

**GRAND COUNTY CHANGE IN FORM OF GOVERNMENT
STUDY COMMITTEE
REGULAR MEETING**

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

**MINUTES
December 13, 2019**

Call to Order

The Grand County Change in Form of Government Study Committee (“Study Committee”) met in Regular Session on the above date in the County Council Chambers. The meeting was called to order by Chairperson Stocks at 12:02 p.m. with a quorum present. Also in attendance at the call to order were Study Committee Members Walt Dabney, Cricket Green, and Marcy Till. Also in attendance were Attorney Gavin Anderson by phone (beginning at 12:09 p.m.) and County Council Administrator Ruth Dillon to take minutes. Jeramy Day and Bob Greenberg arrived late as reflected in the body of the minutes. Judy Carmichael attended part of the meeting by phone as reflected in the body of the minutes.

Pledge of Allegiance

The Pledge of Allegiance to the Flag was led by Marcy.

Approval of Minutes

- A. November 15, 2019 (Study Committee Regular Meeting)

Chairperson Stocks requested any changes or corrections to the minutes; there were none.

MOTION:

Motion by Walt to approve the minutes of the November 15, 2019 meeting was seconded by Cricket.

Council Administrator Dillon inquired whether or not the motion referenced Bob’s suggested redlined edits in the packet.

Motion by Walt to amend the motion to approve the minutes with Bob’s suggested edits. The amended motion was seconded by Cricket. Motion carried 4-0.

Jeramy arrived at 12:07 p.m.

Citizens to Be Heard – there were none.

General Business- Action Items- Discussion and Consideration of:

- B. Reviewing a rough draft of the Optional Plan, postponed from November 15, 2019

1. Including discussion on the Study Committee’s role, if any, for a transition plan, if the Optional Plan is voted down November 2020, thus defaulting by law to a three-member Commission form of government, such matter continued from September 6, 2019

Attorney Anderson explained that House Bill 224 (2018) which became law is not clear as to the Study Committee’s role for developing a transition plan in the event of a failed vote by the electorate on the Optional Plan. He suggested that the County Council could adopt a resolution that includes transitional elements. Marcy clarified that the Study Committee could provide a suggested framework for such a transition in the event of a default to a three-person Commission. Jeramy reminded the Committee that it is a State mandate to transition. Walt suggested that the new legislative body would determine the transition. Cricket suggested that the County Attorney could reject the Optional Plan if it is not in the Study Committee’s purview to craft a backup transition plan. Jeramy suggested erring on the side of the

caution. Marcy suggested that the Committee's energy should instead be focused on championing the Study Committee's proposed Optional Plan.

Chairperson Stocks inquired of Attorney Anderson as to a timeline that the County would have to follow. Attorney Anderson referred to the election cycle remarking that officials are elected in even-numbered years and that the State deadline for the transition is December 31, 2020. He explained that the next election cycle for filling the seats in the new form of government is November 2022. He stated that a three-person County Commission, if in place due to a failed vote on the Optional Plan in 2020, would take effect January 2023. Walt suggested that a second transition plan would indicate a lack of confidence in the transition plan that is being proposed within the Optional Plan. Jeramy suggested that it could be stated in the Optional Plan to refer to the Study Committee's transition plan in the event of a three-person Commission form of government. Attorney Anderson reminded Committee Members that the biggest difference between the two forms of government is in the separation of powers, which separation of powers would be void with a County Commission.

MOTION:

Motion by Walt to leave out of the Optional Plan any backup transition plan for a three-person Commission form of government in the event that the Optional Plan is voted down. The motion was seconded by Marcy and carried 5-0.

Committee Members discussed the 45-day timeline for the County Attorney's review of the Optional Plan, prior to the March 8, 2020 deadline for the Committee's work to be finalized. Committee Members specifically discussed the need to adopt the Optional Plan soon, along with the Recommendation & Report, in order to submit it prior to the holidays.

MOTION:

Motion by Jeramy to table Item B, "Reviewing a rough draft of the Optional Plan" for later consideration in the meeting. The motion was seconded by Cricket and carried 5-0.

- C. Reviewing and adopting the "Recommendation and Report" for re-submission to the Grand County Council and County Clerk/Auditor for forwarding to the County Attorney

County Council Administrator Dillon referred to the redlined document on the dais noted as Bob's suggested edits in red, and stated that the document includes Attorney Anderson's suggested edits in black, which edited the approved August 12, 2019 Optional Plan. Attorney Anderson clarified that the suggested edits, whether red or black, are shown as underlines— meaning additions—and strike-throughs—meaning deletions. Attorney Anderson read aloud each suggested edit of the Recommendation and Report with Study Committee Members. Discussion ensued and all suggested edits were contemplated, one by one, prior to verbal agreement of the changes to be made. When warranted, Attorney Anderson read from State Statute for purposes of clarification.

Bob arrived at 1:00 p.m. Committee Members continued the discussions with Attorney Anderson of the suggested edits to the Recommendation and Report.

MOTION:

Motion by Jeramy to recess for ten minutes until 1:36 p.m. to update Mr. Greenberg on agreed upon changes. The motion was seconded by Cricket and carried 6-0.

At 1:38 p.m., Chairperson Stocks called the meeting back to order and reported that Bob has now been informed of the agreed upon changes.

