



BOARD OF COMMISSIONERS WORK SESSION MEETING

117 South Main Street, Monticello, Utah 84535. Commission Chambers

January 20, 2026 at 9:00 AM

AGENDA

The public will be able to view the meeting on San Juan County's Facebook live and Youtube channel

CALL TO ORDER

ROLL CALL

AGENDA ITEMS

1. Regional Housing Discussion. Una Wirkebau, Economic Recovery Corps
2. Analysis on the Merging of the Monticello City Justice Court. Mitchell Maughan, County Attorney
3. Discussion of the Draft Policies and Procedures of the San Juan County Commission. Mitchell Maughan, County Attorney
4. Discussion of the San Juan Resolution Policy 206 Rules of Order. Mitch Maughan, County Attorney

ADJOURNMENT

The Board of San Juan County Commissioners can call a closed meeting at any time during the Regular Session if necessary, for reasons permitted under UCA 52-4-205

All agenda items shall be considered as having potential Commission action components and may be completed by an electronic method **In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the San Juan County Clerk's Office: 117 South Main, Monticello or telephone 435-587-3223, giving reasonable notice**

----- Forwarded message -----

From: **Una Wirkebau** <UWirkebau@economicrecoverycorps.org>

Date: Thu, Jan 8, 2026 at 10:34 AM

Subject: Grant opportunity

To: Mack McDonald <mmcdonald@sanjuancountyut.gov>

Cc: Hansen, Talia <thansen@sanjuancountyut.gov>

Clean up dollars - letter of interest due soon to the Roy A Hunt Foundation, could be a good collab with Navajo and Ute Nations, or with Montezuma County.

Letters of Inquiry due January 16th for their Environment program.

The Environment Committee will consider grant requests of between \$25,000 and \$75,000 for specific projects or programs that improve the environment at a multi-state, national, and/or systems level. Typical costs funded include project management, contracted services, education and outreach programs, applied research, and innovations that could lead to public policy solutions.

Program priorities include:

Climate and Energy – To reduce the consequences of climate change in the United States, primarily through:

- Increasing the affordability and use of cleaner and renewable energy sources, and
- Reducing demand for carbon-intensive energy sources and carbon-intensive goods and services

Toxics and Waste – To reduce damage to the environment and human health caused by the manufacture, use, and disposal of consumer and industrial products. Typical strategies include green chemistry, sustainable design, sustainable manufacturing, and product stewardship.

Clean Water – To protect and restore the quality of freshwater, coastal, and nearby oceanic areas of the United States.

More information at: <https://rahuntfdn.org/environment/>

Una Wirkebau – SE Utah

JUSTICE COURT ANALYSIS on THE MERGING OF THE MONTICELLO CITY JUSTICE COURT

Commissioners – I am sending this to you in advance of next week’s commission meeting. I will also ge this on the agenda for discussion and possible approval. I am also sending this to Kaeden Kulow from Monticello City.

As we prepare for the upcoming commission meeting, it is important to carefully review the implications of merging the Monticello Justice Court with the San Juan Justice Court. This proposed merger not only affects financial allocations between the entities but also introduces additional responsibilities for the County Attorney’s Office. A thorough evaluation of the workload and compensation structure will be essential to ensure fairness and transparency for all parties involved.

At the December 16 commission meeting, it was talked about merging the Monticello Justice Court with the San Juan Justice Court and splitting the income and expenses - 70% to the County and 30% to the City but this does not take into account the added workload of the SJC Attorney’s Office and the added pay for the increase in the workload.

1. Currently, the County is paying for the prosecutorial services for the San Juan County Justice Court. This amount is unknown as there is no way to calculate what part of the CA budget is dedicated to SJC justice Court.
2. The merging of the Monticello City Justice Court with the SJC justice court should not cost the County anything.
3. In 2025, Monticello City contracted its prosecutorial work to a 3rd party (me) for \$1,500.00 per month based upon the following: (12 hours a month x \$125.00 per hour = \$1,500.00 or \$18,000.00 annually). I believe this amount needs to be updated to better represent the current workload as well as an hourly rate that better reflects the market average.
4. In 2025, Monticello City was paying for the judge’s compensation at the rate of \$175.00 per hour. The conflict public defender for Monticello City also billed at \$175.00 per hour. I believe the attorney’s office services should also be billed at the \$175.00 per hour. Historically, more than 12 hours a month has been dedicated to Monticello City justice court cases. I believe 20 hours a month is a better estimate of the time needed to address the Monticello Justice Court needs.
5. In short, the County Attorney’s Office will be taking on all this extra work so Monticello City needs to pay for the extra work that will be added to the County Attorney’s workload which, based upon above, will be \$42,000 per year.

6. Monticello City should be required to pay this full amount before the 70%/30% split. If The solution is not to increase the Attorney's Office budget by \$42,000 as this would result in the County paying 70% of the increase (in addition to the amount stated in Paragraph 1 above) and Monticello City only paying \$30% which would cost the County an additional \$29,400.00
7. In addition, if the Count Attorney's Office budget is increased by \$42,000, the County would also be required to pay benefits in addition which is an extra cost to the County.
8. I believe the better way would be to have Monticello City pay the prosecutor compensation as a 1099 contractor and then the County and the City split the proceeds 70%/30%.

Dated this 12th day of December, 2025.

Best,

Mitchell D Maughan

San Juan County Attorney

DRAFT

POLICIES AND PROCEDURES OF THE SAN JUAN COUNTY COMMISSION

These rules are made pursuant to Section 17-53-207 of the Utah Code. A certified copy of these Policies and Procedures and any subsequent amendments shall be filed with the County Clerk to be kept as a permanent public record. The County Clerk shall also cause these Policies and Procedures to be posted on the San Juan County official website.

A. Definitions

1. Chair/Presiding Officer: Means the person elected or appointed as Chair of the County Commission.
2. County Commission: Means the persons elected and sworn to the Commission, who have not been removed from office for any reason, acting collectively in a duly called meeting of the Commission where a quorum is present.
3. Governing Body: Means the current County Commission acting collectively in a duly called meeting of the Commission where a quorum is present.
4. Majority Vote of Governing Body: Means two (2) Commission Members' affirmative votes.
5. Commissioner/ Commission Member/Commission Representative/Member: Means the individual Commission Members acting individually.
6. Membership: Means the Commission Members.
7. Official Action: Means a written resolution of the Commission adopted by a majority vote in a duly called meeting of the Commission where a quorum is present. All statements of an official position of the County and all documents stating such a position must be approved through an Official Action.
8. Quorum: Means the minimum number of persons required to act as a Governing Body. A quorum requires two (2) Commission Members who must be present in person at the meeting location. Additional Members may attend by phone or other real-time means so long as an Electronic Meetings Resolution is enacted stating same. A quorum may not convene in violation of the Open and Public Meetings Act (U.C.A. 52-4-103).
9. Vice-Chair: Means a Commissioner elected or appointed by the Governing Body to act as Chairperson/Presiding Officer, with all the powers of the Chairperson as defined in these

bylaws, in the absence or disability of the Chair. The Vice-Chair's authority exists for the period of appointment of the Commissioner as Vice-Chair, rather than for a specific time period, such as a single Commission meeting.

10. Official County Commission Business: Means matters that have been formally acted upon or authorized by the Commission in a duly convened meeting of the Commission where a quorum is present and for which the matter was included on the Agenda properly noticed for the meeting.
11. Commission Officers: Means the Commission Chair and Vice-Chair.

B. Commission Members

1. Appointment of the Officers: The Commission shall elect or appoint the Chair and the Vice Chair at its first meeting in January.
2. Commission Meeting Attendance: Commissioners are required to attend all regularly scheduled and special Commission Meetings. If an event arises that prevents attendance of a Commission Meeting, the County Administrator should be notified in advance of the meeting.
3. Participation in Local, State or Federal Committees: Commissioners are encouraged to participate in other local, tribal, state and federal committees and associations and inform the Commission accordingly.
4. County Commission Documents: The official San Juan County letterhead, which includes the San Juan County logo and names and titles of current officers/Commissioners, shall be used only for official County Commission business.
5. Commission Communications: Commissioners may state an official position of San Juan County when the Commission has previously adopted that official position through an official action on the matter. Commissioners shall clearly distinguish and keep separate their personal opinions from the official positions of the Commission in the course of the discharge of their duties. This shall in no way be construed to prohibit the expression of an opinion, advocacy for a position, or expression of disagreement in the course of one's duties as a Commissioner.
6. Electronic Communication: Commissioners are encouraged to be mindful in their electronic communications that any electronic communications among two or more Commissioners are subject to GRAMA, the State's Government Records Access and Management Act. GRAMA gives "every person the right to inspect a public record" (UCA 63G-2-201(1)). It defines a public record as "public unless otherwise expressly

provided by statute” (UCA 63G-2-201(2)). Exceptions are, according to UCA 63G-2-202, “a record that is private, controlled, or protected” under State Code.

