



Form of Government Recommendation Report Morgan County Proposition 17 Study Committee



OPTIONAL PLAN

1 July 2019
Morgan County Utah
Proposition 17
Forms of Government Study

Morgan County
48 West Young Street | P.O. Box 866 | Morgan, UT 84050



Table of Contents

Executive Summary	3
Why is Morgan County Changing its Form of Government?.....	3
Study Committee.....	3
Next Steps.....	3
Introduction	4
Purpose	4
Scope of Work.....	5
Proposed Form of Government (optional plan)	5
Membership	6
Terms of Office	6
At Large Elections.....	5
District Elections.....	6
Study Committee Considerations.....	7
Population.....	7
Size of Commission.....	8
Economic Impact.....	9
Feedback from Other Counties.....	11
Morgan County Public Officials Survey.....	11
Public Hearings.....	13
Evaluation Criteria.....	14
Scores and Ranking Rubric.....	16
Necessary and Advisable Provisions for the Effective Operation of Optional Plan.....	17
Administrative Agent.....	17
Commission Compensation.....	17
Morgan County Code Update.....	18
Morgan County Work Week.....	18
Transition Plan.....	18
Election of New Officers.....	18
Continuity of Existing Ordinances.....	19
Continuation of Pending Legislative, Administrative, or Judicial Proceedings	19
Preparation, Approval, and Adjustment of Necessary Budget Appropriations.....	19
Date Optional Plan Become Effective.....	19
Appendix A: Study Committee Signatures.....	21
Appendix B: Master Scoring Rubric.....	22

EXECUTIVE SUMMARY

The Study Committee offers the following “Optional Plan” for establishing an alternate form of government for Morgan County as provided in Section 17-52a-404. This plan proposes that the Morgan County Seven-Member County Council Form of Government system be retired and replaced with the a Five-Member Part-Time Expanded County Commission Optional Form of Government in accordance with Utah Code, Section 17-52a-202. Members of the Commission will be elected from three (3) districts and (2) two at large positions.

Why is Morgan County Changing its Form of Government?

In 2018, the Utah Legislature passed a law requiring counties to operate under one of four forms of government per the new statute. Morgan County’s current form of government does not comply with the 2018 statute; therefore, a change is required to one of four allowed forms of government.

Additional changes required by the statute include (not decided by the study committee):

- Partisan election
- Term limits may not be imposed
- Elected officers may not be subject to a recall election

Study Committee

In accordance with 17-52a-402, the form of government study committee consisted of seven members from the Morgan County community. The committee has studied all of the approved forms of government, gathered input from citizens and public officials, and held public hearings in order to make this recommendation.

Next Steps

The committee’s proposed plan is submitted to the current County Council and will be placed on the November 2019 ballot for citizens of Morgan County to accept or reject. If the proposed plan is not approved by voters, then Morgan County will default to a (3) Three-Member Commission Form of Government consistent with Utah State Statute. If the proposed (5) Five-Member, Part-Time, Expanded County Commission Optional Form of Government is approved, candidates will be eligible to run for office during the November 2020 elections.

INTRODUCTION

Morgan County currently operates under a seven-member council form of government. In 2018, H.B. 224 codified as Utah Code 17-52a-101 was enacted requiring a county to operate under a form of government authorized by statute. Morgan County currently has a grandfathered form of government considered by the State of Utah to be out of compliance based upon statutory changes, so it must now engage in a process to transition into a legally acceptable form of county government.

Utah Code 17-52a-101 states that each county shall operate under one of the following forms of county government:

- The county commission form under Section 17-52a-201;
- The expanded county commission form under section 17-52a-202
- The county executive and council form under Section 17-52a-203; or
- The council-manager form under Section 17-52a-204.

As a result, Proposition #17 was drafted and submitted to Morgan County voters in November of 2018 asking the following:

“Shall a study committee be appointed to consider and possibly recommend a change in the form of government of Morgan County?”

Morgan County voters subsequently approved Proposition #17. As a result, the Morgan County Council created a commission-initiated appointment council in accordance with the provisions identified in 17-52a-101 to select a seven-member change of government study committee. On January 2, 2019 a seven-member study committee was appointed under section 17-52a-401 and charged with the duties provided in Section 17-52a-403.

