



**SECOND AMENDED AGENDA  
COUNTY COUNCIL  
Wednesday, April 3, 2024**

NOTICE is hereby given that the Summit County Council will meet in session, on  
Wednesday, April 3, 2024,  
electronically, via Zoom, and at the anchor location of the Summit County Courthouse,  
60 N. Main Street, Coalville, UT 84017  
(All times listed are general in nature, and are subject to change by the Board Chair)

**To view Council meeting, live, visit the "Summit County, Utah" Facebook page**

**OR**

**To participate in Council meeting: Join Zoom webinar: <https://zoom.us/j/772302472>**

**OR**

**To listen by phone only: Dial 1-301-715-8592, Webinar ID: 772 302 472**

1:50 PM Closed Session - Property acquisition (30 min); Litigation (90 min)

3:50 PM - Move to Council Chambers (10 min)

4:00 PM Work Session

1. 4:00 PM - Pledge of Allegiance (5 min)
2. 4:05 PM - Interview applicant for vacancy on the Summit County Restaurant Tax Advisory Committee (10 min)  
[Interview Schedule-Restaurant Tax Advisory.pdf](#)
3. 4:15 PM - Presentation by Summit County Clubhouse; Jen O'Brien (10 min)  
[Summit County Clubhouse Presentation.pdf](#)

4:25 PM Convene as the Governing Board of the Snyderville Basin Special Recreation District

1. 4:25 PM - Continued discussion and possible approval of amendments to Operations, Personnel and Governance Policies; Dana Jones (20 min)  
[SBSRD Staff Report-March Policy Review.pdf](#)  
[SBSRD Governance Policy Edits.pdf](#)  
[SBSRD Personnel & Operations Policy \(Combined & Edited\).pdf](#)  
[SBSRD Summary of Policy Updates and Changes.pdf](#)

Dismiss as the Governing Board of the Snyderville Basin Special Recreation District

4:45 PM Convene as the Board of Equalization

1. 4:45 PM - Discussion and possible approval of final recommendations and ratification of hearing officer decisions; Chase Black (10 min)  
[Staff Report-BOE Adjustments 040324.pdf](#)

Dismiss as the Board of Equalization

#### 4:55 PM Consideration of Approval

1. 4:55 PM - Discussion and possible appointment of a member to serve on the Summit County Restaurant Tax Advisory Committee (5 min)  
[Appointment to Restaurant Tax Advisory.pdf](#)
2. 5:05 PM - Presentation and possible adoption of Proclamation 2024-02, a Proclamation Adopting Park City Community Foundation's Zero Food Waste Compact; Emily Quinton, Andy Hecht, and Tim Loveday (15 min)  
[Proclamation 2024-02 Zero Food Waste Compact.pdf](#)
3. 5:20 PM - Discussion and possible approval of Proclamation No. 2024-03, a Proclamation Declaring April 2-8, 2024, "International Dark Sky Week". The purpose of the Proclamation is to promote International Dark Sky Week, as a worldwide celebration to build awareness about light pollution and the importance of preserving the nighttime sky; Ray Milliner, County Planner (15 min)  
[Proclamation 2024-03 International Dark Sky Week.pdf](#)
4. Council Minutes dated March 19, 2024, March 20, 2024, March 21, 2024 (5 min)  
[SCC Draft Min 3-19-24.pdf](#)  
[SCC Draft Min 3-20-24.pdf](#)  
[SCC Draft Min 3-21-24.pdf](#)
5. 5:35 PM - Council comments (15 min)
6. 5:50 PM - Manager comments (10 min)

#### 6:00 PM Public Input

Public comment is for any matter not on the Agenda and not the subject of a pending land use application. If you would like to submit comments to Council, please email [publiccomments@summitcounty.org](mailto:publiccomments@summitcounty.org) by 12:00 p.m. on Wednesday, April 3, 2024. If you wish to interact with Council, for public input, please appear in person, or use the "Raise Hand" button at the bottom of the chat window in Zoom.

Adjournment

**Interview Schedule**  
**Summit County Restaurant Tax Advisory Committee**  
**Wednesday, April 3, 2024**

At the anchor location of the Summit County Courthouse  
60 N. Main Street, Coalville UT 84017

OR

Zoom webinar: <https://zoom.us/j/772302472>

Phone: 1-301-715-8592, Webinar ID 772 302 472

(1 vacancy; 1 applicant)

4:05 PM      Peter Tomai      Zoom

The vacancy is a result of Jodie Rogers resigning on January 30, 2024. Jodie's term expires on July 31, 2025.

**Interview Instructions (Zoom only)**

For your interview with Council, please use one of the two following options:

1. By phone only: Dial 1-301-715-8592, Meeting ID: 772 302 472
2. By video chat: Join Zoom meeting: <https://zoom.us/j/772302472> When you join the meeting, set up your audio preferences. You will be muted upon entering the meeting.

When Council finishes the interview prior to yours, the moderator will unmute your microphone so you can interview with Council.



*Support & Community for Adults  
with Mental Illness*



Clubhouse serves adults living with mental health challenges such as depression, anxiety, bipolar disorder, PTSD, schizophrenia and substance use disorder.

At Clubhouse, members find opportunities to achieve their highest potential through *productive work, meaningful relationships and direct support.*

*Clubhouse complements traditional approaches such as medication and therapy and serves as a **critical stop-gap** for those not able to access treatment for their illness.*



# What is a Clubhouse?



Support & Community for Adults  
with Mental Illness

At Clubhouse, members gain access to:

- Socialization - *holidays, weekend & evening events*
- Meaningful Work - *culinary, facilities & business units*
- Employment - *transitional and supported employment programs*
- Education - *support with GED, vocational and higher education programs.*
- Direct Assistance - *with Benefits, Housing & Basic Needs*

We believe people living with mental illness *can* and *do* lead fulfilling and productive lives when treated with respect, dignity, compassion and understanding.