Furthermore, the State’s Open and Public Meetings Act defines an electronic message as “a communication transmitted electronically including: electronic mail, instant messaging, electronic chat, text messaging, or any other method that conveys a message or facilitates communication electronically” (UCA 52-4-103(5)(a)).

The Open Meetings Act specifically states that the Act does not preclude “members of a public body” from transmitting “an electronic message to other members of the public body at a time when the public body is not convened in an open meeting” (UCA 52-4-210).

7. Commission E-mail and Communication Policy:

- a. Each Commission Member will be given a unique email address, and all email addressed to an individual Commissioner or the Commission will be forwarded as received.
- b. In order to reduce duplicate emails, listserv emails from the organizations listed below will not be forwarded; instead Commission staff shall check at least annually to insure that all Commissioners are on the direct distribution lists for:
 - i. UAC (Utah Association of Counties);
 - ii. NACo (National Association of Counties);
 - iii. CCP (Canyon Country Partnership); and
 - iv. Any other organization requested by a Commissioner.
- c. Surface mail addressed to a specific Commissioner is to be placed in that Commissioner’s box when received.

8. Municipal Building Authority and Board of Equalization: Commissioners shall serve as the Municipal Building Authority as required for capital projects and shall serve as the local Board of Equalization as required for property tax assessment matters.

9. County Board/Commission/Committee and Local and Special Service District Board Representation: All County Boards, Commissions, and Committees and Local and Special Service District Boards may include one Commissioner representative either as a voting or ex-officio member according to the Board/Commission’s enabling ordinance unless otherwise prohibited by law. County Committees shall include a Commissioner representative, if required, according to the Committee’s enabling resolution.

C. Commissioners' Participation on County Boards, Commissions & Committees and Local & Special Service District Boards

1. Assignments to County Boards, Commissions & Committees and Local & Special Service District Boards: In January of each year the Commission shall review each Commission Representative position to County Boards, Commissions and Committees, and Local and Special Service District Boards, and other agencies. Commissioners shall indicate which assignments they would prefer. For assignments selected by more than one Commissioner, the Commission shall vote on who receives the assignment. In the event that no Commissioner volunteers for an assignment, the Chair shall assign a Commissioner.
2. Commissioners' Role: Commissioners assigned to serve on County Boards, Commissions, Committees, and Special Service District or other agency Boards shall serve as the liaison to the Commission, whether a voting member per enabling documents or not. As a Board Member, a Commissioner may have a fiduciary duty to the Board that may be in conflict with their duties as a Commissioner, in which case they should declare the conflict and determine whether it warrants recusal from the Board's deliberations and decision.
3. Boards/Commissions/Committees/Agencies Reporting to the Commission: Commission Representatives to boards, commissions, committees, and agencies shall regularly report to the Commission during a Commission meeting and when action is required.
4. Commissioner Participation: Commissioners who are not assigned as representatives are encouraged to attend any Board, Commission, or Committee meeting for informational purposes and shall notify the Commission Representative of their interest to attend. Commissioners not assigned as Commission Representatives attending these meetings shall participate as members of the public.
5. Special Service District Boards: In accordance with (UCA §17D, Chapter 1) the Commission may establish Special Service District ("District") Boards. These Boards are independent of the County except that the Commission shall, pursuant to UCA Section 17D-1-303, make all appointments to such Administrative Control Boards except for District Boards elected by the public and where otherwise established in the organization's bylaws or enabling documents. Each District Board shall include one Commissioner representative as appointed or assigned by the Commission to serve the term established by the District bylaws. All business conducted by the District Board shall be independent of the County. Joint meetings of the Commission Membership and the District Boards are encouraged for the purpose of establishing common goals and objectives. However, the County Commission will not direct or attempt to direct the decisions of the Special District Boards.
6. Attendance: Commission Members are expected to attend all regularly scheduled and special Board, Commission, and Committee meetings to which they are assigned. If

regular attendance at an assigned Board, Commission, or Committee meeting is not possible, the Commissioner will make arrangements for a re-appointment for that assignment.

D. Duties of the Chair and Vice-Chair

1. The Chair: The Chair (and the Vice-Chair acting as Chair) shall have no veto power over official actions and no special substantive authority. The Chair is responsible for setting the Commission Agenda, facilitating Commission Meetings, and signing the Commission-approved documents. The Chair does not act on behalf of the Commission unless directed by the majority of the Commission Members through an official action and is subject to all of the provisions of Section B of these Rules of Procedure. Additionally, the Chair provides guidance to the County Administrator while the Commission as a unit through official actions provides specific direction. Any Commissioner may provide advice and guidance to the County Administrator at any time.

Presiding Officer: The Chair shall be the Presiding Officer at all meetings and hearings of the Commission.

2. Vice-Chair: In the event of absence or disability of the Chair, the Vice-Chair shall preside. Upon the Chair's request, the Vice-Chair shall assist with the discharge of any of the Chair's duties.
3. Study Committees: The Chair may, at his/her discretion, oversee the membership and proper functioning of the Commission Study Committees, whether or not a designated committee member.
4. Control of Chambers: The Chair shall have control of the Commission Chambers. The Chair shall maintain order and may eject any member of the public who behaves in a disorderly manner with intent to disrupt the meeting.
5. Points of Order: The Chair shall decide all points of order and procedure, subject to appeal of membership.
6. Roll Call Vote: All actions taken require a roll call vote with the minutes showing for each member of the Commission a vote of aye, nay or absent.

7. Sign Documents, Contracts and Agreements: The Chair shall sign resolutions, ordinances, and all other documents issued by the Commission. The Chair shall sign all contracts and agreements approved by Commission, including “all associated documents” included in motions. The Chair may delegate such signatory authority to the Vice-Chair as per Section D.1. The Chair, in his or her sole discretion, may consult with the County Administrator and the County Attorney for review of the above documents.
8. Training on Open and Public Meetings Act: The Chair shall ensure that all Commissioners are provided with the opportunity for annual trainings of the Open and Public Meetings Act, UCA §52-4.
9. Voting Rights and Authority: The Presiding Officer at a meeting shall have all the authority of other members of the Governing Body during a meeting including making motions, seconding a motion, voting and participating in discussion and debate. However, the Presiding Officer should only make a motion when no motion is forthcoming from another member of the Governing Body when the Presiding Officer has indicating that a motion on an item is in order to move the meeting forward.

E. The County Administrator

1. Direction Received: The County Administrator acts under the direction of policies adopted by the Commission through an official action and in accordance with the provisions of the County Administrator’s current Job Description. Specific direction is received from the Commission acting pursuant to an official action. Day to day guidance, as needed, is received from the Chair in accordance with directives contained in official actions.
2. Prepares Agenda: The County Administrator shall develop and publish copies of the Commission Agenda in accordance with these Policies and Procedures. (See Section K.)
3. Attends Meetings: The County Administrator shall attend all Commission meetings unless excused by the Commission or Chair, and, in the absence of Department Heads who report to the Administrator, may speak on their behalf.
4. Study Committee: The County Administrator may attend, if invited by the Chair or the Committee, and participate in Study Committee Meetings.
5. Matters Continued: The County Administrator shall ensure that action items on the agenda that are tabled or postponed shall be continued upon the agenda of subsequent meetings until disposed of by the Commission. The County Administrator shall ensure that such items shall be automatically added to the agenda of subsequent meetings until

acted upon or permanently deleted by a majority vote of the Commission.

6. Signing of Documents: The County Administrator shall sign agreements, permits, and contracts on behalf of the County Commission when so delegated by an official action of the Commission. The Administrator will be responsible to provide the original signed documents to the County Clerk.
7. Furnish Rules: The County Administrator shall furnish all Commissioners with copies of County Rules of Order and Procedure, the link to County Land Use Code and General Plan, and the Policies and Procedures of the Governing Body, Bylaws of County Boards, Commissions, and Committees, Policies and Procedures of County Departments, and any other administrative documents upon request.
8. Written Comments: Any written comments from the public regarding Commission action or public hearings shall be compiled by the Commission Administrator's Office, included in the agenda packet for the public hearing, and forwarded to the Clerk/Auditor's Office once the hearing is closed and action taken by the Commission.

F. The County Clerk

1. Meetings: The Clerk or deputy is expected to attend all Commission meetings and shall attest all instruments signed by the Chair, including resolutions and ordinances.
2. Notices: In collaboration with the County Administrator, the County Clerk ensures that all required notices are posted or published as required by the Open and Public Meetings Act and that all notices include the date, time and name or initials of the person posting the notice.

