<td>2nd</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$119,444</td>
<td></td>
<td>Administrative Assistants (3)</td>
</tr>
<tr>
<td>Washington</td>
<td>2nd</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$100,104</td>
<td>Commission Administrator</td>
<td>Commission Assistant</td>
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<tr>
<td>Weber</td>
<td>2nd</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$120,827</td>
<td></td>
<td>Administrative Services</td>
</tr>
<tr>
<td>Box Elder</td>
<td>3rd</td>
<td>3</td>
<td>Commission</td>
<td>PT</td>
<td>$49,417</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cache</td>
<td>3rd</td>
<td>7</td>
<td>Council-Elected Executive*</td>
<td>PT</td>
<td>$12,549</td>
<td>County Executive (elected, w/veto power)</td>
<td></td>
</tr>
<tr>
<td>Iron</td>
<td>3rd</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$53,540</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Summit</td>
<td>3rd</td>
<td>5</td>
<td>Council-Manager</td>
<td>PT</td>
<td>$42,024</td>
<td>County Manager</td>
<td></td>
</tr>
<tr>
<td>Tooele</td>
<td>3rd</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$91,885</td>
<td></td>
<td>Commission Administrative Assistant</td>
</tr>
<tr>
<td>Uintah</td>
<td>3rd</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$94,661</td>
<td></td>
<td>Commission Secretary</td>
</tr>
<tr>
<td>Carbon</td>
<td>4th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$51,771</td>
<td></td>
<td>Commission Secretary</td>
</tr>
<tr>
<td>Duchesne</td>
<td>4th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$68,796</td>
<td></td>
<td>Commission Assistant</td>
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<tr>
<td>Millard</td>
<td>4th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$39,966</td>
<td></td>
<td></td>
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<tr>
<td>San Juan</td>
<td>4th</td>
<td>3</td>
<td>Commission</td>
<td>PT</td>
<td>$44,983</td>
<td>Chief Administrative Officer/Emergency Manager</td>
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<tr>
<td>Sanpete</td>
<td>4th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$25,464</td>
<td></td>
<td></td>
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<tr>
<td>Sevier</td>
<td>4th</td>
<td>3</td>
<td>Commission</td>
<td>PT</td>
<td>$49,899</td>
<td>Executive Administrator/Economic Development</td>
<td></td>
</tr>
<tr>
<td>Wasatch</td>
<td>4th</td>
<td>7</td>
<td>Council-Manager*</td>
<td>PT</td>
<td>$25,000</td>
<td>County Manager</td>
<td>Council Executive Secretary</td>
</tr>
<tr>
<td>Beaver</td>
<td>5th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$40,000</td>
<td></td>
<td>Commissioner Assistant</td>
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<tr>
<td>Emery</td>
<td>5th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$45,312</td>
<td></td>
<td>Administrative Assistant</td>
</tr>
<tr>
<td>Garfield</td>
<td>5th</td>
<td>3</td>
<td>Commission</td>
<td>PT</td>
<td>$45,614</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand</td>
<td>5th</td>
<td>7</td>
<td>Council*</td>
<td>PT</td>
<td>$24,000</td>
<td>Council Administrator</td>
<td>Council Office Coordinator, Council Office Assistant (PT)</td>
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<tr>
<td>Juab</td>
<td>5th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$31,699</td>
<td>County Administrator</td>
<td></td>
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<tr>
<td>Kane</td>
<td>5th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$43,116</td>
<td></td>
<td>Human Resources/Council Secretary</td>
</tr>
<tr>
<td>Morgan</td>
<td>5th</td>
<td>7</td>
<td>Council*</td>
<td></td>
<td>$24,000</td>
<td></td>
<td>Commission Assistant/Economic Development Director</td>
</tr>
<tr>
<td>Daggett</td>
<td>6th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$24,720</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Piute</td>
<td>6th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$23,038</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rich</td>
<td>6th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$22,321</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wayne</td>
<td>6th</td>
<td>3</td>
<td>Commission</td>
<td></td>
<td>$20,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>* Chair and sometimes Vice Chair are paid slightly higher than Council Members</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# Utah Association of Counties 2019 Salary Survey

