

**TOOELE COUNTY
ORDINANCE 2021-45**

**AN ORDINANCE AMENDING CHAPTER 11, CAREER SERVICE
COUNCIL, OF TITLE 4, BOARDS AND COMMITTEES, OF THE
TOOELE COUNTY CODE**

WHEREAS, Tooele County has historically been governed by a Board of County Commissioners under the county commission form of government; and

WHEREAS, a majority of Tooele County voters who voted in the 2018 general election voted to change the form of Tooele County government from the county commission form of government to the council-manager form of government; and

WHEREAS, the change to the council-manager form of government occurred on January 1, 2021; and

WHEREAS, certain provisions of existing Title 4, Chapter 11 became obsolete on that same date; and

WHEREAS, other changes are required to bring Title 4, Chapter 11 into harmony with state statute;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I – CHAPTER AMENDED. Chapter 11, *Career Service Council*, of Title 4, *Boards and Committees*, of the Tooele County Code is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

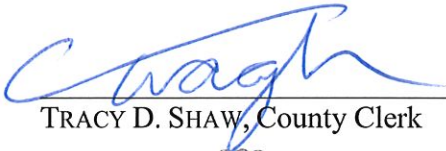
SECTION II – REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION III – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

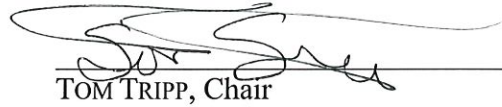
IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 19th day of October, 2021.

ATTEST:

TOOELE COUNTY COUNCIL:



TRACY D. SHAW, County Clerk



TOM TRIPP, Chair



Council Member Hamner voted aye
Council Member Hoffmann voted aye
Council Member Thomas voted aye
Council Member Tripp voted aye
Council Member Wardle voted aye

APPROVED AS TO FORM:

 10/25/2021

COLIN R. WINCHESTER
Deputy Tooele County Attorney

TOOELE COUNTY CODE
TITLE 4
BOARDS AND COMMITTEES

CHAPTER 11
CAREER SERVICE COUNCIL

Section

4-11-1. Establishment of council.

4-11-2. Membership.

4-11-3. Term.

4-11-4. Removal from office.

4-11-5. Chair and quorum.

4-11-6. Duties.

4-11-7. Subpoena powers.

4-11-8. Compensation.

4-11-1. Establishment of council.

There is hereby established a career service council.

4-11-2. Membership.

- (1) The career service council shall consist of three members.
- (2) Members shall be appointed by the manager.
- (3) No more than two members may be registered members of the same political party.
- (4) Members shall be United States citizens and shall be actual and bona fide residents of the state of Utah and the county for a period of not less than one year preceding the date of appointment.
- (5) Members may not hold another government office or be employed by the county.

4-11-3. Term.

Members shall serve staggered three year terms. Terms expire on June 30.

4-11-4. Removal from office.

A member of the career service council may be removed by the manager for cause, after having been given a copy of the charges against him or her and an opportunity to be heard publicly on the charges before the county council.

4-11-5. Chair and quorum.

The career service council shall elect one of its members as chair. Two or more members shall constitute a quorum.

4-11-6. Duties.

The career service council shall have and exercise the powers and authority provided by state law.

4-11-7. Subpoena powers.

The career service council shall have subpoena power to compel attendance of witnesses, and to authorize witness fees where it deems appropriate, to be paid at the same rate as in justice court.

4-11-8. Compensation.

Members shall receive compensation at the rate of \$100 per day for each day or part thereof they are in session.

**TOOELE COUNTY CODE
TITLE 4
BOARD AND COMMITTEES**

**CHAPTER 11
CAREER SERVICE COUNCIL**

Section

- 4-11-1. Establishment of council.**
- 4-11-2. ~~Citizenship and residency.~~ Membership.**
- 4-11-3. Term.**
- 4-11-4. Removal from office.**
- 4-11-5. Chair and quorum.**
- 4-11-6. Duties.**
- 4-11-7. Subpoena powers.**
- 4-11-8. Compensation.**

4-11-1. Establishment of council.

~~There is hereby created a career service council to serve the Tooele County merit system. The council shall be composed of three bipartisan members appointed by the Tooele County Commission. Members of the council shall be persons in sympathy with the application of merit principles to public employment. There is hereby established a career service council.~~

4-11-2. ~~Citizenship and residency.~~ Membership.

~~(1) Members of the career service council shall be United States citizens and shall be actual and bona fide residents of the state of Utah and Tooele County for a period of not less than one year preceding the date of appointment.~~

~~(2) A member of the council may not hold another government office or be employed by the county. Members of the career service council may not be employed by the county.~~

(1) The career service council shall consist of three members.

(2) Members shall be appointed by the manager.

(3) No more than two members may be registered members of the same political party.

(4) Members shall be United States citizens and shall be actual and bona fide residents of the state of Utah and the county for a period of not less than one year preceding the date of appointment.

(5) Members may not hold another government office or be employed by the county.

4-11-3. Term.

~~Each career service council member shall serve a term of three years to expire on June 30, three years after the date of his or her appointment, except that original appointees shall have staggered terms of one, two and three years. Successors of original council members shall be chosen for three year terms. An appointment to fill a vacancy on the council shall be for only the unexpired term of the appointee's successor. Each member of the board shall hold office until his~~

~~successor is appointed and confirmed.~~ Members shall serve staggered three year terms. Terms expire on June 30.

4-11-4. Removal from office.

A member of the career service council may be removed by the ~~county commission manager~~ for cause, after having been given a copy of the charges against him or her and an opportunity to be heard publicly on the charges before the county ~~commission council~~.

4-11-5. Chair and quorum.

The career service council shall elect one of its members as chair~~person~~. Two or more members ~~of the council~~ shall constitute a quorum ~~necessary for carrying on the business and activity of the council~~.

4-11-6. Duties.

The career service council shall:

~~(1) — hear appeals not resolved at lower levels in the cases of regarding concerns by merit employees suspended, transferred, demoted or dismissed as well in the cases of other grievancees not resolved by the grievance procedure at the division or departmental level;~~

~~(2) — review written appeals in cases of applicants rejected for examination;~~

~~(3) — report final binding appeals decisions in writing to the Tooele County Commission, however, a right of appeal to the district court under the provisions of the Utah Rules of Civil Procedure shall not be abridged; and~~

~~(4) — advertise and recruit for the director of the office of personnel management in the same manner as for merit positions and:~~

~~(a) — select three names from a register; and~~

~~(b) — submit those names as recommendations to the county commission have and exercise the powers and authority provided by state law.~~

4-11-7. Subpoena powers.

The career service council shall have subpoena power to compel attendance of witnesses, and to authorize witness fees where it deems appropriate, to be paid at the same rate as in justice court.

4-11-8. Compensation.

~~Career service council members~~ Members shall receive compensation at the rate of \$100 per ~~diem-day~~ for each day or part thereof they are in session.