# Why Clubhouse?



- Medication and therapy are important, but *not enough* to help those living with mental illness reenter the workforce, return to education, and reconnect with family and community.
- One year of holistic recovery services at Clubhouse are delivered for roughly the cost of a 2-week psychiatric hospital stay.

**Summit County has a large need for behavioral health services, but the number of providers is declining**

Health Department striving for creative solutions to address the problem

News [FOLLOW NEWS](#) | May 21, 2023



# Our Members



Support & Community for Adults  
with Mental Illness

- Membership is voluntary, open to adults 18+
- 48% growth in membership since August 2023
- Current profile of Clubhouse members:
  - 82% low-income
  - 51% covered by medicaid
  - 26% non-white
  - 17% lack stable housing
  - 20% pursuing education goals
  - 56% employed full or part time\*\*

*\*\*versus 20% nationally for adults receiving mental health services, from*





# OUR IMPACT

## EDUCATION

2 members earned GED to date. 20% of members working on Education goals

## EMPLOYMENT

56% employed, versus 20% national rate for adults with mental illness. 75% of members received support through the Clubhouse Employment Unit

## 48% GROWTH IN MEMBERSHIP

August 2023 to Present

## REDUCED INCARCERATIONS

Criminal justice system involvement diminished for active Clubhouse members

## HOUSING

Since January 2023, we've provided assistance to 5 members experiencing or at risk of homelessness.

## LAUNDRY SERVICES

Our washer and dryer used daily, free of charge, by members who lack access to this basic need.

## FEWER HOSPITAL STAYS

As a result of Clubhouse membership

## EMERGENCY FINANCIAL ASSISTANCE

Our Emergency Response Fund is used as a "fund of last resort" when financial hardship may interfere with a member's recovery. We average **10 Emergency Fund awards per month**, with average amount of \$125.

## 60 HOT MEALS SERVED WEEKLY

Hot lunches served daily dinners 1 or 2 times/week

## FOOD SUPPLIES

21% of members are provided with grocery items in between food pantry visits

## OPEN EVERY HOLIDAY AND FOR REGULAR EVENING & WEEKEND SOCIAL EVENTS

Mental illness often disrupts relationships with family and friends. Clubhouse social events reduce incidence of depression due to isolation and loneliness at times when others gather with friends & family

## ASSISTANCE WITH GOVERNMENT BENEFITS

47% of members received assistance with applications for social security disability, unemployment, medicaid, housing and other benefits.



# Member Spotlight



*Support & Community for Adults  
with Mental Illness*

Elizabeth B.  
Member since: December 2023

Elizabeth moved from California to Utah to work at the ski resorts 15 years ago and decided to stay after her son Jonathan was born. She's a single mother, an active member of her church, and an employee at Panda Express.

Elizabeth was referred to Clubhouse by her therapist. She comes to work on her social skills, build community, and get help with employment goals. When at Clubhouse she enjoys working in the culinary unit and has learned to cook several healthy meals for her son.



## Thank you!

info@summitcountyclubhouse.org

Clubhouse Phone: 801-930-0277

6304 Highland Drive, Park City, UT 84098

<http://summitcountyclubhouse.org/>

Facebook: SummitCountyClubhouse

Instagram: @summitcountyclubhouseparkcity





To: Summit County Council  
From: Matt Wagoner, District Superintendent  
Brad Rogers, Business Manager  
Dana Jones, District Director  
Date: March 15, 2024 / Follow up April 3, 2024  
Re: Amendments to Operations, Personnel and Governance Policies

\*\*\*\*\*

**Background:**

Throughout this year, and with the involvement of our administrative control board, staff will be going through our collective policies and making a number of updates and revisions.

Basin Recreation currently has three sets of policy:

- Personnel Policy Manual
- Policies and Procedures
- District Operations Policies

**Discussion:**

Attached are several sets of proposed policy revisions, both the redline versions and clean version. However, there is a bit more to this project than just a straightforward update to existing policy. Our goals are threefold:

- Make Organizational Improvements
- Address Needed Updates to Outdated Policy
- Apply Structural Adjustments

For additional clarity, we have prepared a supplementary high-level outline below to further explain what we hope to accomplish.

**Make Organizational Improvements**

In cooperation with our Board, we have established a schedule to regularly review and address any potential deficiencies in policy on an every-other-month basis, or six (6) times per year. As such, we are combing through our collective policy documents, identifying and prioritizing those sections most in need of review, and creating a schedule to assess and examine those sections. In doing so, we have also identified a number of policies that overlap, create redundancies, or are simply outdated. Some of this overlap or redundancy is the result of the organizational structure of our three separate sets of policy, which consist of:

- Personnel Policy Manual
- Policies and Procedures
- District Operations Policies

More specifically, a significant portion of the *District Operations Policies* document represents the content that could be considered outdated, redundant, or obsolete. As such, we propose to phase out that document, or set of policies, and merge any remaining relevant policy into the other two remaining sets of existing policy. Also, to reflect the updated content of the two (2) remaining sets of policy more accurately, we would propose changing the document titles to the following:

- Personnel & Operations Policy
- Governance & Finance Policy

We are also proposing to create District Directives, which would consist of internal procedural guidelines that may change with some frequency, are based upon policy, but do not necessarily rise to the level of institutional policy themselves. For example:

- Pets in the office
- Gratuities
- Employee Apparel

The consolidation and reorganization of these two (2) sets of policy will allow us to organize and reference the policy, procedures, and related guidelines for our organization and our staff more effectively.