<table>
<thead>
<tr>
<th>CLASS</th>
<th>COUNTY</th>
<th>POPULATION</th>
<th>EXECUTIVE</th>
<th>COUNCIL</th>
<th>COMMISSION</th>
<th>CLERK-AUDITOR</th>
<th>AUDITOR</th>
<th>SHERIFF</th>
<th>ASSESSOR</th>
<th>RECORDER</th>
<th>RECORDER/TREAS</th>
<th>TREASURER</th>
<th>ATTORNEY</th>
<th>SURVEYOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRST</td>
<td>700,000+</td>
<td>Salt Lake</td>
<td>1,135,649</td>
<td><strong>41,709.36 PT</strong></td>
<td>CLERK-AUDITOR 157,805.29 FT</td>
<td>157,805.29 FT</td>
<td>160,586.70 FT</td>
<td>157,805.29 FT</td>
<td>155,320.07 FT</td>
<td>157,805.29 FT</td>
<td>184,879.28 FT</td>
<td>1587,805.29 FT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>THIRD</td>
<td>12,000-74,999</td>
<td>Tooele</td>
<td>91,885 FT</td>
<td><strong>91,885</strong></td>
<td>Clerk 82,623 FT</td>
<td>82,623 FT</td>
<td>82,623 FT</td>
<td>82,623 FT</td>
<td>82,623 FT</td>
<td>82,623 FT</td>
<td>82,623 FT</td>
<td>82,623 FT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FOURTH</td>
<td>12,000-24,999</td>
<td>Cache</td>
<td>120,288</td>
<td><strong>122,549 PT</strong></td>
<td>Clerk 110,929 FT</td>
<td>110,929 FT</td>
<td>110,929 FT</td>
<td>110,929 FT</td>
<td>110,929 FT</td>
<td>110,929 FT</td>
<td>110,929 FT</td>
<td>110,929 FT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FIFTH</td>
<td>4,000 or less</td>
<td>Sanpete</td>
<td>25,463.70 FT</td>
<td><strong>25,463.70 FT</strong></td>
<td>Clerk 20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SIXTH</td>
<td>4,000 or less</td>
<td>Sanpete</td>
<td>25,463.70 FT</td>
<td><strong>25,463.70 FT</strong></td>
<td>Clerk 20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td>20,021 FT</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** The table above shows the salary ranges for various positions in counties across different population groups. The salaries are listed in thousands of dollars per year.
# Grand County

## Proposed Position Pay Plan 2019

### Elected Officials

<table>
<thead>
<tr>
<th>Job Title</th>
<th>Hourly</th>
<th>Annual</th>
<th>Status</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCIL CHAIR</td>
<td>$19.89</td>
<td>$30,000</td>
<td>1,508</td>
<td>Morgan Co. 29 hrs/week</td>
</tr>
<tr>
<td>COUNCIL VICE-CHAIR</td>
<td>$17.71</td>
<td>$26,700</td>
<td>1,508</td>
<td>Morgan Co. 29 hrs/week</td>
</tr>
<tr>
<td>COUNCIL MEMBER</td>
<td>$15.92</td>
<td>$24,000</td>
<td>1,508</td>
<td>Morgan Co. 29 hrs/week</td>
</tr>
<tr>
<td>CLERK/AUDITOR</td>
<td>$36.25</td>
<td>$75,394</td>
<td>2,080</td>
<td>Average 2nd-6th Class</td>
</tr>
<tr>
<td>SHERIFF</td>
<td>$42.70</td>
<td>$88,809</td>
<td>2,080</td>
<td>Average 2nd-5th Class</td>
</tr>
<tr>
<td>ASSESSOR</td>
<td>$35.86</td>
<td>$74,593</td>
<td>2,080</td>
<td>Average 2nd-6th Class removing daggett outlier</td>
</tr>
<tr>
<td>RECORDER</td>
<td>$35.26</td>
<td>$73,351</td>
<td>2,080</td>
<td>Average 2nd-6th Class</td>
</tr>
<tr>
<td>TREASURER</td>
<td>$35.17</td>
<td>$73,152</td>
<td>2,080</td>
<td>Average 2nd-6th Class</td>
</tr>
<tr>
<td>ATTORNEY</td>
<td>$54.65</td>
<td>$113,678</td>
<td>2,080</td>
<td>Average 2nd-6th Class except Rich &amp; Piaute outliers for attorney</td>
</tr>
</tbody>
</table>
## Grand County Budget 2018 - 2019