The Commission, or their agent, is responsible for providing in a timely manner to the clerk all information required for posting the necessary notices under the Open and Public Meetings Act.

3. Minutes: The Clerk or deputy prepares and maintains minutes and recordings of the proceedings, including closed sessions as required by U.C.A. 52-4-206. Minutes shall be posted on the County website once approved and shall include the following:
 - a. the date, time and place of the meeting;
 - b. the names of Commissioners present and absent;
 - c. the substance of all matters proposed, discussed, or decided by the Commission which may include a summary of comments made by Commissioners;
 - d. a record, by individual member, or each vote taken by the Commission;
 - e. the name of each person who:
 - i. is not a Commissioner; and
 - ii. after being recognized by the Commission Chair, provided testimony or

- comments to the Commission;
- f. the substance, in brief, of the testimony or comments provided by the public; and
- g. any other information that is a record of the proceedings of the meeting that any participant requests be entered in the minutes or recordings.

G. The County Attorney

1. Meeting Attendance: The County Attorney shall attend meetings and hearings of the county legislative body as necessary. (U.C.A. 17-18a-501(5).
2. Legal Analysis by County Attorney: When requested, the County Attorney will provide written legal analysis of any action item on the Commission agenda in the manner described in these Policies and Procedures.
3. Approving as to form and legality: The County Attorney shall review and approve as to form and legality each county contract, ordinance, regulation, real estate document, conveyance, and legal document. (U.C.A. 17-18a-504)
4. Legal Counsel: The County Attorney shall act as the legal advisor to the county and the County Commission in their official capacity as County Commissioners (U.C.A. 17-18a-501(4).
5. Attorney/Client Relationship: The Commission, through official actions, may direct the County Attorney as to any legal matter where a client would ordinarily be able to direct the actions of the client's attorney. In any instance where the County Attorney fails to carry out the lawful directive of the Commission as stated in an official action, the Chair may take action to report that failure to appropriate officials or entities if so authorized by a majority vote of the Commission.

H. Commission Meetings

1. Open and Public Meetings Act: All Commission Meetings, including Special Meetings, Emergency Meetings and Workshops, shall be in compliance with the Open and Public Meetings Act, UCA Title 52 Chapter 4. All Commission Meetings will be open to the public. Any closed sessions shall be in accordance with UCA 52-4-204.
2. Approval of Annual Schedule of Meetings: The Commission shall approve its annual meeting schedule during the December scheduled meeting and publish the approved schedule in accordance with UCA 52-4-202.
3. Commission Meeting Dates and Times: The Commission shall hold regular meetings the first and third Tuesday of each month. In those months when the holidays or elections fall on the first or third Tuesday, the meeting shall be held the following day. To the extent

practicable and if so required as determined by the Chair, Commission meetings will begin at 9:00 a.m. Public hearings to adopt or change a budget or to consider matters related to taxes or fees shall begin at 6:00 p.m. or later. Where practicable, in compliance with Resolution 2019-07, Commission meetings shall be live-streamed and publicly broadcast in real time.

4. Special and Emergency Meetings: The Chair or the Commission by majority vote may call a special meeting or an emergency meeting in accordance with the Utah Open and Public Meetings Act as becomes necessary.
5. Recess and Adjournment:
 - a. Commission meetings shall be adjourned by a majority vote and no further business may be conducted once a motion to adjourn has been adopted. A motion to adjourn takes precedence over all other motions, including pending motions.
 - b. The Commission may recess a meeting by a majority vote and this motion, if approved, has the effect of temporarily suspending the meeting. A motion to recess that extends the meeting past the current day has the effect of an adjournment.
 - c. The Commission may recess a meeting in order to convene itself as another entity of the County, such as a board or commission. Once the business of the board or commission is completed, the Chair may end the recess and reconvene the Commission to complete the business stated on the approved Commission agenda.

I. Agenda

1. Order of Business: The County Administrator's office shall prepare, and the Chair shall approve, a written agenda for each meeting. The order of business for Commission agendas will typically contain a section entitled "Work Meeting", during which reports are presented and items are briefed and discussed but not voted on; and a section entitled "Formal Meeting", during which the Commission deliberates and votes on various matters.
2. Agenda Management and Preparation:
 - a. Items proposed for inclusion in the agenda must be delivered to the County Administrator's office, in person or electronically, by **not later than noon on the Thursday before the Commission meeting** that they are to be included on the agenda. No item shall be accepted after that time, except as specifically stated in these Policies and Procedures.
 - b. Requests for inclusion on an agenda and supporting documentation must be **received by 5 PM on the Wednesday prior to a Regular Meeting** and forty-eight (48) hours prior to any Special Meeting. The County Administrator may extend

this deadline when staff time permits so long as the final agenda is set by the Chair.

- c. Proposed agenda items must be accompanied by all documents reasonably necessary for a clear understanding of the item by the Commission. For example, if a proposed resolution references a lease or a contract, the referenced documents must be included with the agenda item. The County Administrator shall reject all proposed agenda items that do not comply with this requirement.
 - d. These requirements may be waived for an item related to an emergency matter.
3. Legal Review: All agenda items shall be submitted for legal review by the County Attorney when they are first received by the County Administrator unless already reviewed by the County Attorney prior to sending to the County Administrator.
- a. The County Attorney shall provide a written legal review of each agenda item. If an agenda item raises no legal issues, the County Attorney shall provide a statement to the Commission that they have fully reviewed the item and no further legal review is needed.
 - b. The County Attorney need not submit the legal review prior to a work session discussion of the agenda item, but must circulate the legal review to the **Commissioners by not later than 5 p.m. on the Friday before the Commission meeting** at which the item will be an action item on the Commission's agenda. Failure to provide a legal review by that deadline shall be deemed to be a determination by the County Attorney that no legal issues exist as to that agenda item.
 - c. In the event that the legal review requires additional time, the County Attorney shall inform the Commissioners by the Friday before the meeting.
4. Packet preparation and dissemination.
- a. The County Administrator shall assemble a Commission meeting packet, containing a copy of the agenda, all agenda items and all documents attached to each agenda item, except for those materials that are (i) copyrighted, unless written permission by the copyright holder is provided; (ii) proprietary; (iii) confidential; (iv) related to a closed session; or (v) intended as legal communications. Such materials shall not be included in the general packet unless otherwise allowed by these bylaws or applicable law. Excluded materials shall be provided to the Commission under separate cover, marked "confidential".
 - b. The County Administrator shall deliver the agenda and packet to the Commissioners, County Attorney, County Clerk, and County Library not less than 24 hours prior to the meeting at which that agenda will be considered.
 - c. The County Administrator shall post a copy of the agenda at the meeting location and on the State Public Meeting Notice website, and shall also post a copy of the complete agenda and packet (with the exception of excluded materials) on the County website.

J. Work Session Items and Procedure

1. The purpose of the Work Session is to allow the Commissioners to make an initial review of those proposed agenda items requiring an official action, identify issues or concerns regarding those items, make amendments to proposed resolutions or ordinances, and for non-controversial items to be moved to the Consent Agenda for expedited action.
2. The County Administrator shall review all proposed agenda items and shall place all items requiring official action by the Commission on the Work Session agenda for the next meeting.
3. During the Work Session at the next regular meeting, the Commission shall discuss each Work Session agenda item.
4. Amendments may be made to proposed resolutions or ordinances on the Work Session agenda by motion and majority vote.
5. If all Commissioners agree, any Work Session item may be moved to the Consent Agenda of a subsequent meeting for approval without further discussion. All other items shall be placed on the General Business section of the following meeting for full discussion and vote.
6. Specific issues concerning items not placed on the Consent Agenda during the Work Session shall be identified and referred to the appropriate County officials or staff for assistance in addressing those issues before the next meeting of the Commission.

K. Consent Agenda

1. The purpose of the Consent Agenda is to quickly process and dispose of noncontroversial matters by being adopted all at once.
2. All items on the Consent Agenda shall be considered without further discussion or debate.
3. All items on the Consent Agenda shall be voted on in a single vote. The items on the Consent Agenda are approved by a simple majority vote.
4. The Consent Agenda may contain items that ratify time-sensitive actions previously taken by the County.
5. Any item may be removed from the Consent Agenda for the Commission to consider separately as part of the regular agenda during the meeting by a majority vote of the Commission.

L. Meeting Location and Decorum

1. The meeting location of all Commission meetings shall be open to the public, with the exception of closed sessions.
2. All persons attending a Commission meeting shall behave in a respectful manner, shall only speak when first recognized by the Chair, shall refrain from interrupting the Commission or any other speaker who has been recognized by the Chair and shall behave in a way that does not disrupt the proceedings of the Commission. At the direction of the Chair, law enforcement may remove from the meeting any person causing disturbances or otherwise violating the law.