### **Address Needed Updates to Outdated Policy**

As mentioned above, there are several policies in need of review, or even deletion. To a certain extent, these are a natural result of change, the passage of time, or the internal

and external evolutionary forces to which all entities are subject. They are also a product of our growth and development as an organization. Basin Recreation is a dynamic and thriving local service district which continues to seek new ways to serve the residents of Snyderville Basin while fine-tuning the established practices that have served us and the community well.

Rather than tackle a comprehensive overhaul of *all* our policy documents at one time, we plan to utilize a more methodical approach over the coming months and years. This started with prioritizing those policies in need of more immediate attention *or* those that can be revised with less effort. This more surgical approach to updating our policy will likely take a bit longer, but should produce more steady, consistent, and thorough progress in our efforts to maintain applicable and accurate policy documents.

A high-level summary of our initial batch of policy updates can be found below.

### **Apply Structural Adjustments**

Aside from changing the wording or content of the individual policies, we are also proposing to adjust the organizational formatting of these documents. The objective of this effort is to apply a more logical structure, but also to maintain a document that is easier to navigate or reference for employees and others. To that end, we have attached the edited Title Page and Table of Contents for the *Personnel & Operations Policy* document to demonstrate the initial phase of this structural reorganization (i.e., numbering, formatting, etc.). The proposed revisions, as well as future updates, would follow and align with this organizational structure.

In terms of the policy we are proposing to update at this time, please see the summary below:

Personnel & Operations Policy – Amendments approved by the Basin Administrative Control Board for recommendation to County Council at the March Board meeting. Each of these sections (minus the two that have been removed) are attached as redlined documents showing the requested changes.

- Section 0 – Title Page & Table of Contents
- Section 1 – Personnel System and Operational Provisions
- Section 2 – Equal Employment Opportunity

- A small revision to the Nepotism policy, adding restrictions to anyone employed within a supervisor's organizational hierarchy (i.e., chain of command).
- Section 4 – Position Management
  - Updates to position titles and some full-time/benefitted employee terminology.
  - Added clarification to the classification of positions.
- Section 5 – Hiring for New and Vacant Positions
  - Updates to position titles and some full-time/benefitted employee terminology.
  - Updating sections to better align with current onboarding practices.
  - Minor adjustment to the posting length of part-time vacancies.
  - Modifications to the extension of orientation or probationary periods for new full-time/benefitted employees.
- Section 7 – Personnel Actions
  - Deletion of the Career Ladder policy, which will be replaced in the coming months with an In-Grade Advancement Policy.
  - Updates to the language of the job abandonment policy.
- Section 9 – Leave, Health & Fringe Benefits
  - Creating policy to allow for the accrual of vacation leave based upon prior relevant experience in a comparable position, service in a comparable public merit system, or military service.
  - Adjustments to the accrual schedule.
  - Eliminating PTO Advances, Event Leave (as a stand-alone policy), and the half-day allotted for Christmas Eve Day.
  - Creating better definition around the application and use of Administrative Leave.
  - Addition of Recruitment Leave.
  - Relocation of FMLA & Disability Leave (to a later section of the same policy).
  - Updates to Funeral & Bereavement Leave.
- Section 10 – Reimbursement for Expenses (Relocated)
  - Relocating this section to later in the policy document, to better align with added operational policies.
  - Subsequent numbering updates to subsequent sections.
- Section 17 – Miscellaneous (Removed)
  - Deletion of this section from policy.
  - Each of these would fall under our proposed District Directives.
- Section 18-22 – General District Policies (formerly Operational Policies)
 

There will be additional edits to these sections in the coming months. Critical need sections have been edited now and include:

  - Cancellation policies for recreation programs and Fieldhouse passes (approved by Council 3.15.24)
  - Dog Policy in parks updated to conform with Field Use Application
  - Requirement of a photo or ID to verify FH passholder identity
  - Alcohol on District property with prior written approval of District Director

Governance - Amendments to Governance sections of Finance and Governance drafted by the Board policy committee and approved by the Basin Administrative Control Board for recommendation to County Council at the February Board meeting.

- Removal of duplication
- Combining 2, 7 and 8
- Budget and Finance Sections to be amended later in the year

**Proposed Motion:**

To approve the Snyderville Basin Special Recreation District Personnel, Operations and Governance Policies as amended.

## INTRODUCTION

The Snyderville Basin Special Recreation District (“SBSRD” or “District”) Administrative Control Board (“Board”) shall operate directly under the general provisions of Utah Code 17D, governing Limited Purpose Local Government Entities aka “Special Service Districts,” and applicable provisions of Utah Code 17B governing Local Districts.

Personnel Policies, as they are reviewed annually and amended, are incorporated by reference. In addition, the general operating procedures of the District as they are written and modified from time to time shall apply.

These policies and procedures are intended to provide for a general understanding and uniformity in the practices and procedures in the operation of SBSRD. They express the judgment and will of the SBSRD Board and are binding on all District representatives and employees.

In the event that any part, or parts, of these policies and procedures are found to be in conflict with the law, then only such part, or parts, so found shall be null and void and the remainder thereof shall remain in full force and effect.

The District Board has adopted the following mission, vision, and guiding principles~~values~~.