**Budget Period:** 00/17-03/19

### Account Number | Account Title | 2017 ACTUAL | 2018 YTD ACTUAL | 2018 BEGINNING BUDGET | 2018 FINAL BUDGET | 2019 BEGINNING BUDGET
---|---|---|---|---|---|---
10-3653-000-000 | USU POSTAGE REIMBURSEMENT | .00 | .00 | .00 | .00 | .00
10-3654-000-000 | INSURANCE CLAIM PAYMENT | 25,964.38 | 4,095.91 | .00 | 4,096.00 | 26,000.00
10-3655-000-000 | GRAND COUNTY HISTORY BOOK SAL | .00 | .00 | .00 | .00 | .00
10-3659-000-000 | CAPITAL LEASE OBLIGATION | .00 | .00 | .00 | .00 | .00
10-3691-000-000 | OTHER FUNDS TRANSFERS | .00 | .00 | .00 | .00 | .00

**Total MISCELLANEOUS:** 538,113.01 | 593,451.77 | 503,912.00 | 641,477.00 | 719,319.00

### CONTRIBUTIONS

10-3890-000-000 | CONTRIBUTION-GENERAL FUND SUP | .00 | .00 | 273,972.00 | 500,000.00 | 741,671.00

**Total CONTRIBUTIONS:** .00 | .00 | 273,972.00 | 500,000.00 | 741,671.00

### COUNTY COUNCIL

10-4111-110-000 | SALARIES | 81,194.19 | 71,026.81 | 79,560.00 | 82,000.00 | 222,425.00
10-4111-130-000 | EMPLOYEE BENEFITS | 6,917.19 | 5,732.00 | 6,410.00 | 7,000.00 | 20,556.00
10-4111-210-000 | SUBSCRIPTIONS & MEMBERSHIPS | 1,022.00 | 275.00 | 1,022.00 | 1,022.00 | 1,022.00
10-4111-220-000 | PUBLIC NOTICES | .00 | .00 | .00 | 500.00 | 1,000.00
10-4111-230-001 | EVAN CLAPPER | 4,32 | 349.99 | 750.00 | 900.00 | 2,000.00
10-4111-230-002 | JALYN HAWKS | 2,141.16 | 339.40 | 1,500.00 | 900.00 | 2,000.00
10-4111-230-003 | PATRICK TRIM | .00 | .00 | .00 | 500.00 | 1,000.00
10-4111-230-004 | GREG HALLIDAY | 249.84 | .00 | 300.00 | 300.00 | 300.00
10-4111-230-005 | CURTIS WELLS | 4,249.09 | 11,247.25 | 3,600.00 | 11,500.00 | 6,000.00
10-4111-230-006 | RORY PAXMAN | .00 | 330.00 | 900.00 | 900.00 | 900.00
10-4111-230-007 | MARY MCGANN | 1,872.77 | 3,215.25 | 2,500.00 | 3,500.00 | 4,000.00
10-4111-230-008 | TRAVEL-LEGISLATIVE | .00 | .00 | .00 | .00 | .00
10-4111-240-000 | OFFICE SUPPLIES & EXPENSES | 86.16 | .00 | 100.00 | 100.00 | 200.00
10-4111-250-000 | EQUIPMENT MAINTENANCE & SUPPLI | .00 | .00 | .00 | .00 | .00
10-4111-310-000 | PROFESSIONAL SERVICES | .00 | .00 | .00 | 520.00 | 0.00
10-4111-360-000 | CELL PHONE ALLOWANCE | 5,720.00 | 3,735.00 | 7,560.00 | 7,560.00 | 7,560.00
10-4111-400-000 | SPECIAL DEPT. SUPPLIES | 1,209.85 | 697.75 | 950.00 | 950.00 | 1,210.00
10-4111-500-000 | INVENTORY | .00 | .00 | 1,000.00 | 1,000.00 | 1,000.00
10-4111-900-000 | DISCRETIONARY | .00 | .00 | .00 | .00 | .00