PURPOSE

The primary purpose of the study committee under 17-52a-403 shall:

- Study the form of government within the county and compare it with other forms available.
- Determine whether the administration of local government in the county could be strengthened, made more clearly responsive or accountable to the people, or significantly improved in the interest of economy and efficiency by a change in the form of county government.
- Hold public hearings and community forums and other means the community considers appropriate to disseminate information and stimulate public discussion of the committee’s purposes, progress and conclusions.

- File a written report of the committee’s findings and recommendations no later than one year after convening their first meeting.

SCOPE OF WORK

The current Morgan County Council is a sub-set organization within the overall larger Morgan County Government body. As a subset organization of the County, the Council is currently formed within Morgan County by a seven-member body elected from both Districts and At-Large general voter populous of Morgan County.

This document is designed to deliver a written plan proposing a new form of government for Morgan county. The proposed optional plan will identify council/commission membership, terms of office, whether newly elected officials will be chosen at-large or using district selection criteria, salaries, and a transition plan for the proposed new form of government. The transition plan will address the following:

- Continuity of existing ordinances.
- Continuation of pending legislative, administrative, or judicial proceedings.
- Interim and temporary appointments.
- Preparation, approval, and adjustment of necessary budget appropriations.
- Date proposed optional plan become effective.
- Necessary and advisable provisions for the effective operation of proposed plan.

The scope of this document is exclusively restricted within the proposed new form of Government for Morgan County. As the Morgan County governing body is a subset of the overall larger Morgan County Government organization, this document partially discusses other county departments. However, other county departments that may be included within this review extends only to the extent necessary to address the proposed new form of Government and its subsequent interaction and influence. As such, this document does not contain any review or opinion as to the internal operations of those departments. This study was performed in context of the acceptance of those agencies and organizations in an “as is state/condition” per Utah code.

This document has further been developed and prepared in accordance with Utah Code 17-52a-404 titled Contents of Proposed Optional Plan. It represents the written report of the findings and recommendations filed with the County Governing Body.

PROPOSED FORM OF GOVERNMENT

The Study Committee proposes that the Morgan County Seven-Member County Council Form of Government system be retired and replaced with the Expanded County Commission Optional Form of Government as follows in accordance with Section 17-52a-202:

- The County Commission shall have five (5) part-time members.
- The terms of office for County Commission member terms are to be staggered.
- Members of the County Commission are to be elected by a combination of at large and from districts according to 17-52a-404 (5) (ii) (c).
- Members of the County Commission that are to be elected from Districts are subject to the provisions of Subsection 17-52a-201.
- Members of the County Commission elected At-Large are subject to the provisions of Subsection 17-52a-201.

All other such elected and appointed officers, and elected officer employees, shall remain in their current organization and form.

Membership

No special qualifications are proposed for these elected positions outside of normal State of Utah code requirements for elected county office. In addition, no special residency requirements are necessary for these elected positions outside of normal State of Utah code requirements for at-large and districted-elected county office (i.e. the successful candidate must have residency within the district).

Terms of Office

The five-member Morgan County Expanded Commission Form of Government positions are to be filled consistent with standardized State of Utah election law for Districted-County and At-Large elected positions for (4) four-year terms. The election process will yield three (3) District Commission members during presidential general election years and two (2) At-Large Commission Members during non-presidential general election years.

At Large Elections

Two (2) members of the five-member Morgan County Expanded Commission Form of Government positions are to be filled in accordance with standardized State of Utah election law for At-Large County elected positions. These two At-Large positions will be elected during non-presidential general election years.

District Elections

Three (3) members of the five-member Morgan County Expanded Commission Form of Government positions are to be filled in accordance with standardized State of Utah election law for Districted elected positions. These three District positions will be elected during presidential general election years. Three new voting districts will be identified by the current Morgan Governing Body in partnership of the County Clerk.

STUDY COMMITTEE CONSIDERATIONS

This document further contains other variables considered by the overall Study Committee to help determine whether the administration of local government in the county could be strengthened, made more clearly responsive or accountable to the people, or significantly improved in the interest of economy and efficiency by a change in the form of county government. The following is a partial representation of the most important variables the committee considered in determining an appropriate form of government for Morgan County.

Population

Figure 1 shows Morgan County Utah's population currently estimated at 11,873 with a growth rate of 4.40% according to estimates based upon the most recent United States census data:

<http://worldpopulationreview.com/us-counties/ut/morgan-county-population/>

The most populated area in Morgan County is the incorporated municipality of Morgan City with an estimated population of 4,154 residents and unincorporated Mountain Green with an estimated population of 3,367.