MISSION: The District is committed to operational excellence, providing top-notch facilities, trails, parks, and programs that inspire lifelong recreational engagement. Through strategic collaborations, The District enhances and protects amenities while championing sustainability and ecological diversity. Basin aims to deepen the community’s connection to recreation, promote informed ownership, and ensure inclusive opportunities for all To enhance life

VISION: The District provides equitable access to a variety of recreational opportunities for every age and ability, while stewarding an exceptional natural setting that is internationally renowned and locally valued. Our goal is to innovate & evolve, ensuring that the recreational experiences we offer not only meet but exceed the expectations of both current and future generations. To connect the community through recreation-

### VALUESGUIDING PRINCIPLES:

- High quality of service and operational excellence
- Environmental stewardship
- Empower local communities
- Community Connection
- Equitable Access
- New Programming & Facilities

~~We act with integrity.~~  
~~We are accountable and make things happen.~~  
~~We have passion for what we do.~~  
~~We embrace continuous learning and change.~~  
~~We communicate openly, honestly and directly.~~  
~~We care about others and treat them respectfully.~~  
~~We operate as a team!~~



## CHAPTER 2

### ADMINISTRATIVE CONTROL BOARD RULES & REGULATIONS

#### ARTICLE I - NAME AND AUTHORIZATION

Section 1. The name of this Board shall be the Snyderville Basin Special Recreation District Administrative Control Board ("SBSRD Board" or "Board").

Section 2. The Summit County Board of Commissioners in Resolution #6-86, October 8, 1986, created and delegated to the Board the power to act as the governing authority of the Service District and to exercise all or any of the powers provided for in Utah Special District Act.

Section 3. The purpose of these Rules and Regulations is to provide a guide for operation of the SBSRD Board.

#### ARTICLE II - PURPOSES AND AUTHORITY OF THE ADMINISTRATIVE CONTROL BOARD: *amended January 23, 2019*

Section 1. SBSRD is authorized to provide recreational services through the acquisition and/or construction of parks, recreational facilities, trails and recreational open space to be located within the District, together with necessary appurtenances and equipment therefor.

Section 2. The SBSRD Board shall recommend to the Summit County Council policies, standards and rules governing the Special Service District and any future facilities or amenities consistent with Summit County regulations, other provisions of Utah law, and the Utah Special District Act.

Section 3. The SBSRD Board shall seek to enhance life for residents, with a vision to connect the community through recreation.

Section 4. The SBSRD Board shall regularly assess the appropriateness and effectiveness of the Service District facilities, programs, activities and services as they relate to the needs of the District residents.

Section 5. The SBSRD Board shall be authorized to budget, account for, and disburse Service District funds, including taxes levied, fees and charges imposed, and other revenues received. The SBSRD Board shall be governed by the general laws relating to such matters applicable to Special Districts and Summit County.

Section 6. The SBSRD Board shall appoint the District Director with the consent of the Summit County Council. The District Director shall have a written employment contract which is approved as to form by the Summit County Attorney. The District Director shall not be authorized to function on behalf of the SBSRD Board in any manner except at the direction of the Board as a whole.

Section 7. The SBSRD Board shall enter into contracts, agreements or take other action to further the purposes of the District and exercise the rights, powers and authority delegated to it by Summit County and other provisions of Utah law. Roles and responsibilities of financial controls and purchasing requirements are located in chapter 12.

7.1 All contracts, agreements in excess of \$20,000 or other legal documents shall be authorized by resolution of the Board, be signed by the District Director, Chairperson, or Vice-chairperson in case of Chair's absence, and be attested by the Clerk unless otherwise provided by resolution of the Board. The District Director may not authorize change orders to any contracts previously authorized by resolution of the Board except as provided in paragraph 7.1a below or as specifically authorized by resolution of the Board.

7.1a The District Director may authorize a change order to a Capital construction contract previously authorized by resolution of the Board if waiting for the next regularly scheduled Board meeting will substantially delay the construction project, the change order does not exceed \$50,000, and the total contract amount including the change order is within the adopted Capital budget. Any change order authorized by the District Director pursuant to this paragraph shall be formally actioned at the next regularly scheduled Board meeting. If the change order is greater

Effective January 10, 2018

than \$50,000 or would cause the project to exceed the adopted budget, then a special meeting will be called of the Board to approve the change order. The District Director may authorize multiple change orders to a single contract pursuant to this paragraph. However, the cumulative amount of all such change orders may not exceed \$50,000 without prior Board approval.

7.2 For contracts or agreements from \$5,000 to \$20,000, the District Director shall have the authority to sign on behalf of the Board, budget permitting.

7.3 Contracts under \$5,000 may be signed by the Department manager with the approval of the District Director, budget permitting.

Section 8. The Board ~~will~~ may seek professional services to advise on SBSRD policies, general operations, and specific projects of the District.

8.1 The Board will select an independent auditor to perform an annual independent audit in accordance with Government Auditing Standards.

**Commented [BR1]:** Move to new/updated Financial controls section when ready for board review. Keep here until then.

### **ARTICLE III - MEMBERSHIP OF THE SBSRD ADMINISTRATIVE CONTROL BOARD: *amended March 3, 2021***

Section 1. The SBSRD Board shall consist of five to seven persons, each of whom shall be a qualified elector of the District.

Section 2. The Summit County Council, as the Governing Body will oversee the appointment to, or removal of, members from the SBSRD Board.

Section 3. Board member qualification:

3.1 A Board member must, during the term of office, reside within the boundaries of the District and be a registered voter at the location of the Board member's residence.

3.2 No elected or appointed member of the governing board of a special district may be a full or part-time employee of the District while serving on the District's Board.

Section 4. Except as otherwise provided in this section, the terms of office of members of the Board shall be (4) years, commencing upon their appointment. The terms shall be staggered so that each year, as nearly as may be, two Board terms shall expire. The new members (or re-appointed existing members) will take office after taking the following oath/affirmation at the next SBSRD Board meeting: "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this State, and that I will discharge the duties of my office with fidelity."

Section 5. Vacancies, other than by expiration of term, shall be filled for the unexpired term by appointment of the Summit County Council. The newly appointed SBSRD Board member's term shall expire when the term of the member replaced would ordinarily have expired.