M. Voting

1. To Pass Acts: Two (2) affirmative votes shall be necessary to pass any resolution, ordinance or act (motion).
2. Conflict of Interest: Where there is a conflict of interest as defined by U.C.A. 76-16-9, the Commissioner shall declare that conflict and decide if it warrants recusal from both the deliberations and the decision making process for that item.
3. Failure to Vote: A failure to vote by a Commissioner who is present at the meeting shall be treated as a Nay vote on the motion. A failure to vote by a Commissioner who is absent from the meeting for any reason shall be treated as an absence.
4. Leaving Seat: When a motion is seconded, no Commissioner shall leave until their vote has been recorded except in the case of personal emergency
5. Change of Vote: A Commissioner may change their vote after the call for the vote has been completed and before announcement of the result, but not thereafter.
6. Termination of Discussion: Once a Commissioner calls for the question, upon a two thirds vote of the body discussion about the item ends. The Commission then votes on the motion, and the Commission shall move to the next item of business with no further discussion.
7. Abstentions: Although it is the duty of every Commissioner to vote, they can abstain, as they cannot be compelled to vote. As the record of the role call vote under statute requires each vote to be recorded as Aye, Nay or absent, failing to vote or abstaining will be recorded as a Nay vote.
8. Questions Affecting a Commissioner: Commissioners are permitted to vote for

themselves for an office or other position to which Commissioners are generally eligible.

N. Motions

1. Making and Withdrawing: When a motion is made, the Chair shall call for a second. The Chair shall restate the motion upon request by any Commissioner. If the motion receives a second, the Chair has discretion to restate the motion after debate and before vote commences. If there is no second to the motion the motion shall die without further debate due to the lack of a second. A motion may not be withdrawn by the person making the motion without the consent of the majority of the Commission once it has been seconded. The Chair may request that the motion is submitted in written form prior to the motion being stated by the Chair.
2. Chair's participation in making or seconding motions. If the Chair wishes to make an original motion, they shall first request a motion be made by another Commissioner. If no original motion is forthcoming the Chair may make their motion, and move forward with a request for a second. The Chair may second motions while still acting as Chair. Nothing in this section shall be construed as restricting the Chair's ability to fully participate in the legislative process.
2. Division of Motion: If the motion contains two (2) or more divisible propositions, the Chair may, and upon request of a Commissioner shall, divide the same.
3. Motions Out of Order: The Chair may not at any time permit a member to introduce an ordinance, resolution, or motion out of the regular order as set forth in the agenda unless a motion is made to take such item out of order and that motion is approved by majority vote. A proposed ordinance or resolution may also be moved by majority vote from the Work Meeting agenda to the Formal Meeting section of the agenda for action on the same day as the item was introduced on the Work Meeting agenda, so long as any changes made to the item are not so substantial as to necessitate re-noticing.
4. Superseding a Motion, Resolution, Order or Rule: A motion, resolution, order, or rule that has been adopted or approved at a previous meeting may be superseded by a subsequent official action of the Commission.
5. Reconsidering a Motion: A motion may be reconsidered at any time during the same meeting at which it was originally acted upon if the motion to reconsider is introduced by a Commissioner who had voted with the prevailing side and the motion is passed by a majority vote. Only after the motion to reconsider has been approved by the majority can the main motion be considered.
6. Postponing a Motion: Any item on the agenda may be postponed until the next meeting or a specific future date. A motion to postpone shall give best efforts to include the future time of consideration and reason for postponement. Any agenda item not postponed to a specific later date shall be automatically placed on the agenda of the next meeting of the Commission.

7. Tabling a Motion: Any item on the agenda may be tabled until later in the same meeting. A motion to table temporarily suspends further consideration or action on an agenda item until later in the meeting. A motion to bring back to the table shall be made to resume discussion on the item tabled. An item to be considered at a future meeting shall be postponed, rather than tabled.
8. Amending a Motion: Any main motion may be offered for amendment by a Commissioner after the main motion has been seconded and is under debate. The Commissioner who seconded the main motion must concur in the amendment.
9. Substituting a Motion: A motion may be made to substitute a different motion for the pending motion. If the motion to substitute fails, the Chair returns to the pending motion as originally read or made. If the motion to substitute passes, the question is now on the motion proposed for substitution and the original motion dies.

O. Reading and Passage of Resolutions and Ordinances

All proposed resolutions and ordinances are subject to the following requirements for approval:

1. Printed or Electronic Copies. In order to be considered, printed or electronic copies of the proposed resolution or ordinance shall be in the possession of the Commission not less than 24 hours prior to the meeting. Such copies may be delivered by hand or electronically.
2. Read Into Record. All resolutions and ordinances, except those on the Consent Agenda, may be fully read into the record of the Commission by the County Administrator or another County employee if so requested by the Chair.
3. Available to the Public: Copies of proposed resolutions shall be available to the public, when feasible, at the County Administrator's office and the Library not less than **forty-eight (48) hours** before the Commission convenes to take official action upon the resolution.
4. Effective Date of Ordinances: No ordinance passed by the Commission shall take effect within less than fifteen (15) days of its publication in accordance with UCA 17-53-208 unless authorized otherwise by state code, such as for emergencies or temporary land use regulations.
5. Amending a Resolution or Ordinance: Amendments of resolutions and ordinances shall be approved by a majority vote of the Commission and are subject to all of the provisions

of this section.

P. Decorum and Debate

1. Being Recognized: When a Commissioner desires to speak or make a motion, the Commissioner shall address the Chair by stating, “Mr./Madam Chair”. Upon being recognized by the Chair, **the Commissioner may then address the Commission, staff or members of the public**. *Roberts Rules requires all comments made by anyone recognized to speak be made to the Chair only.*
2. First Person Recognized: When more than one Commissioner addresses the Chair, the Chair shall name the person who is to speak, recognizing the person who first addressed the Chair. No other person may speak while the recognized Commissioner continues to hold the floor.
3. Interruptions: No Commissioner shall interrupt another, except when permitted by parliamentary procedure.
4. Decorum: No Commissioner shall indulge in personalities, attack the motives of Commissioner or use language tending to hold a Commissioner up to contempt or ridicule.
5. Debate with the Public: No Commissioner shall debate with the public or employees during meetings or workshops.
6. Limitation of Debate: In general, no Commissioner shall be allowed to speak more than once upon any one subject until all other Commissioners have had an opportunity to speak.
7. Electronic Devices: Use of electronic devices during a Commission meeting shall be limited to matters pertaining to the business of the meeting except in the case of personal emergency; such use is subject to the Open and Public Meetings Act (UCA 52-4) and GRAMA.
8. Leaving Chambers: No Commissioner shall leave the meeting location during a session without informing the Chair, except for short breaks or in the case of personal emergency.

Q. Participation by the Public

1. Employee/Public Recognized: No person shall speak unless recognized by the Chair.
2. Citizens to Be Heard: During the Citizens to Be Heard portion of the meeting, citizens

desiring to speak shall address themselves to the Chair. Upon being recognized, they shall use the designated microphone state their full name, address, who they represent if applicable, and state their subject matter.

3. No Interruptions: No person shall interrupt legislative proceedings.
4. Three-Minute Rule: No person of the public shall speak more than three (3) minutes except upon waiver by the Chair or on motion of the Commission.
5. Procedure: Orderly procedure requires that each member of the public shall proceed without interruption from the audience and shall retire when their time is up; that all statements shall be addressed to the Chair, and that there be no questioning or argument between individuals.
6. Questions: After being first recognized by the Chair, Commissioners and staff members may ask questions and make appropriate comments; however, no Commissioner should argue or debate an issue with the petitioner/member of the public.
7. No Assignment of Time: If there are several speakers on a matter, one person may not assign their time to another in an effort to increase the allowed speaking time. Individual citizens and citizen groups may select a person to make a presentation on their behalf, but each individual's speaking time will be limited to three minutes, subject to the discretion of the Chair or a vote of the Commission.
8. Orderly Conduct: Citizens attending meetings shall observe rules of propriety, decorum and good conduct. Unauthorized remarks and similar demonstrations shall not be permitted by the Chair who may direct the removal of offenders from the meeting.