**Total COUNTY COUNCIL:** 104,666.57 | 96,948.45 | 107,042.00 | 118,152.00 | 299,983.00

### COUNTY ADMINISTRATOR

10-4112-110-000 | SALARIES | 139,398.85 | 122,497.76 | 138,122.00 | 138,500.00 | 167,353.00
10-4112-110-001 | OVERTIME | .00 | .00 | 150.00 | .00 | 565.00
10-4112-130-000 | EMPLOYEE BENEFITS | 61,725.38 | 52,235.53 | 52,808.00 | 60,000.00 | 69,607.00
10-4112-210-000 | SUBSCRIPTIONS & MEMBERSHIPS | 64.00 | 579.00 | 32.00 | 800.00 | 32.00
10-4112-220-000 | PUBLIC NOTICES | 2,870.24 | 2,277.11 | 1,380.00 | 2,500.00 | 1,500.00
10-4112-230-000 | TRAVEL | 301.00 | 855.04 | 1,220.00 | 1,220.00 | 2,600.00
10-4112-240-000 | OFFICE SUPPLIES & EXPENSES | 2,920.87 | 1,535.25 | 2,870.00 | 2,870.00 | 2,800.00
10-4112-250-000 | EQUIPMENT MAINTENANCE | 1,730.01 | 982.36 | 1,800.00 | 1,800.00 | 1,800.00
10-4112-290-000 | FUEL | 106.51 | 166.01 | 70.00 | 120.00 | 70.00
10-4112-310-000 | PROFESSIONAL SERVICES | .00 | 520.00 | .00 | 520.00 | .00
10-4112-360-000 | CELL PHONE ALLOWANCE | 1,885.00 | 1,765.00 | 2,040.00 | 2,040.00 | 2,040.00
10-4112-400-000 | SPECIAL DEPT. SUPPLIES | 521.15 | 44.55 | 200.00 | 200.00 | 300.00
10-4112-730-000 | CAPITAL IMPROVEMENTS-SOFTWARE | .00 | .00 | .00 | .00 | .00
10-4112-750-000 | INVENTORY EQUIPMENT | .00 | .00 | .00 | .00 | .00
10-4112-800-000 | INVENTORY | 3,479.55 | 600.81 | 1,115.00 | 1,115.00 | .00
10-4112-860-000 | SCHOOLING EXPENSE | 2,855.54 | 2,199.00 | 2,600.00 | 2,600.00 | 2,600.00

**Total COUNTY ADMINISTRATOR:** 217,600.14 | 186,198.02 | 204,377.00 | 214,085.00 | 249,527.00

### HUMAN RESOURCE

10-4113-110-000 | SALARIES | 73,214.64 | 67,658.09 | 75,005.00 | 77,000.00 | 80,497.00
Chapter 2.04

PLAN FOR COUNTY GOVERNMENT*

Sections:
Article I. Establishment of New Structural Form of County Government
2.04.010 Authority and establishment.
2.04.020 Continuity.

Article II. County Council
2.04.030 Governing body.
2.04.040 Election, qualifications, terms and nominations of council members—Term limits.
2.04.050 Council districts.
2.04.060 Removal and recall of council members—Vacancies.
2.04.070 Council meetings and procedures—Records.
2.04.080 Council compensation.
2.04.090 Role of the council.
2.04.100 Prohibitions.

Article III. General Provisions
2.04.110 Independent candidacies for county offices.
2.04.120 Delegation—Liberal construction.
2.04.130 Amendments.
2.04.140 Inconsistent provisions repealed.
2.04.150 Severability.

* Editor's Note: The Optional Plan codified in this chapter was adopted in 1992 pursuant to statutes adopted in 1973. Recent legislation has amended the enabling statutes, but is not retroactive and does not affect Grand County's Plan except as to future amendments.

Article I. Establishment of New Structural Form of County Government

2.04.010 Authority and establishment.

Pursuant to Article XI, Section 4, Utah Constitution, and Chapter 35a of Title 17, Utah Statutes (the “Optional Plan Statute”), this plan (the "plan") establishes the “general county (modified)” structural form of county government as provided in Section 17-35a-9, Utah Statutes, within Grand County, Utah (the “county”). The governing body of the county shall be the county council (the “council”) as provided in Article II of this plan. The management arrangement for the county shall remain as provided by Title 17, Utah Statutes, or other general laws applicable to county government. (Optional Plan § 1.1)