Section 6. Regular attendance of Board members at regularly scheduled Board meetings, special meetings and Board retreats is closely linked to the District's ability to achieve annual goals established by the Board. Electronic and/or teleconference participation is generally available to members who cannot attend in person for good reason. Any Board member who accrues three or more absences in any ninety-day time period, or who fails to attend in-person at least 50% of all meetings and retreats held in any ninety-day time period, may be subject to a motion of removal from the Board. This motion may be made by any Board member present at a regularly scheduled meeting. All Board members are eligible to vote. If the motion for removal passes, the District Director will formally request action of the Summit County Council for removal and replacement of the subject Board member.

Section 7. Board Resignation. Board members who move out of the District will be required to submit a letter of resignation to the Summit County Council, as the Governing Body. Any Board member who chooses to resign before the end of his/her term for other personal or professional reasons shall submit a letter of resignation to the Summit County Council (c/o County Manager) thanking them for the opportunity to serve and stating his/her reason for leaving. The unexpired term will be filled in accordance with section 5, above.

Section 8. Board Per Diem – Compensation

8.1 SBSRD Administrative Control Board members may receive annual compensation and per diem compensation within the limits established by law, for service on the board. (Utah Code 17B-1- 307)

8.1.1 Effective January, 2016, Board members may receive a per diem of \$60 per official meeting attended, not to exceed 12 meetings per calendar year, to be paid for all District

Effective January 10, 2018

Board meetings and work sessions in which they participate in person or by teleconference.

- 8.1.2 Effective January, 2016, Board members may receive compensation of \$150 per official meeting attended, to be paid for all District Board meetings and work sessions in which they participate in person or by teleconference and additional compensation of \$100 for all other meetings and activities attended in the Board member's official capacity. The Board Chair may receive an additional \$50 for each District Board meeting and work session attended.
- 8.1.3 Total compensation may not exceed \$5,000 in any calendar year.
- 8.1.4 Per diem and compensation will be paid on a quarterly basis, generally by the first Board meeting following the close of the quarter. Records shall be kept by the Administrative office for each Board Member. Members may decline to receive per diem and/or compensation for their services.
- 8.1.5 Travel expenses may be paid to board members in accordance with Rule R25-7.
- 8.1.6 All Board payments will occur through payroll.

Section 9. General liability insurance through Olympus Insurance Agency is provided for all SBSRD Board members while acting for or on behalf of the District. Further, all Board members shall be provided Errors and Omissions insurance for the duration of their Board term. "Public officials' errors or omissions" means any actual or alleged error or misstatement or act or omission or neglect or breach of duty including misfeasance or nonfeasance by the Insureds in the discharge of their duties with the public entity, individually or collectively, or any matter claimed against them solely by reason of their being or having been Insureds. However, "public officials' errors and omissions" does not include "malfeasance."

**ARTICLE IV - OFFICERS OF THE ADMINISTRATIVE CONTROL BOARD: *amended March 3, 2021***

Section 1. The officers of the SBSRD Board shall be a Chairman, Vice-Chairman, Clerk, and Treasurer. All other SBSRD Board members are listed as members at large. All officers shall be elected by the SBSRD Board members at the January meeting and they shall hold office for one (1) year or at the pleasure of the SBSRD Board.

Section 2. During any regular monthly meeting, the SBSRD Board may elect another Board member to fill the remaining term of any officer who has vacated that seat.

Section 3. The Board Chairman shall preside at the Board meetings and shall be an ex-officio member of all committees except in any committee which is preparing nominations for Board officers.

Section 4. In the absence of the Board Chairman, the Vice-Chairman shall perform the Chair's duties and, in the case of a vacancy in the office of the Chairman, shall serve as Chairman until such time as the SBSRD Board shall select a new Chairman.

Section 5. The District Clerk will perform the following duties:

- 5.1 With the assistance of the ~~District Administrative Coordinator~~ Community Outreach Manager, monitoring the minutes of the Board meetings and their adoption; and
- 5.2 With the assistance of the ~~Accountant~~ Business Manager ~~District Controller~~, maintaining the financial records for each fund of the District and all related subsidiary records, including a list of the outstanding bonds, their purpose, amount, terms, date, and place payable (Utah §17B-1-632).

Section 6. With the assistance of the District ~~Administrator~~ Director, Business Manager, and staff, the Treasurer's responsibilities include, but are not limited to, the following:

- 6.1 Receiving and reviewing all public funds and monies payable to the District;
- 6.2 Signing of checks on behalf of the District;
- 6.3 Acting as custodian of all monies, bonds, or other securities of the District;
- 6.4 Investing public funds in accordance with the State Money Management Act;
- 6.5 Collecting all special taxes and assessments as provided by law and ordinance; and
- 6.6 Other duties as established by law (Utah §17B-1-633).

## ARTICLE V – COMMITTEES

- Section 1. The Board, at its discretion, may create and/or abolish its own committees or other organizational units. Committees shall serve to make recommendations to the Board unless otherwise specified by the Board.
- Section 2. Committees may be designated as STANDING committees or AD-HOC committees. Standing committees will be those which are formed for at least one year. The Ad-hoc committees will be appointed as needed.
- Section 3. Committee chairpersons must be Board members, recommended by the Board Chair, and approved by the Board. At the time of Committee formation, committee members must be approved by motion of the Board.
- Section 4. Committee membership shall not include a quorum of the Board, nor shall a committee meet with a quorum in attendance unless appropriately noticed as a public meeting.
- Section 5. The District Director shall be eligible to attend committee meetings unless otherwise informed by the Board Chair.
- Section 6. [The District Director may appoint or direct certain staff to attend committee meetings to provide operational information relevant to the purpose of the committee as approved by the Board. The Board Committee will not direct staff other than the District Director. See Ch. 2, Article IX, Section 3.1.b for additional details.](#)