Population size and future growth are critical components the committee carefully considered when determining the size and scope of an appropriate form of government. As a 4th class county, Morgan is small-to-medium sized compared to other counties within Utah. Out of 29 counties, Morgan ranks as the 19th largest county in Utah. With this in mind, the consensus determination by the committee was that Morgan did not require a large, comprehensive form of government seen in larger Utah counties.

Year	Population	Growth	Growth Rate
2017	11,873	500	4.40%
2016	11,373	343	3.11%
2015	11,030	440	4.15%
2014	10,590	384	3.76%
2013	10,206	403	4.11%
2012	9,803	151	1.56%
2011	9,652	131	1.38%

Figure 1. Morgan County population and growth

In addition, providing municipal services in unincorporated areas of the county is an important variable the committee considered. It stood to reason that large areas of unincorporated parts with significant populations require a more comprehensive form of government to provide those services without localized incorporated municipalities to provide such services.

The committee determined that the size of the population areas in unincorporated Morgan County was also not significant enough to require a large, comprehensive form of government that exists in larger Utah counties. Of primary concern with the committee was the debate about whether a county executive, appointed or elected, was necessary to help manage the day-to-day responsibilities given the possible need to meet the demands of unincorporated areas and the additional demands of future growth. After much deliberation and discussion by the committee, the final consensus was that neither future growth or current population size required a statutorily mandated form of government that would include a county executive, appointed or elected, was necessary. Rather, the decision to hire an administrative agent would be left up to the determination of the new commission without a statutory mandate.

Size of Commission

Since the committee determined that the size of the population in Morgan County did not warrant a large, comprehensive form of government, other considerations were used to help determine a precise membership size. The committee believed that deciding upon an optimal size of the county commission would make the difference between the strength and success of legislative decisions.

Although members of the study committee have much experience working on boards, groups, committees, and teams, they were interested in outside information and analysis regarding optimal group size as it relates to decision making success.

The committee reviewed an analysis provided by *Intuitor*, an organization dedicated to providing information for the new culture of creative learning and continuous improvement.

<http://www.intuitor.com/statistics/SmallGroups.html>

The analysis by *Intuitor* focused on decision making groups where there is a definite difference between selecting good and bad alternatives. Such groups have two key problems: The first is management of communication. The second is decision making accuracy.

“Generally having more people in a group increases the likelihood that someone will propose the correct decision. However, more people mean more opinions and ideas that have to be communicated and discussed. This makes management of the communication process more difficult and can end up reducing group effectiveness.”

The analysis further found that a group of five is the optimal size:

“Five takes advantage of the desirability of odd numbers for majority rules decisions. For the unanimous decision-making style, a group of five will have a 99% accuracy assuming 60% individual accuracies and that a single person with the right answer can convince the others. Even with only 50% individual accuracies the group accuracy will average 96.9%. Adding additional members will not greatly improve accuracy. However, additional members will significantly increase group management problems since the number of possible social interactions increases rapidly.”

Based upon this research and the professional experience of committee members, the committee unanimously decided that a five-member group would strengthen the decision-making process, make it more responsive and improve its efficiency, thereby best meeting the needs of Morgan County. A seven-member commission was also seriously considered by the committee.

Economic Impact

When evaluating the impact of a change in the form of government for Morgan County, the Committee held close the philosophy that a commitment must be made to help ensure taxpayer dollars are invested in a fiscally prudent manner. During such discussions regarding economic impact, the Committee was also convinced that residents of Morgan County hold that same commitment. As such, the final determination regarding which particular form of government would be fiscally prudent for Morgan County was of primary importance.

A critical component to a fiscally prudent form of government involved lengthy discussions about responsible and fair compensation for the proposed Morgan County Governing Body.

Based upon the current Morgan County Budget of approximately \$180,000, the Committee considered various scenarios for funding the different forms of government, including estimated pay scales for each member of the proposed Morgan County Governing Body.

It is the proposal of the Committee that the duly elected Morgan County Governing Body receive an annual, part-time compensation as follows:

- Commission Chair: \$22,500 annually / \$1,875 monthly
- Commission Vice-Chair: \$20,700 annually / \$1,725 monthly
- Commission Members: \$18,000 annually / \$1,500 monthly

It is also the preference of the Committee that the candidate pool continue to be ‘community service minded citizens’ who are not dependent upon a full-time County income, rather than ‘career-seeking’ individuals.