MOTION:

Motion by Cricket to accept the Recommendation and Report with amendments from today's session. Motion was seconded by Walt. Bob recommended voting upon view of the clean version of the document. Attorney Anderson agreed to make the changes for a clean draft, requesting review by County Council Administrator Dillon which was accepted. **Cricket withdrew her motion.**

MOTION:

Motion by Cricket to table action for Item C, "Reviewing and adopting the 'Recommendation and Report.'" The motion was seconded by Bob and carried 6-0.

MOTION:

Motion by Cricket to remove from the table Item B, "Reviewing a rough draft of the Optional Plan." The motion was seconded by Jeramy and carried 6-0.

B. Reviewing a rough draft of the Optional Plan, postponed from November 19, 2019

County Council Administrator Dillon referred to the second redlined document on the dais noted as "Item B - Bob's suggested edits in red," which included Attorney Anderson's suggested edits in black, which edited the approved August 12, 2019 Optional Plan. Attorney Anderson read aloud each suggested edit of the Optional Plan with Study Committee Members. Discussion ensued and all suggested edits were contemplated, one by one, prior to verbal agreement on the changes to be made.

MOTION:

At 2:25 p.m., motion by Cricket to recess and return at 4:00 p.m. to approve a clean copy of the Recommendation and Report was seconded by Walt and carried 6-0.

Judy arrived to the meeting by telephone conference prior to the meeting reconvening.

At 4:20 p.m. Chairperson Stocks, upon having received word of the readiness of a clean Recommendation and Report document, called the meeting back to order with all present, including Judy and Attorney Anderson on the phone.

Judy was briefed on agreed upon changes in the Recommendation and Report. After Marcy gained clarification from Study Committee Members on the missing descriptive word of "public" (referring to public support) in the Recommendation and Report, County Council Administrator Dillon printed the final draft, including the word "public," stating that she and Marcy had worked together to integrate all the agreed upon edits into a clean version of the document. Study Committee Members reviewed the printed clean version of the Recommendation and Report. Discussion ensued to again revisit how best to describe in simple terms all four of the County Attorney's findings and recommendations. Language was agreed upon for the final document.

MOTION:

Motion by Jeramy to approve the clean version of the Recommendation and Report including the changes just made. The motion was seconded by Cricket and carried 7-0 by roll call vote, with no further discussion.

Judy left the call at 4:55 p.m. when the call by her cell phone dropped. County Council Administrator made the final agreed upon edits to the Recommendation and Report in order to create the final document for signature.

With Item C, "Reviewing and adopting the "Recommendation and Report," disposed of, Committee Members returned to Item B, "Reviewing a rough draft of the Optional Plan," under the leadership of Chairperson Stocks.

B. Reviewing a rough draft of the Optional Plan, postponed from November 19, 2019

After Marcy gained clarification from Study Committee Members on including the date of noon, January 3, 2023 as the effective date of the Optional Plan, County Council Administrator Dillon printed the final draft, including the missing date.

Study Committee Members reviewed the printed clean version of the Optional Plan. Other than a missing period at the end of a sentence, which was added for the final document, there were no other changes.

MOTION:

Motion by Bob to approve the Optional Plan for the Grand County Change of Form of Government was seconded by Marcy and carried 6-0 by roll call vote, with no further discussion.

Committee Members chose to hold an immediate signing of both documents. County Council Administrator Dillon provided two printed sets of each final document, which were signed by the six Committee Members present. County Council Administrator Dillon agreed to work with Judy to secure her signature as early as Monday, December 16th prior to proceeding with proper submissions to the County Council and to the Clerk/Auditor – whose duty it is for him to provide final submission to the County Attorney.

Future Considerations

D. Scheduling additional regular meeting date(s) in the first quarter of 2020

Chairperson Stocks referred to the draft agendas in the packet to discuss approaching meeting topics. He reviewed the timeline and suggested canceling the regularly scheduled December 20, 2019 meeting, and instead holding the next meeting on January 31, 2020, allowing a 45-day period between now and then for County Attorney review of the documents. He stated that this date would also allow the Study Committee some time in February and early March for any final work to be done as a Committee. County Council Administrator Dillon requested to know if there would be regularly scheduled meetings during 2020 for purposes of noticing the local newspaper(s). Committee Members suggested that the January 31st meeting could be considered a non-regular meeting, and that there appears to be no need to schedule regular meetings before March 8, 2020, the one-year anniversary of the Study Committee’s initial meeting date.

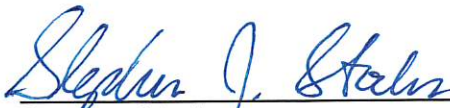
E. Scheduling Open Houses in 2020 for public education purposes

Chairperson Stocks suggested moving this matter of scheduling Open Houses to the January 31, 2020 meeting, along with the publicity campaign topic. Committee Members determined that the Committee would also review County Attorney comments and approve any additional necessary revisions during this meeting. Additionally, Committee Members agreed that revisiting and approving the Voter Information Pamphlet could be handled on January 31st.

Attorney Anderson reported that the full substance of the Optional Plan will need to be printed in the local newspaper of record closer to Election Day in 2020; he agreed to provide additional information on this requirement to the County Clerk/Auditor and County Council Administrator.

Adjournment

The meeting was adjourned at 5:18 p.m. on a motion by Marcy that was seconded by Jeramy and that carried 6-0.



Stephen Stocks
Chairperson



Marcy Till
Secretary