## ARTICLE VI – MEETINGS: *amended March 3, 2021*

- Section 1. The SBSRD Board shall meet in a regularly scheduled, publicly noticed, meeting at least once per month, unless otherwise determined by the Board. Public notice of regularly scheduled Board meetings shall be sent to local news and radio outlets, and shall be posted to the District's website and Utah Public Notice Website. The meetings shall comply with the Utah Open and Public Meetings Act.
- Section 2. A majority of the current Board members shall constitute a quorum, and a majority of the members in attendance at any meeting shall, in the presence of a quorum, decide its action.
- Section 3. Any Board member may call a special or emergency meeting upon the request or approval of at least two additional Board members and notice of such meetings shall be given to the SBSRD Board members by telephone call, electronic mail, fax, or personal notice and at such time prior to the meeting as under the circumstances may be practical. Minimum recommended notice is 24 hours. A special meeting of the Board shall be held at such time as the notice thereof may specify. In case of special meetings, the Chairman of the Board may designate a place other than the regular meeting place, provided such place is within the boundaries of the District. All special or emergency meetings shall comply with the Utah Open Meetings Act.
- Section 4. No more than three members of the Board shall meet to discuss business of the District, unless appropriately noticed as a public meeting.
- Section 5. Meetings of the Board shall be conducted under general rules of order of Robert's Rules of Order.

## ARTICLE VII - AMENDMENTS TO THE RULES AND REGULATIONS

- Section 1. These Rules and Regulations shall be amended only by an affirmative vote of the Summit County Council, acting as the Governing Body, upon the receipt of a recommendation by the Board.
- Section 2. Written notice setting forth the proposed amendment(s) shall be mailed or given to each Board member in the Board packet prior to the meeting during which a recommending vote is called on the amendment.
- Section 3. The Board Rules and Regulations and any subsequent amendments shall become effective AFTER they are approved by the Summit County Council, unless dates are otherwise specified.

## ARTICLE VIII - CONFLICT OF INTEREST

- Section 1. All members of the Board are expected to vote in the public interest and should not vote to support any private financial interest of a Board member. Any member of the SBSRD Board who is present at a meeting where a matter in which he or she has, directly or indirectly, a private pecuniary or property interest shall declare that interest, be excused from attendance for that portion of the meeting, and shall

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leave the place of meeting, and shall not participate or vote on the issue.

Section 2. Each member of the SBSRD Board shall, at the time of his or her appointment to office and annually thereafter, indicate to the SBSRD Board, in writing, any potential conflict of interest the member has knowledge of, as defined above, even though it may not be an issue at the time of appointment to office.

## ARTICLE IX – BOARD GOVERNANCE

Section 1. The Board shall hold itself accountable for governing with excellence. This self-discipline shall apply to matters such as attendance, preparation for meetings, adherence to policymaking principles, respect of roles, and ensuring effective continuity of governance capability into the future.

Section 2. Board Governance Summary: The job of the Board is to represent its constituents and lead the organization by determining and demanding appropriate and excellent organizational performance. To distinguish the Board's own unique job from the jobs of the District Director and staff, the Board shall concentrate its efforts on the following:

- 2.1 Utilizing proactive strategies to ensure meaningful linkage with District residents to determine their concerns, needs and demands.
- 2.2 Developing and/or approving written governing policies that, at the broadest levels, address:
  - 2.2.1 Ends: Organizational products, impacts, benefits or results for specified recipients and their relative worth (what end result is desired for whom and at what cost).
  - 2.2.2 Executive Limitations: Constraints on executive authority that establish the practical, ethical, and legal boundaries within which all executive activity and decision-making shall take place.
  - 2.2.3 Governance Process: How the Board shall conceive, carry out, and monitor its own work.
  - 2.2.4 Board/Staff Relationship: How authority is delegated to the District Director and how the Director's use of that authority is monitored; the Director's role, authority, and accountability.

Section 3. The Board shall reflect on strategies and policies as needed but at least once formally per year. During this review in scheduled open meeting, the Board will review any concerns from the District Director or other Board Members on efficient and productive governance, Board Ethics, and Board and Staff Relationships.

### Section 3.4. Board and Staff Relationships

4.1 Operational Connections. The Board's sole connection to the operational organization is the District Director. All authority over and accountability of staff is considered to be the responsibility of the Director.

4.1.1 Other than stating its values through policy or acting in an official capacity through the grievance process, the Board shall not participate in decisions or actions involving the hiring, evaluating, disciplining or dismissal of any employee other than the Director.

4.1.2 Other than when the District Director appoints a staff member to work directly with the board for committee assignments, the board may ask questions for the purposes of understanding how operations impact Ends Policies and may provide Committee suggestions on how to best prescribe the organizational ends (Ends Policies) to be achieved.

District Director Connections. Decisions or instructions of individual Board members, officers or committees are binding on the District Director with specific authorization from the Board. In a case without Board authorization, the Director may choose to refuse such requests that require, in the Director's opinion, a material amount of staff time or resources or that are disruptive or unreasonable and is expected to work with the

authorized committee or Board Member on a more suitable resolution.