R. Public Hearings

1. Posting of Public Hearing: All public hearings shall be published in the local newspaper of record and posted in accordance with Utah State Code, San Juan County and local ordinances, as applicable.
2. Staff Presentation: The appropriate staff shall make a presentation to the Commission and the public on behalf of the public hearing matter.
3. Applicant Speaks: Regarding Planning and Zoning issues, the applicant shall be invited first to speak to the Commissioners after the staff has made a presentation. Applicants may appear in person or be represented by legal or other counsel. Applicant statements shall be limited to ten (10) minutes or as otherwise indicated by the Chair.
4. Questions: Commissioners may direct questions to the applicant and/or staff in order to

bring out relevant facts, circumstances or conditions affecting the case and may call for questions from the staff.

5. Opening Hearings: The Chair shall open the hearing and invite the public to the podium for comment. All public participation shall be subject to the Decorum and Debate provisions of Section Q.
6. Closing Hearings: Following public comment, if any, during the public hearing the Chair announces conclusion of this portion of the public hearing, stating that the public hearing will remain open for written public comment until 5PM on the date that is six (6) days before the next regularly scheduled meeting (or other specified date). The Chair further states that the matter will be considered at the next regularly scheduled meeting (or other specified date). A Commissioner may move to suspend these rules, by a majority vote, to take action and vote on the matter immediately. If the motion to take action is approved, the Commission can then move to consider the item.
7. Written Comments: Written comments may be submitted to the County Administrator's office for the record at the hearing for up to 5PM six (6) days before the next regularly scheduled Commission meeting. The County Administrator shall ensure that all on-time written comments are made a part of the Commission packet for the Commission meeting at which the issue is to be considered. At the close of each public hearing the County Administrator shall ensure that all on-time written comments have been forwarded to the Clerk's Office for public record.
8. Late Comments: Written comments are considered late any time after 5PM six (6) days before the next regularly scheduled Commission meeting that follows the public hearing, unless a different date is specified by the Chair. Late comments (whether received by Commission staff by email, mail or delivery) will be forwarded electronically by Commission staff to each Commissioner. However, late comments will not be made available by Commission staff for the Commission meeting nor made a part of the online archived public record.

S. Amendment of Policies and Procedures

1. Amending the Policies and Procedures: No policy or procedure of the Commission shall be amended except by majority vote. Consideration of proposed amendments shall be held during regularly scheduled meeting(s).
2. Resolution Required: Amendment of these Policies and Procedures shall be through resolution. A redlined document shall be archived electronically by the County Clerk identifying all changes for approval.
3. Policies and Procedures Considered Amended: Policies and Procedures of the Commission that are amended in a manner which creates a conflict with a prior

Policy or Procedure are considered to have been amended to the extent necessary to comply with the most recently amended Policy or Procedure. Policies and Procedures containing statutory references or citations are considered amended when the statute referenced or cited is amended.

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SAN JUAN COUNTY, STATE OF UTAH

RESOLUTION NO. 2025-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, STATE OF UTAH, ADOPTING RULES OF ORDER AND PROCEDURE PURSUANT TO UTAH CODE ANNOTATED §17-53-206.

WHEREAS, pursuant to Utah Code Annotated §17-53-206(3)(a), a county legislative body shall:

- (i) adopt rules of order and procedure to govern a public meeting of the legislative body;
- (ii) conduct a public meeting in accordance with the rules of order and procedure described in Subsection (3)(a)(i); and (iii) make the rules of order and procedure described in Subsection (3)(a)(i) available to the public:
 - (A) at each meeting of the county legislative body; and
 - (B) on the county's public website,

WHEREAS, the San Juan County Board of Commissioners is the legislative body for San Juan County. Said Board of Commissioners has not formally adopted rules of order and procedure to govern procedures for conducting meetings;

WHEREAS, the Board of Commissioners desires to comply with the statutory requirements set forth above and further desires to formally adopt policies and procedures to govern and prescribe its actions and conduct, consistent with state law and consistent with the Utah Open Meetings Act.

NOW, THEREFORE, THE BOARD OF SAN JUAN COUNTY COMMISSIONERS RESOLVES AND ORDAINS THE FOLLOWING:

The San Juan County Board of Commissioners hereby adopts the following Rules of Order and Procedure to govern and prescribe in public meetings (a) parliamentary order and procedure; (b) ethical behavior; and (c) civil discourse. All meetings shall also comply with Title 52, Chapter 4, Open and Public Meetings Act.

These Rules of Order and Procedure shall be made available to the public at each meeting of the Board of Commissioners and shall also be posted on the official website of San Juan County, Utah.

RESOLUTION NO. 2025-_____

(SIGNATURE PAGE)

THIS RESOLUTION IS PASSED AND ADOPTED by action of the Board of San Juan County Commissioners for San Juan County in an open meeting this _____ day of _____ 2025.

Voting Aye: _____

Voting Nay: _____

ATTEST:

SAN JUAN COUNTY BOARD OF
COMMISSIONERS

Lyman Duncan, Clerk/Auditor

Sylvia Stubbs - Chair

RULES OF ORDER AND PROCEDURES OF THE SAN JUAN COUNTY COMMISSION

These rules are made pursuant to Section 17-53-206 of the Utah Code. A certified copy of these Rules of Order and Procedures and any subsequent amendments shall be filed with the County Clerk to be kept as a permanent public record. The County Clerk shall also cause these Rules of Order and Procedures to be posted at each meeting of the Commission held under the Open Public Meetings Act and on the San Juan County official website..

A. Definitions

1. Chair/Presiding Officer: Means the person elected or appointed as Chair of the County Commission.
2. County Commission: Means the persons elected and sworn to the Commission, who have not been removed from office for any reason, acting collectively in a duly called meeting of the Commission where a quorum is present.
3. Governing Body: Means the current County Commission acting collectively in a duly called meeting of the Commission where a quorum is present.
4. Majority Vote of Governing Body: Means two (2) Commission Members' affirmative votes.
5. Commissioner/ Commission Member/Commission Representative/Member: Means the individual Commission Members acting individually.
6. Membership: Means the Commission Members.
7. Official Action: Means a written resolution of the Commission adopted by a majority vote in a duly called meeting of the Commission where a quorum is present. All statements of an official position of the County and all documents stating such a position must be approved through an Official Action.
8. Quorum: Means the minimum number of persons required to act as a Governing Body. A quorum requires two (2) Commission Members who must be present in person at the meeting location. Additional Members may attend by phone or other real-time means so long as an Electronic Meetings Resolution is enacted stating same. A quorum may not convene in violation of the Open and Public Meetings Act (U.C.A. 52-4-103).
9. Vice-Chair: Means a Commissioner elected or appointed by the Governing Body to act as Chairperson/Presiding Officer, with all the powers of the Chairperson as defined in these bylaws, in the absence or disability of the Chair. The Vice-Chair's authority exists for the period of appointment of the Commissioner as Vice-Chair, rather than for a specific time period, such as a single Commission meeting.

10. Official County Commission Business: Means matters that have been formally acted upon or authorized by the Commission in a duly convened meeting of the Commission where a quorum is present and for which the matter was included on the Agenda properly noticed for the meeting.

11. Commission Officers: Means the Commission Chair and Vice-Chair.

B. Commission Members

1. Appointment of the Officers: The Commission shall elect or appoint the Chair and the Vice Chair at its first meeting in January.

2. Commission Meeting Attendance: Commissioners are required to attend all regularly scheduled and special Commission Meetings. If an event arises that prevents attendance of a Commission Meeting, the County Administrator should be notified in advance of the meeting.

3. Participation in Local, State or Federal Committees: Commissioners are encouraged to participate in other local, tribal, state and federal committees and associations and inform the Commission accordingly.

4. County Commission Documents: The official San Juan County letterhead, which includes the San Juan County logo and names and titles of current

officers/Commissioners, shall be used only for official County Commission business.

5. Commission Communications: Commissioners, including the Officers, purport to give an official position of San Juan County in written or verbal communication without specific prior approval from the Commission through an official action of the Commission taken in a duly called meeting of the Commission where a quorum is present unless the Commission has previously taken an official position through an official action on the matter. Commissioners shall distinguish and keep separate their personal opinions

from the official positions of the Commission in the course of the discharge of their duties. This does not prohibit the expression of an opinion, advocacy for a position, or expression of disagreement.

6. Electronic Communication: Commissioners are encouraged to be mindful in their electronic communications that any electronic communications among two or more Commissioners are subject to GRAMA, the State's Government Records Access and Management Act. GRAMA gives "every person the right to inspect a public record" (UCA 63G-2-201(1)). It defines a public record as "public unless otherwise expressly provided by statute" (UCA 63G-2-201(2)). Exceptions are, according to UCA 63G-2-202, "a record that is private, controlled, or protected" under State Code.

Furthermore, the State's Open and Public Meetings Act defines an electronic message as "a communication transmitted electronically including: electronic mail, instant messaging, electronic chat, text messaging, or any other method that conveys a message or facilitates communication electronically" (UCA 52-4-103(5)(a)).