It is anticipated that the candidate pool for the County Commission will continue to be:

- Full-time or part-time employed citizens of diverse career fields

- Retired citizens with diverse career histories
- Talented homemakers
- Local business owners
- Civic minded citizens

Figure 2 illustrates various examples of the different forms of government considered by the Committee, including estimated pay scales for each. In selecting the Five Member Commission form of government, the Committee is projecting an overall savings of \$86,832 (\$191,808 current cost of Seven Member Council less \$104,976 estimated cost of Five Member Commission).

Duly elected County Commission Members shall be compensated a total annual stipend of \$18,000 per year. The Commission Chair shall be eligible for an additional 25% not to exceed \$22,500 total compensation. The Commission Vice Chair shall be eligible for an additional 15% not to exceed \$20,700 total compensation. Other than reimbursable expenses, all part-time members will not be eligible for benefits.

CURRENT PAY STRUCTURE				
	Individual Annual Salary	Monthly Salary	Total Council Pay	Total Estimated Cost to Morgan County
7 member council				
Chair	\$ 30,000	\$ 2,500	\$ 30,000	\$ 32,400
Vice Chair	27,600	2,300	27,600	29,808
Council Members x 5	24,000	2,000	120,000	129,600
			<u>\$ 177,600</u>	<u>\$ 191,808</u>

PROPOSED PAY STRUCTURE - COUNCIL + MANAGER				
	Individual Annual Salary	Monthly Salary	Total Council Pay	Total Cost to Morgan County
3 member part-time council + manager				
Chair	\$ 30,000	\$ 2,500	\$ 30,000	\$ 32,400
Vice Chair	27,600	2,300	27,600	29,808
Council Member	24,000	2,000	24,000	25,920
Manager	90,000	7,500	90,000	112,500
			<u>\$ 171,600</u>	<u>\$ 200,628</u>
5 member part-time council + manager				
Chair	\$ 24,000	\$ 2,000	\$ 24,000	\$ 25,920
Vice Chair	24,000	2,000	24,000	25,920
Council Member x 3	24,000	2,000	72,000	77,760
Manager	90,000	7,500	90,000	112,500
			<u>\$ 210,000</u>	<u>\$ 242,100</u>
7 member part-time council + manager				
Chair	\$ 12,000	\$ 1,000	\$ 12,000	\$ 12,960
Vice Chair	12,000	1,000	12,000	12,960
Council Member x 5	12,000	1,000	60,000	64,800
Manager	90,000	7,500	90,000	112,500
			<u>\$ 174,000</u>	<u>\$ 203,220</u>

PROPOSED PAY STRUCTURE - COMMISSION				
	Individual Annual Salary	Monthly Salary	Total Commission Pay	Total Cost to Morgan County
3 member full-time commission				
Chair	\$ 75,000	\$ 6,250	\$ 75,000	\$ 93,750
Vice Chair	75,000	6,250	75,000	93,750
Commissioner	75,000	6,250	75,000	93,750
Manager				
			<u>\$ 225,000</u>	<u>\$ 281,250</u>
5 member part-time commission				
Chair	\$ 22,500	\$ 1,875	\$ 22,500	\$ 24,300
Vice Chair	20,700	1,725	20,700	22,356
Commissioner x 3	18,000	1,500	54,000	58,320
Manager				
			<u>\$ 97,200</u>	<u>\$ 104,976</u>
7 member part-time commission				
Chair	\$ 22,500	\$ 1,875	\$ 22,500	\$ 24,300
Vice Chair	20,700	1,725	20,700	22,356
Commissioner x 5	18,000	1,500	90,000	97,200
Manager				
			<u>\$ 133,200</u>	<u>\$ 143,856</u>

- Notes
1. Estimated benefits/payroll taxes as a percentage of wages: 25%
 2. Payroll tax cost to county: 8%
 3. No benefits assumed for council members or 5/7 member commission

Figure 2. Estimated pay scales

With the projected overall savings of \$86,832, the committee agreed it is important to allow the new County Commission to determine if a need for administrative support exists. If such a determination is made, it is the advice of the committee that an administrative agent be hired at the discretion of the new County Commission with appropriate job duties and responsibilities identified and subsequently delegated to a new position for the county.

Feedback from Other Counties

Various counties throughout Utah have engaged in the process of changing their form of government. Some have completed the process, some are in transition, and others are currently involved in the study process. With this in mind, the Morgan County Study Committee sought input from some of these counties to try and ascertain what worked well based upon the change, what process of analysis was used to help come to an appropriate decision, and how might the Morgan Study Committee incorporate the best practices of other county's processes.