4.2

4.2.1 ~~The Board shall instruct the District Director through written policies that prescribe the organizational ends (Ends Policies) to be achieved and describe organizational situations and actions to be avoided (Executive Limitations Policies). The Board shall support any reasonable interpretation of those policies by the District Director.~~

4.2.2 ~~If ~~As long as~~ the District Director uses any reasonable interpretation of the Board's *Ends* and *Executive Limitations* policies, the Director is authorized to draft further policies, make decisions, establish practices, and develop activities the Director deems appropriate to achieve the Board's Ends policies. Policy changes are subject to Board and County Council approval.~~

4.2.1 ~~The Board may propose changes to policies at any time. The Board will make appropriate attempts to review changes, in advance of Board approval, with the District Director. If there is a question from the District Director as to the intent of the policy change that impacts the execution of existing policies or planned actions, the District Director will seek clarification from the Board. The District Director and the Board will work together to interpret any changes so that the District Director can confidently execute existing policies or planned actions per the responsibilities of the District Director.~~

4.2.3

4.3 Monitoring District Director Performance

4.3.1 ~~The Board shall view District Director performance as synonymous with organizational performance. Job performance of the Director shall be monitored against the execution of policies and planned actions along side the Director's goals set for both the organization and the Director's own performance. The Board, through the District Director's Liaison Committee, shall acquire performance monitoring data through any or all of the following means:~~

4.3.1.1 ~~Internal report, in which the Director discloses information and certifies compliance to the Board.~~

4.3.1.2 ~~Internal feedback, in which comments are gathered confidentially from staff, the Board, and County Council prior to being consolidated with responses de-identified.~~

4.3.1.3 ~~External report, in which an external, disinterested third party selected by the Board assesses compliance with policies.~~

4.3.1.4 ~~Direct Board inspection, in which the Board assesses compliance with appropriate policy adherence.~~

4.3.2 ~~In every case, the standard for compliance shall be whether the Director has reasonably interpreted the policies being monitored and determination of whether reasonable progress is being made toward achieving the Director's goals and operational vision. The Board shall make the final determination as to whether the Director's interpretation is reasonable and whether reasonable progress is being made.~~

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4.3.3 During the last quarter of each year, the Board shall conduct a formal summative evaluation of the Director using the Performance Evaluation objectives and metrics established at the Board meeting to be held each June for the following calendar year. When appropriate, these objectives will be informed existing policies.

4.3.4 As part of that process, the District Director Liaison Committee will seek appropriate Staff and County input and make a recommendation to the full Board for discussion and possible approval. Based on the evaluation, the District Director's merit increase and bonus will be at the Board's discretion. Such merit increase and bonus must consider the District's budget. The District Director is eligible to receive a cost of living adjustment to salary consistent with that received by all other employees of the District. The Board will prepare a written evaluation document. The District Director will have the opportunity to review the document with the Board in executive session. The District Director and the Board Chairperson will sign the report.

#### Section 54. Board Ethics

5.1 The Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum. Board members shall conduct all business in legal meetings in accordance with procedures prescribed in the rules and regulations and will reach decisions only after full consideration and debate on the issues in question. Once a decision is made, all Board members will abide in good faith by the decision.

##### 5.1.1

Board members shall represent the interests of the whole organization. This accountability supersedes: any conflicting loyalty to other advocacy or interest groups, loyalty based upon membership on other boards or staffs, or conflict based upon the Board members' use of the services provided by the District.

#### 5.2

Board members may not attempt to exercise individual authority over the organization. The Board shall not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is identified as a directive of the Board.

##### 5.2.1

~~Board~~ Board members' interaction with the District Director or with staff must recognize the lack of authority vested in individuals except when explicitly authorized by the Board.

##### 5.2.2

Board members' interaction with the public, press or other entities must recognize the same limitation and the inability of any Board member to speak for the Board except to repeat explicitly stated Board decisions. This limitation does not restrict any Board member from engaging constituents directly regarding their concerns and needs.

##### 5.3

Board members shall maintain confidentiality appropriate to issues of a sensitive nature and information that otherwise may tend to compromise the integrity or legal standing of the Board, especially those matters discussed in closed session.

##### 5.4

Board members shall refrain from any self-dealing or any conduct of private business or personal services between any Board member and the District except as procedurally controlled to assure openness, competitive opportunity and equal access to otherwise "inside" information.

5.5 Board members must not use their positions to obtain for themselves, or for their family members, employment or the award of a contract with the District. Should a Board member desire employment or the award of a contract, he or she must first resign.

5.6 When the Board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member shall recuse him/herself from the deliberation and abstain from the vote.

5.7 In order to build and maintain productive and effective relationships, Board members shall maintain a system of communication and interaction that builds upon mutual respect and trust.

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Section 65. Process for Addressing Board member Violations. The Board and each of its Board members are committed to faithful compliance with the provisions of the Board's policies. In the event of a Board member's willful and continuing violation of policy, the Board shall seek remedy by the following process:

6.1 Conversation in a private setting between the offending Board member and the Board Chair or other individual Board member designated by the Board.

—6.2

Discussion in an executive session between the offending Board member and the full Board.

—6.3

Request to the Summit County Manager and County Council for expulsion from the Board by 2/3 majority vote of the other Board members on the Board.

## **CHAPTER 7**

### **GOVERNANCE PROCESS (GP)**

Based on the work of © John and Miriam Carver<sup>1</sup>

#### **GP 1 – Governance Commitment**

The Board, on behalf of the residents of the District, holds itself accountable by ensuring that all actions it takes are consistent with the District's mission, vision, and values and the Board's policies.

In fulfillment of this charge, the Board is committed to rigorous improvement of its capacity to govern effectively using its policies to define its concerns in terms of values and its vision in terms of expectations.

Before beginning his/her duties as a Board member, each newly appointed Board member of the District shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this State, and that I will discharge the duties of my office with fidelity."

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually at the January Board Meeting

#### **GP 2 – Governing Style: amended March 3, 2021**

The Board shall govern with emphasis on long term organizational vision; exhibit future orientation rather than past or present; focus on strategic leadership rather than administrative detail; encourage diversity in viewpoints but support collective rather than individual decisions; observe clear distinction between Board and Director roles; and govern proactively rather than reactively.

The Board will recommend for adoption to the County Council, as the Governing Body, rules and regulations governing the organization of the Board, election of officers, and the calling and conducting of its meetings.

The Board shall govern so that long term values are achieved in the manner consistent with productive use of people and resources, with orderliness, with deliberation of thought and with care in the use of Board Members' time.