The Open Meetings Act specifically states that the Act does not preclude "members of a public body" from transmitting "an electronic message to other members of the public body at a time when the public body is not convened in an open meeting" (UCA 52-4-210).

7. Commission E-mail and Communication Policy:

- a. Each Commission Member will be given a unique email address, and all email addressed to an individual Commissioner or the Commission will be forwarded as received.
- b. In order to reduce duplicate emails, listserv emails from the organizations listed below will not be forwarded; instead Commission staff shall check at least annually to insure that all Commissioners are on the direct distribution lists for:
 - i. UAC (Utah Association of Counties);
 - ii. NACo (National Association of Counties);
 - iii. CCP (Canyon Country Partnership); and
 - iv. Any other organization requested by a Commissioner.
- c. Surface mail addressed to a specific Commissioner is to be placed in that Commissioner's box when received.

8. Municipal Building Authority and Board of Equalization: Commissioners shall serve as the Municipal Building Authority as required for capital projects and shall serve as the local Board of Equalization as required for property tax assessment matters.

9. County Board/Commission/Committee and Local and Special Service District Board Representation: All County Boards, Commissions, and Committees and Local and Special Service District Boards may include one Commissioner representative either as a voting or ex-officio member according to the Board/Commission's enabling ordinance unless otherwise prohibited by law. County Committees shall include a Commissioner representative, if required, according to the Committee's enabling resolution.

C. Commissioners' Participation on County Boards, Commissions & Committees and Local & Special Service District Boards

1. Assignments to County Boards, Commissions & Committees and Local & Special Service District Boards: In January of each year the Commission shall review each Commission Representative position to County Boards, Commissions and Committees, and Local and Special Service District Boards, and other agencies. Commissioners shall indicate which assignments they would prefer. For assignments selected by more than one Commissioner, the Commission shall vote on who receives the assignment. In the event that no Commissioner volunteers for an assignment, the Chair shall assign a Commissioner.
2. Commissioners' Role: Commissioners assigned to serve on County Boards, Commissions and Committees, and Local and Special Service District or other agency Boards shall serve as the liaison to the Commission, whether a voting member per enabling documents or not. Commissioners shall represent the Commission but cannot commit the County on any matter without first obtaining approval through an official action of the Commission.
3. Boards/Commissions/Committees/Agencies Reporting to the Commission: Commission Representatives to boards, commissions, committees, and agencies shall regularly report to the Commission during a Commission meeting and when action is required.
4. Commissioner Participation: Commissioners who are not assigned as representatives are encouraged to attend any Board, Commission, or Committee meeting for informational purposes and shall notify the Commission Representative of their interest to attend. Commissioners not assigned as Commission Representatives attending these meetings shall participate as members of the public.
5. Special Service District Boards: In accordance with (UCA §17D, Chapter 1) the Commission may establish Special Service District ("District") Boards. These Boards are independent of the County except that the Commission shall, pursuant to UCA Section 17D-1-303, make all appointments to such Administrative Control Boards except for District Boards elected by the public and where otherwise established in the organization's bylaws or enabling documents. Each District Board shall include one Commissioner representative as appointed or assigned by the Commission to serve the term established by the District bylaws. All business conducted by the District Board shall be independent of the County with the exception of the involvement of the Commission Representative. Joint meetings of the Commission Membership and the District Boards are encouraged for the purpose of establishing common goals and objectives.
6. Attendance: Commission Members are required to attend all regularly scheduled and special Board, Commission, and Committee meetings to which they are assigned. If regular attendance at an assigned Board, Commission, or Committee meeting is not possible, the Commissioner will make arrangements for a re-appointment for that assignment.

D. Duties of the Chair and Vice-Chair

1. The Chair: The Chair and the Vice-Chair acting as Chair shall have no veto power over official actions and no special substantive authority. The Chair is responsible for setting the Commission Agenda, facilitating Commission Meetings, and signing the Commission-approved documents. The Chair does not act on behalf of the Commission unless directed by the majority of the Commission Members through an official action and is subject to all of the provisions of Section B of these Rules of Order.

2. Presiding Officer: The Chair shall be the Presiding Officer at all meetings and hearings of the Commission.

3. Vice-Chair: In the event of absence or disability of the Chair, the Vice-Chair shall preside. Upon the Chair's request, the Vice-Chair shall assist with the discharge of any of the Chair's duties.

4. Study Committees: The Chair may, at his/her discretion, oversee the membership and proper functioning of the Commission Study Committees, whether or not a designated committee member.

5. Control of Chambers: The Chair shall have control of the Commission Chambers. The Chair shall maintain order and may eject any member of the public who behaves in a disorderly manner with intent to disrupt the meeting.

6. Points of Order: The Chair shall decide all points of order and procedure, subject to appeal of membership.

7. Roll Call Vote: actions taken require a roll call vote with the minutes showing for each member of the Commission a vote of aye, nay or absent.

8. Sign Documents, Contracts and Agreements: The Chair shall sign resolutions, ordinances, and all other documents issued by the Commission. The Chair shall sign all contracts and agreements approved by Commission, including "all associated documents" included in motions. The Chair may delegate such signatory authority to the Vice-Chair as per Section D.1. The Chair, in his or her sole discretion, may consult with the County Administrator and the County Attorney for review of the above documents.

9. Training on Open and Public Meetings Act: The Chair shall ensure that all Commissioners are provided with the opportunity for annual trainings of the Open and Public Meetings Act, UCA §52-4.

10. Voting Rights and Authority: The Presiding Officer at a meeting shall have the authority of other members of the Governing Body during a meeting including making motions, seconding a motion, voting and participating in discussion and debate.. However, the Presiding Officer should only make a motion when no motion is forthcoming from another member of the Governing Body when the Presiding Officer has indicated that motion on an item is in order to move the meeting forward.

E. The County Clerk

1. Meetings: The Clerk or deputy is expected to attend all Commission meetings and shall attest all instruments signed by the Chair, including resolutions and ordinances.

2. Notices: In collaboration with the County Administrator, the County Clerk ensures that all required notices are posted or published as required by the Open and Public Meetings Act and that all notices include the date, time and name or initials of the person posting the notice.

The Commission, or their agent, is responsible for providing in a timely manner to the clerk all information required for posting the necessary notices under the Open and Public Meetings Act.

3. Minutes: The Clerk or deputy prepares and maintains minutes and recordings of the proceedings, including closed sessions, as appropriate, and such journals and records as required. Minutes shall be posted on the County website once approved and shall include the following:

- a. the date, time and place of the meeting;
- b. the names of Commissioners present and absent;
- c. the substance of all matters proposed, discussed, or decided by the Commission which may include a summary of comments made by Commissioners;
- d. a record, by individual member, or each vote taken by the Commission; e. the name of each person who:
 - i. is not a Commissioner; and
 - ii. after being recognized by the Commission Chair, provided testimony or comments to the Commission;
- f. the substance, in brief, of the testimony or comments provided by the public; and g. any other information that is a record of the proceedings of the meeting that any Commissioner requests be entered in the minutes or recordings.

F. The County Attorney

1. Meeting Attendance: The County Attorney shall attend meetings and hearings of the county legislative body as necessary. (U.C.A. 17-18a-501(5)).

2. Legal Analysis by County Attorney: When requested, the County Attorney will provide a full and detailed written legal analysis of any action item on the Commission agenda in the manner described in these Policies and Procedures.

3. Approving as to form and legality: The County Attorney shall review and approve as to form and legality each county contract, ordinance, regulation, real estate document, conveyance, and legal document. (U.C.A. 17-18a-504)

4. Legal Counsel: The County Attorney shall act as the legal advisor to the county and the County Commission in their official capacity as County Commissioners (U.C.A. 17-18a-501(4)).

5. Attorney/Client Relationship: The Commission, through official actions, may direct the County Attorney as to any legal matter where a client would ordinarily be able to direct the actions of the client's attorney. In any instance where the County Attorney fails to carry out the lawful directive of the Commission as stated in an official action, the Chair may take action to report that failure to appropriate officials or entities if so authorized by a majority vote of the Commission.

G. Commission Meetings

1. Open and Public Meetings Act: All Commission Meetings, including Special Meetings, Emergency Meetings and Workshops, shall be in compliance with the Open and Public Meetings Act, UCA Title 52 Chapter 4. All Commission Meetings will be open to the public. Any closed sessions shall be in accordance with UCA 52-4-204.

2. Approval of Annual Schedule of Meetings: The Commission shall approve its annual meeting schedule during the December scheduled meeting and publish the approved schedule in accordance with UCA 52-4-202.