2.04.020 Continuity.

This plan shall not change or disrupt the corporate existence, identity, contractual obligations, or jurisdiction of the county. As provided in the Optional Plan Statute, the county remains vested with all powers and duties vested in counties by general laws. Except as provided in this plan with respect to the predecessor county commissioners and the new council, the terms of office of elected county officers shall not be affected by this plan, and, except for the change from the predecessor county commissioners to the new council, the elected county officers shall retain their respective functions, responsibilities, powers and duties under applicable general law. Appointed county officers and members of county boards and commissions shall continue in their respective present offices, and county employees shall continue in their respective present positions, unless and until otherwise
directed by the council, subject to applicable law. Existing county ordinances, resolutions and regulations shall not be affected by this plan except as provided in Section 2.04.140. Pending legislative, administrative or judicial proceedings shall not be affected by this plan (but shall be under the direction of the new council when it takes office, subject to applicable law). As stated in Sections 17-35a-7(4) and 17-35a-9(1), Utah Statutes, this plan does not affect any school district, circuit or justice court, city, town, special taxing district, public authority, county service area or other local public entity with the county. (Optional Plan § 1.2)

Article II. County Council

2.04.030 Governing body.

The governing body of the county shall be a seven-member county council (the "council"), which shall exercise all legislative powers of the county authorized by law. The council shall have all powers and duties, and shall be subject to all limitations and restrictions, provided by general law for board of county commissioners. (Optional Plan § 2.1)

2.04.040 Election, qualifications, terms and nominations of council members—Term limits.

A. Two council members shall be elected from the county at large. For the purpose of electing the other five council members, the county shall be divided into five districts (the "council districts") as provided in Section 2.04.050, and the voters of each council district shall elect one member to the council.

B. All council members shall be registered voters and residents of the county, and shall have been registered voters of the county for at least one year immediately preceding their election to the council as required by Section 17-5-2, Utah Statutes. Council members elected from council districts shall be residents of their respective council districts at the time their certificate of nomination is initially filed pursuant to subsection D of this section and Section 20-3-38, Utah Statutes.

C. The initial election of council members shall be scheduled in accordance with Section 1.3(2) of the Optional Plan, and the terms of office of the new council members shall commence at noon on the second Monday after their election. The seat of the at-large council member receiving the highest number of votes at the initial election, and the seats for Council Districts 2, 4 and 5 shall be up for election at the 1996 general election. The seat of the at-large council member receiving the second highest number of votes at the initial election, and the seats for Council Districts 1 and 3 shall be up for election. Thereafter, the regular term of office for all council members shall be four years, with three or four of the council members being elected at each biannual general election. After each such election, newly elected or re-elected council members shall take office on the first Monday in January pursuant to Section 17-5-3(3), Utah Statutes.

D. All candidates for the council shall be nominated as independent candidates in substantially the manner provided by Section 20-3-38, Utah Statutes, as amended from time to time, except as follows:

1. For candidates for council district seats at any election, nomination petitions must be signed by at least twenty-five (25) registered voters who are residents of the district, rather than one hundred (100) registered voters of the county as required for countywide offices; and
2. For candidates for at-large council seats at only the initial election of council members hereunder, nomination petitions must be signed by at least fifty (50) registered voters of the county; but thereafter nomination petitions for at-large council seats must be signed by at least one hundred (100) registered voters of the county as generally required for countywide offices.

If more than two timely and sufficient nomination petitions are received for any one council seat, the county clerk shall give notice of an conduct a primary election with respect to such council seat or seats, in substantially the manner provided by law for primary elections. Only the two candidates for each such council seat receiving the two highest vote totals at such primary election shall be listed on the ballot at the general election. No political party designation shall be used on the ballot for council members at any election. Pursuant to and invoking the full extent of the authority granted by Article XI, Section 4, Utah Constitution, and the Optional Plan Statute, particularly Section 17-35a-7(2), Utah Statutes, it is determined and declared that utilization of independent candidacies as the manner of electing council members is necessary and desirable to achieve the best and most effective operation of the plan. Notwithstanding the foregoing, the provisions of this plan as to independent candidacies, like all other provisions of this plan, are subject to Section 2.04.150. Nothing in this subsection shall preclude write-in candidacies as provided by applicable law.