Three members of the Tooele County Study Committee agreed to meet with the Morgan Study Committee in Morgan, Utah on January 30th 2019 to share their experience and answer questions. Much of what Tooele's study committee shared during their formal presentation of their process served as valuable information that served to help the Morgan County Study Committee make its final recommendation to Morgan voters.

In addition, discussion with county officials, employees, and former study committee members from Summit and Wasatch County provided the Committee with a wealth of information and facts relevant to this study. It became quickly evident that many of these other counties had pondered over the same questions this committee had...they were not unique in the sense of the particular dynamics that led them to make many of their own decisions.

Morgan County Public Official Survey

The Committee felt it was important to get feedback from current Morgan County Elected officials. As a result, a survey was put together and anonymously sent to Morgan County Elected officials utilizing the online service, SurveyMonkey[®] to gather input on the functioning of the current Morgan County Council. Survey questions were designed to elicit specific feedback involving the process of decision making and what criteria should be considered for the new proposed form of government.

The survey was sent to all elected officials in Morgan County, and two additional reminders were sent to individuals who had not responded previously. Six participants responded to the survey over a period of four weeks.

The results of the survey reflected a wide variation in participant views regarding several Morgan County issues. However, there were many universal themes that most respondents shared. Those universal themes include:

Morgan County Proposition 17 Form of Government Recommendation Report

- Fair representation for all of Morgan County
- The importance of citizen involvement
- The need for administrative support to help streamline processes
- Realistic expectations of those elected to office
- Cost to the taxpayers

The following include excerpts of survey questions and subsequent responses:

- What have you seen that works well with the current form of county government?
 - “Representation from all areas of the county”
 - “More voices can be heard and be involved”
 - “Works well as long as you keep it professional”
- What have you seen that does not work well with the current form of county government?
 - “Too many people, everything takes way longer than it needs to and things are overly complicated”
 - “Lack of time.... There is not an active administrative or executive branch. Who actually makes sure it happens? No one.”
 - “Many departments report to different members of the council”
 - “Too many voices can dilute the effectiveness and efficiency that a smaller council could provide”
- How long does it take to get a decision made?
 - “Depends upon the political environment. ... The politics – no form of government will change that”
 - “... decision can be made by a department head, it is usually quick”
- Can this process be improved? How?
 - “smaller number of elected officials”
 - “having an administrator could help streamline the process”
 - “...make sure you put the best people in the positions”
 - “...cut down the discussion”
- What form of Government do you believe would be most effective for Morgan County? Why?
 - “Current form meets our needs.... Recommend a five-member manager or executive form of government”
 - “Five-member commission”
 - “The only form of that will work, is one where the public stays actively involved. PERIOD!”

- What do you think are the five most important criteria in choosing a form of government for Morgan?
 - “Fair representation “
 - “Clearly defined descriptions of responsibilities of an administrator and council members should be outline in the new form of government”
 - “Cost of taxpayers”
 - “Time commitments required by those who hold office”
 - “Citizen input”

Public Hearings

The Committee held two public hearings in order to actively solicit public input on March 12th and 13th, 2019 at Mountain Green Elementary and Morgan County council room, respectively. The meetings were highlighted in an article in the Morgan County News and on Facebook in several forums in order to engage as many Morgan County residents as possible. In addition, the meetings were streamed on Facebook Live.

Greg Richens, Chair of the Committee, explained the four options for form of government that the Committee can choose from at the beginning of each public hearing.

March 12th 2019 Mountain Green Elementary Public Hearing Notes:

- 10 residents attended in addition to the Committee members
- No on three-member commission
- No on At Large commissioners, all positions by District
- 5 to 7 members on council/commission
- Elected Mayor position
- 2 or 3 can members can control the commission, regardless of size
- No more than 5 members
- All At Large, all members accountable to entire County
- Have faith in parties to spread representation
- Commissioners know and run the county
- Hybrid of At Large and Districts
- Questioned the ability to have a qualified person as an elected mayor
- Part time administrator that is qualified
- 15 people would report to a County manager if there was one
- If dramatic increase in cost then taxpayers will vote it down
- Manager/Executive too much power
- Value in having part time commissioners that come from diverse backgrounds

March 13th 2019 Morgan County Offices Public Hearing Notes:

- Over 20 people attended the Morgan Public Hearing
- Hire right people for County government

- At Partisan level would only be able to vote for district
- Combination of At Large and Districts
- Discussion of city provided services versus County
- Manager increase accountability and responsibility for services provided
- What versus How between policy versus action
- Commission form more accountable
- Council with manager can create disconnect with Council only doing what manager tells them
- Current Council compensation based upon additional administrative duties and no administrator
- Keep districts same as school board districts
- Future population should not be a consideration
- Majority of commenters wanted part time council with manager and a combination of Districts and At Large

In addition to these public hearings, members of the Committee contacted county citizens, employees, elected officials, and former elected officials to prompt more feedback. All of this feedback was very helpful in contributing to the Committee's pool of resource information from which various conclusions were drawn.

