

**PROPOSED OPTIONAL PLAN
TO ADOPT A COUNCIL-MANAGER FORM OF GOVERNMENT
FOR UINTAH COUNTY, UTAH**

Pursuant to Utah Code Ann. §§ 17-62-303, 17-62-403, and 17-62-404

**ARTICLE 1
TITLE, AUTHORITY, AND PURPOSE**

1.1 Title.

This document shall be known as the “Proposed Optional Plan to Adopt a Council-Manager Form of Government for Uintah County, Utah” or, throughout this document, as simply the “Proposed Optional Plan.”

1.2 Authority.

This Proposed Optional Plan is proposed pursuant to Utah Code Ann. §§ 17-62-303, 17-62-403, and 17-62-404.

1.3 Purpose.

The purpose of this Proposed Optional Plan is to change the form of county government in Uintah County from its existing form to the council-manager form authorized by Utah Code Ann. § 17-62-204.

1.4 Effective Date.

If adopted by the voters, the Proposed Optional Plan shall become effective on the first day of January following the election of County Council members under the new plan (i.e., January 1, 2029).

**ARTICLE 2
FORM OF GOVERNMENT**

2.1 New Form of Government.

Upon approval by the voters of Uintah County, Uintah County shall operate under the council-manager form of government under Utah Code Ann. § 17-62-204, with a county council serving as the county legislative body and a county manager serving in the executive administrative role as provided by Utah law and this Proposed Optional Plan.

2.2 Existing Form Superseded.

Upon the effective date of this Proposed Optional Plan, the county’s prior form of government shall be superseded to the extent provided herein and as otherwise required by Utah law.

ARTICLE 3 COUNTY COUNCIL

3.1 Legislative Body.

The county legislative body shall be the Uintah County Council (the “**County Council**”).

3.2 Number of Council Members.

The County Council shall consist of five members.

3.3 Method of Election.

County Council members shall be elected from single-member districts. Each council member shall represent only the district in which such member resides and be elected by a majority vote of the voters residing within the district. It is recommended that the five district boundaries initially be the same as the Uintah School District school board districts; however, nothing in this document shall be construed as an attempt establish, divide, abolish, alter, change, or otherwise attempt to draw boundaries of election districts or impair the duties of the county legislative body as described in Utah Code Ann. § 17-62-503. County Council member elections shall be partisan.

3.4 Qualifications.

Each County Council member shall meet the qualifications required by Utah law, including that the council member shall reside in the district the member represents.

3.5 Terms of Office.

County Council members shall serve four-year terms except as described in section 3.6 below.

3.6 Staggering of Terms.

The terms of office for County Council members shall be staggered. To effectuate this, the initial terms for council members elected to represent Districts 1 and 2 shall be two years, and the initial terms for council members elected to represent Districts 3, 4, and 5 shall be four years, such that two council members' terms expire two years before the remaining three. Thereafter, all terms shall be four years and shall commence at noon on the first Monday in January following the respective election.

3.7 Vacancies.

A vacancy on the County Council shall be filled in accordance with Utah law, including Utah Code Ann. § 20A-1-508.

3.8 Powers of the County Council.

The County Council shall exercise the legislative powers of the county and any other powers conferred by Utah law upon the legislative body of a county operating under the council-manager form of government.

3.9 County Council Chair.

The County Council shall elect one of its members to serve as Chair, whose duties shall be to preside at meetings, execute documents on behalf of the county, and serve as the ceremonial head of the county government. The Chair shall not exercise independent authority.

3.10 Council-Manager Relations; Prohibited Conduct.

- (a) **Separation of Functions.** The County Council shall exercise legislative authority and shall not interfere with the administrative functions of the county manager except as permitted by law.
- (b) **Prohibited Conduct.** Except as otherwise permitted by law, an individual member of the County Council may not, directly or indirectly, by suggestion or otherwise:
 - (i) attempt to influence or coerce the county manager in:
 - (A) making any appointment;
 - (B) removing any officer or employee; or
 - (C) purchasing supplies;
 - (ii) attempt to exact any promise relative to any appointment from any candidate for county manager; or
 - (iii) discuss, directly or indirectly, with the county manager the matter of specific appointments to any county office or employment.
- (c) **Permitted Communications.** Nothing in this Section prohibits the County Council, or any member thereof, from fully and freely discussing with or making general recommendations to the county manager regarding county affairs or the interests of the county, provided that such communications do not address specific personnel decisions in violation of this section.
- (d) **Enforcement.** A violation of this section shall be governed by applicable Utah law, including provisions requiring forfeiture of office where applicable.
- (e) **Implementation.** The County Council may adopt ordinances, policies, or procedures consistent with this section and Utah law to:
 - (i) provide for the receipt and review of complaints alleging a violation;
 - (ii) provide for investigation by the county attorney or other appropriate authority; and
 - (iii) ensure notice and an opportunity to be heard before any determination of a violation.
- (f) **Advisory Guidance.** A member of the County Council or the county manager may request guidance from the county attorney regarding compliance with this section.

ARTICLE 4 COUNTY MANAGER

4.1 County Manager Office Established.

The office of the county manager for Uintah County shall be established.

4.2 Appointment.

Subject to Utah Code Ann. § 17-62-204(7) and (8), the county manager shall be appointed by the majority vote of the County Council.

4.3 Role of County Manager.

The county manager shall serve as the chief administrative officer of the county and shall exercise those administrative and executive duties assigned by Utah law, this Proposed Optional Plan, and ordinances lawfully adopted by the County Council, except the county manager may not veto ordinances enacted by the County Council.