E. There shall be a limit of two consecutive four-year council terms, and any person who has served two consecutive four-year council terms shall be ineligible to be a candidate for any other consecutive council term; but nothing in this subsection shall preclude such person from becoming a council candidate at any time thereafter. Initial council terms for those seats to be up for election at the 1994 general election shall not be considered four-year terms for purposes of this subsection, but initial council terms for those seats to be up for election at the 1996 general election shall be considered four-year terms hereunder. Terms served on the predecessor county commission prior to adoption of this plan shall not be counted for purposes of this subsection, nor shall any partial council terms due to vacancies. (Optional Plan § 2.2)

2.04.050 Council districts.

The initial council districts shall be based on county voting districts existing at the time of the initial filing of this plan with county clerk, as follows:

Council District No. 1: Voting District 1
Council District No. 2: Voting Districts 4 and 9
Council District No. 3: Voting Districts 5 and 11
Council District No. 4: Voting Districts 2, 6, 7, and 8
Council District No. 5: Voting Districts 3 and 10

The council districts shall be modified on the basis of Federal Census data to the extent necessary or appropriate to conform to applicable law. The council districts may also be modified to conform to Grand County School District precincts or to changes to county voting districts. Such modifications to conform to census data, school district precincts, or changed voting districts, shall not be considered amendments to this plan within the meaning of Section 17-35a-7(5)(a), Utah
Statutes, or of Section 2.04.130, and may be made by the council or by such other authority as directed by applicable law. (Optional Plan § 2.3)

2.04.060 Removal and recall of council members—Vacancies.

A. If any council member shall die, resign, cease to be a resident of the county or of the council district from which elected, become incapacitated for a period in excess of six months, fail to attend council meetings otherwise fail to perform his or her official duties for an unexcused period of two months, be recalled as provided in subsection B of this section, or otherwise be removed from office pursuant to general law, his or her council membership shall be deemed vacant.

B. Upon petition of registered voters equal in number to fifteen (15) percent of the last gubernatorial vote within the county for at-large council members, or within the council district for council members elected from council districts, the county clerk shall provide for the question of recalling said council member to be submitted to a vote within the county or council district, as the case may be. If a sufficient petition is filed between one hundred eighty (180) and forty-five (45) days prior to a general election, the recall question shall be submitted to the voters at such general election; otherwise the county clerk shall, as soon as practicable, schedule, give notice of and conduct a special election on such recall question, substantially in the manner provided by law for other county special elections. If a majority of the votes cast are in favor of recall, that council membership shall be deemed vacant and shall be filled as provided in subsection C of this section. No recall petition may be filed within the first six months or the last six months of a council member's term of office.

C. Vacancies on the council shall be filled in the manner provided by Sections 17-5-4 and 20-4-11.5, Utah Statutes, as amended from time to time; provided, that references to political parties shall be inapplicable, and persons shall become candidates for election or appointment, as the case may be, by filing petitions substantially as provided in Section 2.04.040(D) within the applicable time limitations. (Optional Plan § 2.4)

2.04.070 Council meetings and procedures—Records.

A. The council shall hold regular meetings at least twice a month. Notice of all regular and special council meetings shall be given to the council and to the public as required by law, and all regular and special council meetings shall be open to the public except to the extent otherwise provided by law.

B. Subject to applicable law, the council may establish rules of procedure for council meetings. Ordinances and resolutions shall be enacted in the manner provided by law.

C. A majority of the members of the council in office at any time constitutes a quorum of the council. Except as otherwise provided by law, no council action shall be valid and binding unless it is approved by the affirmative vote of at least four council members.

D. As soon as practicable after the new council members take office after the first council election under this plan and in January after each regular election, the council shall elect from its members a chairperson and a vice chairperson. The chairperson, or in his or her
absence the vice chairperson, shall preside at
council meetings and shall sign ordinances,
resolutions and other documents as appropri­
ate on behalf of the county. The council may
designate one of its members as chairperson
pro tern if neither the chairperson nor the vice
chairperson is available. The chairperson, vice
chairperson or chairperson pro tern shall have
the same rights to debate and vote in the coun­
cil as any other council member and shall
have no veto power and no other special sub­
stantive authority.