EVALUATION CRITERIA

The primary purpose of the study committee was to determine whether the administration of local government in the county could be strengthened, made more clearly responsive or accountable to the people, or significantly improved in the interest of economy and efficiency by a change in the form of county government. In good faith, the study committee committed to do their due diligence to effectuate these priorities. Such a purpose required the study committee to come up with a set of evaluation criteria to help meet these objectives.

The following criteria was identified and discussed at length by the committee. These criteria held significant value as committee members evaluated and ranked the twenty-one (21) possible forms of government allowed by state statute:

1 - Accountability to the people:

- 1) How will unincorporated and incorporated areas be managed with districts or at large positions?
- 2) Which system is the most conducive to transparency?
- 3) Which system creates the most opportunity for input before making decisions?
- 4) If an elected official isn't performing or has done something illegal, what actions could be taken under the various systems?

2 - Balance of representation or power for various areas of the county:

- 1) What are the advantages and disadvantages of districting with regards to balancing power?
- 2) What are the advantages and disadvantages of at large representation with regards to balancing power?
- 3) What are the advantages and disadvantages of a district/at large mixture?
- 4) How do districts affect election dates and patterns?
- 5) How do districts affect voter turnout?
- 6) How do at large elections affect dates and patterns?
- 7) How do at large elections affect voter turnout?
- 8) How could lesser populated areas be assured they have a say?

3 - Economic Impact:

- 1) Which system carries the greatest implemented administrative cost? (Maximum Potential Cost)
- 2) Which system carries the greatest projected administrative cost?
- 3) Which system carries the greatest implemented cost overall?
- 4) Which system carries the greatest projected cost overall?
- 5) How could the effectiveness of the system create a better overall economic situation?

4 – Efficiency:

- 1) How do the various systems effect the speed of decision making?
- 2) What kind of legislative decisions need to be made in a timely manner?
- 3) What kind of legislative decisions require more time than normal?
- 4) How is each system effective in balancing efficiency legislatively?
- 5) Which system is most effective in allowing for gathering data and resources for sound legislative decision making?
- 6) What kind of executive decisions need to be made in a timely manner?
- 7) What kind of executive decisions require more time than normal?
- 8) How is each system effective in balancing efficiency executively?
- 9) Which system is most effective in allowing for gathering data and resources for sound executive decision making?

5 - Ability to fill positions with qualified candidates:

- 1) How can part time/full time considerations effect the volume of candidates?
- 2) How can part time/full time considerations effect the level of experience the positions attract?
- 3) What are the pros/cons of elected positions?
- 4) What are the pros/cons of council appointed positions?
- 5) How does salary level affect/not affect the volume of candidates?

- 6) How does salary level affect/not affect the level of experience of candidates?
- 7) What is the typical longevity of officials or executive managers in the various forms?

6 – Separation of Powers:

- 1) How are powers balanced across all elected leadership?
- 2) For each system, what is the level of power each elected position has over departments, and how would it fit our county?
- 3) Where would checks and balances or oversight be present, and where would they not?
- 4) Management of employees?

Scores and Ranking Rubric

A comprehensive rubric was created to display the ranking of each of the twenty-one (21) possible forms of government rated by the study committee according to the established criteria. Figure 3 represents the initial, aggregated scores and ranking by study committee members:

	Score	Rank
COUNTY COMMISSION (3 members) full-time	195	17
COUNTY COMMISSION (5 members) full-time	230	10
COUNTY COMMISSION (5 members) part-time	256	2
COUNTY COMMISSION (7 members) full-time	215	13
COUNTY COMMISSION (7 members) part-time	248	5
COUNTY COUNCIL - ELECTED EXECUTOR (3 members) full-time	223	11
COUNTY COUNCIL - ELECTED EXECUTOR (3 members) part-time	240	7
COUNTY COUNCIL - ELECTED EXECUTOR (5) members) full-time	237	8
COUNTY COUNCIL - ELECTED EXECUTOR (5) members) part-time	251	3
COUNTY COUNCIL - ELECTED EXECUTOR (7) members) full-time	222	12
COUNTY COUNCIL - ELECTED EXECUTOR (7) members) part-time	232	9
COUNTY COUNCIL - ELECTED EXECUTOR (9) members) full-time	199	16
COUNTY COUNCIL - ELECTED EXECUTOR (9) members) part-time	210	15
COUNTY COUNCIL - APPOINTED MANAGER (3) members) full-time	237	8
COUNTY COUNCIL - APPOINTED MANAGER (3) members) part-time	243	6
COUNTY COUNCIL - APPOINTED MANAGER (5) members) full-time	249	4
COUNTY COUNCIL - APPOINTED MANAGER (5) members) part-time	268	1
COUNTY COUNCIL - APPOINTED MANAGER (7) members) full-time	230	10
COUNTY COUNCIL - APPOINTED MANAGER (7) members) part-time	249	4
COUNTY COUNCIL - APPOINTED MANAGER (9) members) full-time	211	14
COUNTY COUNCIL - APPOINTED MANAGER (9) members) part-time	211	14

Figure 3. Comprehensive rating and ranking scoring rubric

The top five ranked forms of government were selected with the study committee spending time discussing, debating, and finally selecting the proposed form of government outlined in this optional plan. The final decision was not unanimous, but rather determined by a consensus vote by the committee.

NECESSARY AND ADVISABLE PROVISIONS FOR THE EFFECTIVE OPERATION OF OPTIONAL PLAN

This document further contains necessary and advisable provisions for the effective operation of the Optional Plan. However, these outlined provisions are not intended for ballot. While the core form of Government recommendation provided within this report addresses the State of Utah Code minimum required Optional Plan recommendations, the following advisable provisions are provided for in response to the Committee's task for determining whether the administration of local government in the county can be strengthened, made more clearly responsive or accountable to the people, or significantly improved in the interest of economy and efficiency. As such, these recommendations are not mandated requirements for the application of the core recommendation within this document. Nevertheless, the Study Committee asks that unless proven non-compliant with State of Utah Code, every possible measure be used to incorporate the following advisable provisions individually.

Administrative Agent

A primary concern with the committee involved whether or not a new form of government for Morgan County should include a statutory mandate for a manager under Section 17-52a-204 or an elected executive under Section 17-52a-203. Much of what the committee considered was whether there was a genuine need for an administrative agent or executive manager to help with the day-to-day responsibilities and demands of county government.

After much deliberation and discussion by the committee, the majority consensus was that there may indeed be a need for such administrative support. However, the committee determined through a compromised decision that a statutorily mandated county executive, appointed or elected, should not be imposed on the new County Commission.

If so determined, it is envisioned and recommended by the committee that a portion of the ~\$86k/year saving provided by the change in the form of government be allocated and invested into an administrative agent.

Commission Compensation

Until such time the Morgan County Governing Body deems appropriate to change compensation based upon economic capacity while still honoring fiscal prudence, it is the recommendation of the Study Committee that duly elected County Commission Members shall continue to be compensated a total annual stipend not to exceed \$18,000 per year total compensation. The Commission Chair shall continue to be eligible for an additional 25% not to exceed \$22,500 total compensation. The Commission Vice Chair shall continue to be eligible for an additional 15% not to exceed \$20,700 total compensation. Other than reimbursable expenses, part-time members will not be eligible for benefits.

Morgan County Code Update

At the successful completion of election process, it will be necessary to revise/develop new county statute/code that transfers legislative and executive power from the existing seven-member council to the five-Member Expanded Commission Form of Government. The timing of this transfer shall not be phased between types of powers transferred.

Additionally, we request that the Morgan County Code be updated and modified to the recommendations within this report that are compliant with State of Utah Code and not compliant with Morgan County Code.

Morgan County Work Week

As a final advisable provision, the Study Committee recommends that every possible measure be used to ensure that Morgan County government is accessible and open to citizens at least five (5) days a week. Bringing government to local citizens is a critical component to building trust if we are to build better communities. The Committee believes open government and accessibility is something Morgan County employees should recognize as integral to their job as public servants.