3. Commission Meeting Dates and Times: The Commission shall hold regular meetings the first and third Tuesday of each month. In those months when the holidays or elections fall on the first or third Tuesday, the meeting shall be held the following day. To the extent practicable and if so required as determined by the Chair, Commission meetings will begin at 9:00 a.m. Public hearings to adopt or change a budget or to consider matters related to taxes or fees shall begin at 6:00 p.m. or later. Where practicable, Commission meetings shall be live-streamed and publicly broadcast.

4. Special and Emergency Meetings: The Chair or the Commission by majority vote may call a special meeting or an emergency meeting in accordance with the Utah Open and Public Meetings Act as becomes necessary.

5. Recess and Adjournment:

a. Commission meetings shall be adjourned by a majority vote and no further business may be conducted once a motion to adjourn has been adopted. A motion to adjourn takes precedence over all other motions, including pending motions.

b. The Commission may recess a meeting by a majority vote and this motion, if approved, has the effect of temporarily suspending the meeting. A motion to recess that extends the meeting past the current day has the effect of an adjournment.

c. The Commission may recess a meeting in order to convene itself as another entity of the County, such as a board or commission. Once the business of the board or commission is completed, the Commission may end the recess by majority vote and reconvene to complete the business stated on the approved Commission agenda.

I. Agenda

1. Order of Business: The County Administrator's office shall prepare, and the Chair shall approve, a written agenda for each meeting. The order of business for Commission agendas will typically contain a section entitled "Work Meeting", during which reports are presented and items are briefed and discussed but not voted on; and a section entitled "Formal Meeting", during which the Commission deliberates and votes on various matters.

2. Agenda Management and Preparation:

a. Elected officials and department heads may submit to the County Administrator Items proposed for inclusion in the agenda in person or electronically, **by not later than 5:00 pm. on the Thursday before the Commission meeting** that they are to be included on the agenda. No item shall be accepted after that time, except as specifically stated in these Policies and Procedures.

b. Requests for inclusion on an agenda and supporting documentation must be **received by 5 PM on the Thursday prior to a Regular Meeting** and forty-eight (48) hours prior to any Special Meeting.

c. Proposed agenda items must be accompanied by all documents reasonably necessary for a clear understanding of the item by the Commission. For example, if a proposed resolution references a lease or a contract, the referenced documents must be included with the agenda item. The County Administrator shall reject all proposed agenda items that do not comply with this requirement.

3. Legal Review: All agenda items shall be submitted for legal review by the County Attorney when they are first received by the County Administrator unless already reviewed by the County Attorney prior to sending to the County Administrator.

a. The County Attorney shall provide a written legal review of each agenda item. If an agenda item raises no legal issues, the County Attorney shall provide a statement to the Commission that they have fully reviewed the item and no further legal review is needed.

b. If requested by a Commissioner, the legal review provided by the County Attorney shall include cites to all legal authority or other materials referenced in the legal review.

c. The County Attorney need not submit the legal review prior to a work session discussion of the agenda item, but must circulate the legal review to the

Commissioners **by not later than 5 p.m. on the Friday before the Commission** meeting at which the item will be an action item on the Commission's agenda. Failure to provide a legal review by that deadline

shall be deemed to be a determination by the County Attorney that no legal issues exist as to that agenda item.

d. In the event that the legal review requires additional time, the County Attorney shall inform the Commissioners by the Friday before the meeting.

4. Packet preparation and dissemination.

a. The County Administrator shall assemble a Commission meeting packet, containing a copy of the agenda, all agenda items and all documents attached to each agenda item, except for those materials that are (i) copyrighted, unless written permission by the copyright holder is provided; (ii) proprietary; (iii) confidential; (iv) related to a closed session; or (v) intended as legal communications. Such materials shall not be included in the general packet unless otherwise allowed by these bylaws or applicable law. Excluded materials shall be provided to the Commission under separate cover, marked "confidential".

b. The County Administrator shall deliver the agenda and packet to the Commissioners, County Attorney, County Clerk, and County Library not less than 24 hours prior to the meeting at which that agenda will be considered.

c. The County Administrator shall post a copy of the agenda at the meeting location and on the State Public Meeting Notice website, and shall also post a copy of the complete agenda and packet (with the exception of excluded materials) on the County website.

J. Work Session Items and Procedure

1. The purpose of the Work Session is to allow the Commissioners to make an initial review of those proposed agenda items requiring an official action, identify issues or concerns regarding those items, make amendments to proposed resolutions or ordinances, and for non-controversial items to be moved to the Consent Agenda for expedited action.

2. The County Administrator shall review all proposed agenda items and shall place all items requiring official action by the Commission on the Work Session agenda for the next meeting.

3. During the Work Session at the next regular meeting, the Commission shall discuss each Work Session agenda item.

4. Amendments may be made to proposed resolutions or ordinances on the Work Session agenda by motion and majority vote.

5. If all Commissioners agree, any Work Session item may be moved to the Consent Agenda of a subsequent meeting for approval without further discussion. All other items shall be placed on the General Business section of the following meeting for full discussion and vote.

6. Specific issues concerning items not placed on the Consent Agenda during the Work Session shall be identified and referred to the appropriate County officials or staff for assistance in addressing those issues before the next meeting of the Commission.

K. Consent Agenda

1. The purpose of the Consent Agenda is to quickly process and dispose of noncontroversial matters by being adopted all at once.
2. All items on the Consent Agenda shall be considered without further discussion or debate.
3. All items on the Consent Agenda shall be voted on in a single vote. The items on the Consent Agenda are approved by a simple majority vote.
4. Any item may be removed from the Consent Agenda for the Commission consideration as part of the General Business section of the agenda during the meeting by a majority vote of the Commission.

L. Meeting Location and Decorum

1. The meeting location of all Commission meetings shall be open to the public, with the exception of closed sessions.
2. All persons attending a Commission meeting shall behave in a respectful manner, shall only speak when first recognized by the Chair, shall refrain from interrupting the Commission or any other speaker who has been recognized by the Chair and shall behave in a way that does not disrupt the proceedings of the Commission. At the direction of the Chair, law enforcement may remove from the meeting any person causing disturbances or otherwise violating the law.

M. Voting

1. To Pass Acts: Two (2) affirmative votes shall be necessary to pass any resolution, ordinance or act (motion).
2. Conflict of Interest: A Commissioner shall not vote where there is a conflict of interest defined by Utah Code section 67-16-9 and shall declare such conflict and decide if it warrants recusal from both the deliberations and the decision making process for that item. The Commissioner shall not debate the agenda matter from which she/he is recusing her/himself .
3. Failure to Vote: A failure to vote by a Commissioner who is present at the meeting shall be treated as a Nay vote on the motion. A failure to vote by a Commissioner who is absent from the meeting for any reason shall be treated as an absence.
4. Leaving Seat: When a motion is seconded, no Commissioner shall leave until their vote has been recorded except in the case of personal emergency.
5. Change of Vote: A Commissioner may change their vote after the call for the vote has been completed and before announcement of the result, but not thereafter.
6. Abstentions: Although it is the duty of every Commissioner to vote, they can abstain, as they cannot be compelled to vote.

As the record of the roll call vote under statute requires each vote to be recorded as Aye, Nay or

absent, failing to vote or abstaining will be recorded as a Nay vote.

7. Questions Affecting a Commissioner: Commissioners are permitted to vote for themselves for an office or other position to which Commissioners are generally eligible.

N. Motions

1. Making and Withdrawing: When a motion is made, the Chair shall call for a second. The Chair shall restate the motion upon request by any Commissioner. If the motion receives a second, the Chair has discretion to restate the motion after debate and before vote commences. If there is no second to the motion the motion shall die without further debate due to the lack of a second. A motion may not be withdrawn by the person making the motion without the consent of the majority of the Commission once it has been seconded. The Chair may request that the motion is submitted in written form prior to the motion being stated by the Chair. The Chair may second a motion by another Commissioner.

2. Division of Motion: If the motion contains two (2) or more divisible propositions, the Chair may, and upon request of a Commissioner shall, divide the same.

3. Motions Out of Order: The Chair may not at any time permit a member to introduce an ordinance, resolution, or motion out of the regular order as set forth in the agenda unless a motion is made to take such item out of order and that motion is approved by majority vote. A proposed ordinance or resolution may also be moved by majority vote from the Work Meeting agenda to the Formal Meeting section of the agenda for action on the same day as the item was introduced on the Work Meeting agenda, so long as any changes made to the item are not so substantial as to necessitate re-noticing.

4. Rescinding a Motion, Resolution, Order or Rule: A motion, resolution, order, or rule that has been adopted at some previous meeting may be rescinded by a subsequent official action of the Commission; however, such rescission must be made by resolution. The effect of a rescission is that the prior motion, resolution, order or rule is treated as if it was never approved.