E. Records of all council proceedings
shall be kept and the votes of all council
members shall be clearly indicated therein.
The council shall provide for county financial
information to be compiled and summarized
on a quarterly or more frequent basis, includ­
ing the amounts and purposes of each dis­
bursement of funds by the county; and such
financial information shall be promptly posted
at the County Courthouse. All records of the
county shall be open to the public except to
the extent otherwise provided by law. (Opt­
ional Plan § 2.5)

2.04.080 Council compensation.
Each member of the council shall be paid
seven hundred dollars ($700.00) per month,
plus FICA and Medicare benefits. The county
shall not pay for major benefits (such as
health insurance) for council members.
The council compensation may be changed
by ordinance, which changes shall not be
considered amendments to the plan within
the meaning of Section 17-35a-7(5)(a)Utah
Statutes, or of Section 2.04.130. Council
members shall be reimburse for actual ex­
penses they incur in the course of their offi­
cial duties; such reimbursements shall be
identified in the summary financial informa­
tion required by Section 2.04.070(E). (Ord.
360, 2003; Ord. 351, 2001; Ord. 300, 1999;
Res. 2426; Optional Plan § 2.6)

2.04.090 Role of the council.
Consistent with this plan’s provisions in­
creasing the size and reducing the compensa­
tion of the council, it is the intent of this plan
to establish the council as a citizen body
whose members serve on a part-time basis
primarily in a legislative, policy-making role,
and membership on the council is not intended
to be a full-time positions involving extensive
day-to-day administrative oversight of county
operations and functions. Accordingly, it is
expected that the council will implement this
plan by using its power under Title 17, Utah
Statutes, and other applicable general laws, to
maintain and fully utilize an adequate, com­
petent professional county staff to perform, ad­
minister and have day-to-day oversight over
the county’s operations and functions, pursu­
ant to general policies and directives promul­
gated by the council. Pursuant to and invoking
the full authority granted by Article XI, Sec­
tion 4, Utah Constitution, and the Optional
Plan Statute, particularly Section 17-35a-7(2),
Utah Statutes, it is determined and declared
that the foregoing provisions of this section as
to the role of the council are necessary and
desirable to achieve the best and most effec­
tive operation of this plan; but, like all other
provisions of this plan, the foregoing provi­
sions are subject to Section 2.04.150. The
council is encouraged to cooperate with and
fully utilize the county’s appointed boards and
commissions, and to give full consideration to
information and recommendations communi­
cated by such boards and commissions, in or­
der to maximize citizen participation in
county government. The council is also en­
couraged to fully cooperate with the city of
Moab and other government entities and to
fully utilize all mechanisms legally and practically available to consolidate and share governmental services, functions and facilities, in order to maximize governmental efficiency and economy. (Optional Plan § 2.7)

2.04.100 Prohibitions.
A. Except for the compensation provided for in Section 2.04.080, no member of the council shall be compensation by the county for work in connection with the administration or management of county government.
B. The council members are subject to all limitations applicable under general law to the members of a board of county commissioners relating to prohibited interest and relationships. (Optional Plan § 2.8)

Article III. General Provisions

2.04.110 Independent candidacies for county offices.
All candidates for elected county offices shall be nominated as independent candidates in substantially the manner provided by Section 20-3-38, Utah Statutes, as amended from time to time, with primary elections if necessary as provided in Section 2.04.040(D); and no political party designation shall be used on the ballot for any county office at any election. Pursuant to and invoking the full extent of the authority granted by Article XI, Section 4, Utah Constitution, and the Optional Plan Statute, particularly Section 17-35a-7(2), Utah Statutes, it is determined and declared that utilization of independent candidacies as the manner of electing county officers is necessary and desirable to achieve the best and most effective operation of this plan. Notwithstanding the foregoing, the provisions of this plan as to independent candidacies, like all other provisions of this plan, are subject to

Section 2.04.150. Nothing in this section shall preclude write-in candidacies as provided by applicable law. (Optional Plan § 3.1)

2.04.120 Delegation—Liberal construction.
All officers and agents of the county, including but not limited to the county clerk, the predecessor county commissioners, and the members of the council established by this plan, are authorized and directed to take all actions necessary or appropriate to fully implement the provisions of this plan. The provisions of this plan shall be liberally construed in accordance with its purposes of establishing a more representative, accountable, accessible, responsive and efficient county government. (Optional Plan § 3.2)