TRANSITION PLAN

Detailed provisions relating to the transition from the existing form of county government to the form proposed in the optional plan, including provisions relating to the:

1. Election or appointment of officers specified in the optional plan for the new form of county government;
2. Continuity of existing ordinances and regulations;
3. Continuation of pending legislative, administrative, or judicial proceedings;
4. Making of interim and temporary appointments; and
5. Preparation, approval, and adjustment of necessary budget appropriations;

Election of New Officers

Elections will take place on November 3, 2020 concurrently with the Utah Gubernatorial and the 2020 U.S. presidential election, as well as elections to the United States Senate and elections to the United States House of Representatives and various other state and local elections.

The five-member Morgan County Commission positions are to be filled in accordance with standardized State of Utah election law for Districted and A-Large County elected positions. The election process will yield three (3) District Commission positions during presidential general election years and two (2) at-large Commission positions during non-presidential

general election years. All other such elected officers, and elected officer employees shall remain in their current organizational form.

For purposes of transition to the new Expanded County Commission Optional Form of Government for Morgan County, all five Commission member positions will be elected on November 3, 2020. In order to effectuate subsequent staggered elections, the initial election will yield three (3) District Commission positions for full 4-year terms and two (2) At-Large Commission positions for 2-year terms. At the end of a 2-year term, elections for the two (2) At-Large Commission positions will revert to the standard 4-year terms elected during non-presidential general election years.

The Committee believes that staggered elections lend continuity and help to preserve stability. Replacing an entire Commission at one time can be disruptive to the Commission and its important operations. Additionally, institutional memory may be lost when an entire Commission is replaced at one time. The execution of this action will also ensure there is no subsequent interim vacancy period within the County Governing Body.

Continuity of Existing Ordinances

There shall be no interruption of existing ordinances and executive process. This shall include all certifiable contracts entered into by the county prior to Form of Government transfer. Ordinances and Regulations may be reviewed and assessed for revision by the five-Member Commission.

Continuation of Pending Legislative, Administrative, or Judicial Proceedings

There shall be no interruption of existing legislative, administrative and judicial process without a full and complete review that includes the input of all elected and appointed department heads affected. At a minimum this shall include County Attorney review. This shall include all certifiable contracts entered into by the county prior to Form of Government transfer.

Preparation, Approval, and Adjustment of Necessary Budget Appropriations

At the successful completion of election process, it will be necessary to revise/develop new county statute/code that transfers both legislative and executive power from the existing Seven-Member Council to the Five-Member Expanded County Commission Form of Government. The timing of this transfer shall not be phased between types of powers transferred.

DATE OPTIONAL PLAN BECOMES EFFECTIVE

Commencing on 1 January 2021 at 00:00:01 am MST, the current Morgan County Governing Body of a Seven-Member County Council will cease to exist and the Five-Member Expanded County Commission Form of Government will commence operations and receive full County

Legislative and Executive authority. After this demarcation point in time, all county executive and legislative powers shall be vested in the Five-Member Morgan County Commission and the commission shall thereafter be referred to “The Morgan County Governing Body.” This transfer of power shall be documented in the form of County law.

For the sake of prudence, the code/statute or law, need not be written and published at midnight on 31 December 2021. Prudence will empower the current Seven-Member Council to develop, document, publish and pass transfer of powers code citing date of transfer, prior to 31 December 2021. As such there shall be no interruption in the transition of Legislative and Executive power to the Five-Member Expanded County Commission. The execution of this action will also ensure there is no interim vacancy period within the County Governing Body.

Appendix A

Study Committee Approval Signatures

_____ Elizabeth A. Nielson	_____ Date	_____ Richard T. London	_____ Date
_____ David Durrant	_____ Date	_____ Brandon Olsen	_____ Date
_____ Devin Miller	_____ Date	_____ Alan W. Brooks	_____ Date
_____ Greg P. Richens, Committee Chair		_____ Date	

Appendix B

Scoring Rubric								
COUNTY COMMISSION (5) part-time	Member #1 1-10	Member #2 1-10	Member #3 1-10	Member #4 1-10	Member #5 1-10	Member #6 1-10	Member #7 1-10	Score
Accountability	4	6	4	7	4	7	7	39
Balance of Representation	9	8	6	7	3	8	8	49
Economic Impact	7	8	7	9	9	9	9	58
Efficiency	3	6	3	6	7	7	7	39
Ability to fill qualified positions	9	6	8	7	8	7	7	52
Separation of powers (leg/exec)	5	2	6	1	1	2	2	19
-								256
-								Total