4.4 Qualifications of County Manager.

The county manager shall possess the qualifications required by Utah law and any additional qualifications established by ordinance, resolution, or lawful hiring process of the County Council. Appointment shall be based solely on professional administrative qualifications. The county manager need not be a resident of the county at the time of appointment but must reside within the county within a reasonable time after appointment (as determined by the County Council).

4.5 Term of Office and Compensation.

The county manager shall serve at the pleasure of the County Council and have no fixed term. Compensation shall be set by the County Council by ordinance or resolution.

4.6 Removal.

The county manager may be removed by a majority vote of the County Council at any time, with or without cause, after reasonable notice and an opportunity to be heard (if requested).

4.7 Political Activity of County Manager.

The county manager may not take part in securing or contributing any money toward the nomination or election of any candidate for a county office.

ARTICLE 5 OTHER COUNTY OFFICERS

5.1 Elected Officers.

The county officers who are required by Utah law to be elected shall continue to be elected unless changed by lawful authority consistent with this Proposed Optional Plan and Utah law.

5.2 Appointed Officers and Employees.

County departments, officers, employees, and administrative functions shall continue except as lawfully modified during implementation of this Proposed Optional Plan.

5.3 Continuation Pending Transition.

Until modified pursuant to law or this Proposed Optional Plan, all county officers, employees, departments, boards, and functions existing on the effective date of this Proposed Optional Plan shall continue in existence to the extent necessary to ensure continuity of county government.

ARTICLE 6 TRANSITION PROVISIONS

6.1 Initial Election of County Council Members.

The initial election of County Council members under this Proposed Optional Plan shall occur during the 2028 general election in accordance with this Proposed Optional Plan and state statute. The ballot, candidate filing process, and election administration shall be conducted in accordance with applicable Utah election law. Following the election and qualification of the initial County Council members, the County Council may begin to meet, organize, and begin exercising its authority as provided by law as soon as noon on the first Monday in January following the respective election (i.e., January 1, 2029).

6.2 Initial Appointment of County Manager.

As soon as reasonably practicable after the initial County Council is seated, the County Council shall appoint a county manager in accordance with Utah law and this Proposed Optional Plan.

6.3 Retention, Elimination, or Combination of Existing Offices.

The following existing offices shall be retained: all county offices as presently constituted on the effective date of this Proposed Optional Plan. The following offices shall be eliminated or combined, effective as of the effective date of this Proposed Optional Plan: the offices of county commissioner. If any office is eliminated, the duties of that office shall be performed by the County Council, to the extent consistent with Utah law and the council-manager form of government.

6.4 Continuity of Ordinances and Regulations.

All county ordinances, rules, regulations, policies, and resolutions in effect on the effective date of this Proposed Optional Plan shall remain in effect unless and until amended or repealed by lawful authority.

6.5 Continuation of Pending Proceedings.

All pending legislative, administrative, judicial, and other governmental proceedings shall continue notwithstanding adoption of this Proposed Optional Plan, and no such proceeding shall abate solely because of the adoption or implementation of this Proposed Optional Plan.

6.6 Interim and Temporary Appointments.

Interim and temporary appointments may be made as necessary and as authorized by law to ensure the uninterrupted operation of county government during the transition to the council-manager form of government.

6.7 Property, Records, and Personnel.

All county property, records, equipment, funds, obligations, and personnel shall continue under county ownership, custody, or control, subject to lawful reassignment, transfer, or administration during implementation of this Proposed Optional Plan.

6.8 Budget and Fiscal Transition.

Any appropriations, transfers, budget amendments, or other fiscal actions reasonably necessary to implement this Proposed Optional Plan may be made as provided by law.

6.9 Budget Responsibilities Under the New Form of Government.

Under the council-manager form of government: (a) the county manager, as the chief administrative officer of the county, shall prepare and present a proposed budget to the county council in the manner required by law, and may designate county staff to assist in or carry out this function; and (b) the County Council shall adopt the final budget as required by law.

ARTICLE 7 IMPLEMENTATION

7.1 Implementation by Ordinance or Resolution.

The county may adopt ordinances, resolutions, and administrative measures consistent with this Proposed Optional Plan and Utah law to carry out and implement this Proposed Optional Plan.

7.2 Severability.

If any provision of this Proposed Optional Plan is held invalid, the remaining provisions shall remain effective to the fullest extent permitted by law.

7.3 Construction.

This Proposed Optional Plan shall be construed to comply with the Utah Constitution and Utah Code. Any provision determined to conflict with controlling law shall be interpreted, modified by lawful implementation, or severed to preserve the remainder of this Proposed Optional Plan to the fullest extent permitted by law.

ARTICLE 8 SUBMISSION TO THE VOTERS

8.1 Election.

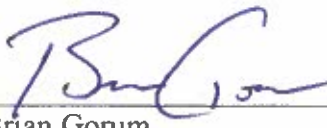
Upon certification of the petition and satisfaction of statutory review requirements, the question of whether Uintah County shall adopt this Proposed Optional Plan shall be submitted to the voters as provided by law.

DATED this 20th day of April, 2026.

SPONSORS:



Anna Billings



Brian Gorum



Dan Dilsaver



Jo Gardner



Nolan Jackson

RECEIVED
APR 20 2026
UINTAH COUNTY
CLERK-AUDITOR