2.04.130 Amendments.
Pursuant to the Optional Plan Statute, amendments to this plan which are not contrary to the “general county (modified)” structural form of county government established hereunder may be adopted by the council by a two-thirds vote of all its members; but amendments adopted by the council which are contrary to a specific requirement of the Optional Plan Statute applicable to the “general county (modified)” structural form of county government shall not be effective unless submitted to and approved by a majority of the voters casting a vote on the question at a general or special election. Amendments to this plan are county legislation and therefore may also be initiated or referred by petition of registered voters of the county in the manner provided by Chapter 11 of Title 20, Utah Statutes, as amended from time to time. This plan acknowledges the time restrictions on certain optional plan changes imposed by Section 17-35a-2(2), Utah Statutes, but it is the intent of this plan that, if the Op-
tional Plan Statute is amended so as to reduce or eliminate such time restrictions and permit earlier changes to optional plans, such amendment shall apply to any such changes to this plan. (Optional Plan § 3.3)

2.04.140 Inconsistent provisions repealed.

Any provisions of any County Charter, ordinance, resolution, regulation or other enactment inconsistent with this plan are repealed only to the extent of such inconsistency. (Optional Plan § 3.4)

2.04.150 Severability.

If any provision of this plan or any application thereof to any person or circumstance is held invalid, the remaining provisions of this plan and applications thereof to other persons or circumstances shall not be affected thereby. (Optional Plan § 3.5)
Form of Government Study Survey

This survey is designed to capture feedback which the Tooele County Government Study Committee may use in the review of the form of governments and recommendations. Your candid responses are greatly appreciated.

What is the name of your County

Your answer

What is your current form of government?

- Three member County Commission
- Expanded County Commission
- County Executive + Council
- Council + Manager

How many commission / council members are in your form of government?

- Three
- Five
- Seven
- Nine
- Eleven
Commission/Council positions are elected:

- By District
- At Large
- Combination

What is your position within the county

- Commissioner
- Council Member
- County Executive
- County Manager
- Administrator / Support to Commission / Council
- Other:

Is your position with the county considered?

- Full Time
- Part Time

NEXT

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Form of Government Study Survey

Thinking of Executive Duties:

How many hours a week do you spend on Executive duties?

- 1-5
- 6-10
- 11-15
- 16-20
- 21-25
- 26 plus

What are the executive duties that occupy most of your time?
Your answer

What have you seen that works well with your form of county government from the standpoint of executive duties?
Your answer

What have you seen that is challenging with your form of county government from the standpoint of executive duties?
Your answer
Form of Government Study Survey

Thinking of Legislative Duties

How many hours a week do you spend on legislative duties?

○ 1-5
○ 6-10
○ 11-15
○ 16-20
○ 21-25
○ 26 plus

What have you seen that works well with your form of county government from the standpoint of legislative duties?

Your answer

What have you seen that is challenging with your form of county government from the standpoint of legislative duties?

Your answer

What are the legislative duties that occupy most of your time?

Your answer
Form of Government Study Survey

Observations / Experiences with Form of Government

State your current form of government - then expand on what you feel are the positive attributes of that form:

Your answer

State your current form of government - then expand on what you feel are the negative attributes of that form

Your answer

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Decision Making

What process does the support staff follow to get a decision made by county leaders?
Your answer

How long does it take to get a decision made?
Your answer

Can this process be improved?
Your answer

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Form of Government Study Survey

Specific Roles

Are your Clerk & Auditor positions separate or combined?
- Seperate
- Combined

Regarding the status of your counties Clerk & Auditor positions (above) express if view it as beneficial or should change and why:
Your answer

Are your Surveyor & Recorder positions separate or combined?
- Seperate
- Combined

Regarding the status of your counties Surveyor & Recorder positions (above) express if view it as beneficial or should change and why:
Your answer

BACK	NEXT
Form of Government Study Survey

Budget

What are some effective methods or processes you have in place for ensuring budgets and budget adjustments are done timely and effectively?

Your answer

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Form of Government Study Survey

Information

Your Name
Your answer

E-mail
Your answer

Are you available for a personal call from a member of our committee?

☐ Yes
☐ No

Telephone Number
Your answer

General comments/thoughts/perspective
Your answer