5. Reconsidering a Motion: A motion may be reconsidered at any time during the same meeting at which it was originally acted upon if the motion to reconsider is introduced by a Commissioner who had voted with the prevailing side and the motion is passed by a majority vote. Only after the motion to reconsider has been approved by the majority can the main motion be considered.

6. Postponing a Motion: Any item on the agenda may be postponed until the next meeting or a specific future date. A motion to postpone shall give best efforts to include the future time of consideration and reason for postponement. Any agenda item not postponed to a specific later date shall be automatically placed on the agenda of the next meeting of the Commission.

7. Tabling a Motion: Any item on the agenda may be tabled until later in the same meeting. A motion to table temporarily suspends further consideration or action on an agenda item until later in the meeting. A motion to bring back to the table shall be made to resume discussion on the item tabled. An item to be considered at a future meeting shall be postponed, rather than tabled.

8. Amending a Motion: Any main motion may be offered for amendment by a Commissioner after the main motion has been seconded and is under debate. The Commissioner who seconded the main motion must concur in the amendment.

9. Substituting a Motion: A motion may be made to substitute a different motion for the pending motion. If the motion to substitute fails, the Chair returns to the pending motion as originally read or made. If the motion to substitute passes, the question is now on the motion proposed for substitution and the original motion dies.

10. Chair's participation in making or seconding motions: If the Chair wishes to make an original motion, they shall first request a motion be made by another Commissioner. If no original motion is forthcoming the Chair may make their motion, and move forward with a request for second. The Chair may second motions while acting as the Chair. Nothing in this section shall be construed as restricting the Chair's ability to fully participate in the legislative process.

0. Reading and Passage of Resolutions and Ordinances

All proposed resolutions and ordinances are subject to the following requirements for approval:

1. Printed or Electronic Copies. In order to be considered, printed or electronic copies of the proposed resolution or ordinance shall be in the possession of the Commission not less than 24 hours prior to the meeting. Such copies may be delivered by hand or electronically.

2. Read Into Record. All resolutions and ordinances, except those on the Consent Agenda, may be fully read into the record of the Commission by the County Administrator or another County employee if so requested by the Chair.

3. Available to the Public: Copies of proposed resolutions shall be available to the public, when feasible, at the County Administrator's office and the Library not less than **forty eight (48) hours** before the Commission convenes to take official action upon the resolution.

4. Effective Date of Ordinances: No ordinance passed by the Commission shall take effect within less than fifteen (15) days of its publication in accordance with UCA 17-53-208 unless authorized otherwise by state code, such as for emergencies or temporary land use regulations.

5. Amending a Resolution or Ordinance: Amendments of resolutions and ordinances shall be approved by a majority vote of the Commission and are subject to all of the provisions of this section.

P. Decorum and Debate

1. Being Recognized: When a Commissioner desires to speak or make a motion, the Commissioner shall address the Chair by stating, "Mr./Madam Chair". Upon being recognized by the Chair, the Commissioner may then address the Chair. If a Commissioner wishes to ask a question or request information from staff or a members of the public, they should request the Chair direct such question or request for information.

2. First Person Recognized: When more than one Commissioner addresses the Chair, the Chair shall

name the person who is to speak, recognizing the person who first addressed the Chair. No other person may speak while the recognized Commissioner continues to hold the floor.

3. Interruptions: No Commissioner shall interrupt another, except when permitted by parliamentary procedure.
4. Decorum: No Commissioner shall indulge in personalities, attack the motives of Commissioner or use language tending to hold a Commissioner up to contempt or ridicule.
5. Debate with the Public: No Commissioner shall debate with the public or employees during meetings or workshops.
6. Limitation of Debate: In general, no Commissioner shall be allowed to speak more than once upon any one subject until all other Commissioners have had an opportunity to speak.
7. Electronic Devices: Use of electronic devices during a Commission meeting shall be limited to matters pertaining to the business of the meeting except in the case of personal emergency; such use is subject to the Open and Public Meetings Act (UCA 52-4) and GRAMA.
8. Leaving Chambers: No Commissioner shall leave the meeting location during a session 15 without informing the Chair, except for short breaks.

Q. Participation by the Public

1. Employee/Public Recognized: No person shall speak unless recognized by the Chair.
2. Citizens to Be Heard: During the Citizens to Be Heard portion of the meeting, citizens desiring to speak shall address themselves to the Chair. Upon being recognized, they shall stand, state their full name, address, who they represent, and state their subject matter.
3. No Interruptions: No person shall interrupt legislative proceedings.
4. Three-Minute Rule: No person of the public shall speak more than three (3) minutes except upon waiver by the Chair or on motion of the Commission.
5. Procedure: Orderly procedure requires that each member of the public shall proceed without interruption from the audience and shall retire when their time is up; that all statements shall be addressed to the Chair, and that there be no questioning or argument between individuals.
6. Questions: After being first recognized by the Chair, Commissioners and staff members may ask questions and make appropriate comments; however, no Commissioner should argue or debate an issue with the petitioner/member of the public.
7. No Assignment of Time: If there are several speakers on a matter, one person may not assign their time to another in an effort to increase the allowed speaking time. Individual citizens and citizen groups may select a person to make a presentation on their behalf, but each individual's speaking time will be limited to three minutes, subject to the discretion of the Chair or a vote of the Commission.

8. Orderly Conduct: Citizens attending meetings shall observe rules of propriety, decorum and good conduct. Unauthorized remarks and similar demonstrations shall not be permitted by the Chair who may direct the removal of offenders from the meeting.

R. Public Hearings

1. Posting of Public Hearing: All public hearings shall be published in the local newspaper of record and posted in accordance with Utah State Code, San Juan County and local ordinances, as applicable.

2. Staff Presentation: The appropriate staff shall make a presentation to the Commission and the public on behalf of the public hearing matter.

3. Applicant Speaks: Regarding Planning and Zoning issues, the applicant shall be invited first to speak to the Commissioners after the staff has made a presentation. Applicants may appear in person or be represented by legal or other counsel. Applicant statements shall be limited to ten (10) minutes or as otherwise indicated by the Chair.

4. Questions: Commissioners may direct questions to the applicant and/or staff in order to bring out relevant facts, circumstances or conditions affecting the case and may call for questions from the staff.

5. Opening Hearings: The Chair shall open the hearing and invite the public to the podium for comment. All public participation shall be subject to the Decorum and Debate provisions of Section Q.

6. Closing Hearings: Following public comment, if any, during the public hearing the Chair announces conclusion of this portion of the public hearing, stating that the public hearing will remain open for written public comment until 5PM on the date that is six (6) days before the next regularly scheduled meeting (or other specified date). The Chair further states that the matter will be considered at the next regularly scheduled meeting (or other specified date). A Commissioner may move to suspend these rules, by a majority vote, to take action and vote on the matter immediately. If the motion to take action is approved, the Commission can then move to consider the item.

7. Written Comments: Written comments may be submitted to the County Administrator's office for the record at the hearing for up to 5PM six (6) days before the next regularly scheduled Commission meeting. The County Administrator shall ensure that all on-time written comments are made a part of the Commission packet for the Commission meeting at which the issue is to be considered. At the close of each public hearing the County Administrator shall ensure that all on-time written comments have been forwarded to the Clerk's Office for public record.

8. Late Comments: Written comments are considered late any time after 5PM six (6) days before the next regularly scheduled Commission meeting that follows the public hearing, unless a different date is specified by the Chair. Late comments (whether received by Commission staff by email, mail or delivery) will be forwarded electronically by Commission staff to each Commissioner. However, late comments will not be made available by Commission staff for the Commission meeting nor made a part of the online archived public record.

S. Amendment of Policies and Procedures

1. Amending the Policies and Procedures: No policy or procedure of the Commission shall be amended except by majority vote. Consideration of proposed amendments shall be held during regularly scheduled meeting(s).

2. Resolution Required: Amendment of these Policies and Procedures shall be through resolution. A redlined document shall be archived electronically by the County Clerk identifying all changes for approval.

3. Policies and Procedures Considered Amended: Policies and Procedures, including these Rules of Order and Procedures, of the Commission that are enacted or amended in a manner which creates a conflict with a prior Policy or Procedure are considered to have been amended to the extent necessary to comply with the most recently enacted or amended Policy or Procedure. Policies and Procedures containing statutory references or citations are considered amended when the statute referenced or cited is amended.

ADOPTED AND PASSED THIS _____ DAY OF JUNE, 2025.

ATTEST:

SAN JUAN COUNTY BOARD OF
COMMISSIONERS

Lyman Duncan, Clerk/Auditor

Sylvia Stubbs - Chair