Accordingly:

—The major ongoing concerns of the Board shall be careful consideration of the District's reason for existence, its mission, vision, and values. All other concerns, however legitimate, shall be routinely managed as much as possible to allow the Board to spend most of its time focused on the District's Ends policies.



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~~Board members shall be discreet and respectful of elected leaders and will be sensitive to the expectations and values of the public they serve.~~

~~The Board shall cultivate a sense of group responsibility. The Board, not the Director, shall be responsible for governing with excellence. The District shall use the expertise of individual Board members to enhance the ability of the Board as a body, but the Board may not substitute judgments of individual members for the Board's collective values. The Board shall work in partnership with the District and staff.~~

<sup>†</sup>~~These policies have been drawn, in substantial part, from the model offered boards in the book by John Carver and Miriam Mayhew Carver, *Reinventing Your Board* (San Francisco: Jossey-Bass, 2006) [www.josseybass.com](http://www.josseybass.com)~~

~~The Board shall hold itself accountable for governing with excellence. This self-discipline shall apply to matters such as attendance, preparation for meetings, adherence to policymaking principles, respect of roles, and ensuring effective continuity of governance capability into the future.~~

~~The Board shall direct, control, and inspire the organization through the careful establishment of written policies reflecting the Board's values and perspectives. The Board's major policy focus shall be on the intended long-term benefits for its constituents, not on the administrative or programmatic means of attaining those benefits. The Board shall attend to current and short-term issues only (a) as a temporary expedient; (b) in monitoring the Director's performance; or (c) as a device to maintain grassroots understanding. No issue shall consume Board time that has not first been determined to be a Board issue. Board meetings shall be disciplined by this principle.~~

~~Complaints relative to District policy should be heard in Board meetings, not by individual Board members. Matters of policy should come before the in-session, or may be referred by the Board to a Committee of the District.~~

~~Individual Board members shall direct questions from the media to the District Director, or designee, for official comment on behalf of the SBSRD.~~

~~Continuous Board development shall include orientation of new members in the Board's governance process and periodic Board discussion and evaluation of process to assure continued improvement.~~

~~The Board shall allow no officer, individual or committee of the Board to hinder or be an excuse for the Board's not fulfilling its commitments.~~

~~The Board shall monitor its process and performance annually through a debriefing process. Self-monitoring may include comparison of actual Board activity and discipline to the standards reflected in policies in the *Governance Process* and *Board Staff Relationship* categories.~~

~~The responsibilities of the SBSRD Board shall be clearly distinguished from those of the District Director.~~

~~**Monitoring Method:** *Board self-assessment*~~

~~**Monitoring Frequency:** *Annually at the January Board Meeting*~~

### **GP-3 Board Job Description**

~~The job of the Board is to represent its constituents and lead the organization by determining and demanding appropriate and excellent organizational performance. To distinguish the Board's own unique job from the jobs of the District Director and staff, the Board shall concentrate its efforts on the following:~~

~~Utilizing proactive strategies to ensure meaningful linkage with District residents to determine their concerns, needs and demands.~~

~~Developing written governing policies that, at the broadest levels, address:~~

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Ends: Organizational products, impacts, benefits or results for specified recipients and their relative worth (what end result is desired for whom and at what cost);

Executive Limitations: Constraints on executive authority that establish the practical, ethical, and legal boundaries within which all executive activity and decision making shall take place.

Governance Process: How the Board shall conceive, carry out, and monitor its own work.

Board/Staff Relationship: How authority is delegated to the District Director and how the Director's use of that authority is monitored; the Director's role, authority, and accountability.

Ensuring District Director performance through monitoring Ends and Executive Limitations policies.

Ensuring Board performance through monitoring Governance Process and Board-Staff Relationship Policies.

Ensuring that the Ends are the focus of organizational performance.

Ensuring District compliance with fiduciary responsibilities and fiscal policies adopted by the County Council upon recommendation by the Board in order to provide for efficient handling, spending, accounting, and reporting of public funds as prescribed by Generally Accepted Accounting Principles ("GAAP") and state laws.

Annually review and appoint an independent financial auditor for an audit of the organization and cause an internal review of financial transactions. The audit report is to be presented within 180 days of year end.

Monitoring Method: Board self assessment

Monitoring Frequency: Annually at the January Board Meeting

#### GP 4 – Monitoring Board Governance Process and Board-Staff Relationship Policies

The purpose of monitoring the Board's Governance Process and Board-Staff Relationship policies is to determine the degree to which the Board adheres to and fulfills its own policy commitments and to assure the continued relevancy and currency of the policies. Monitoring shall be done as efficiently as possible, using Board time effectively so that meetings can be used to create the future rather than to review the past. Within the financial constraints of the District, the Board shall conduct periodic reviews to allow it to focus on governance issues and other matters that require in-depth and undivided attention.

These policies are monitored through Board self assessment according to the following frequency:

<u>Board-Staff Relationship Policies</u>	<u>Frequency</u>	<u>Dates</u>
<u>B/SR 1 – Global Governance-Management Connection and Unity of Control</u>	<u>Annually</u>	<u>January Board Meeting</u>
<u>B/SR 2 – Accountability of the District Director</u>	<u>"</u>	<u>"</u>
<u>B/SR 3 – Delegation to the District Director</u>	<u>"</u>	<u>"</u>
<u>B/SR 4 – Monitoring District Director Performance</u>	<u>"</u>	<u>November Board Meeting</u>
<u>B/SR 5 – Summative Evaluation of the District Director</u>	<u>"</u>	<u>"</u>
<u>Governance Process Policies</u>	<u>Frequency</u>	<u>Dates</u>
<u>GP 1 – Governance Commitment</u>	<u>Annually</u>	<u>January Board Meeting</u>
<u>GP 2 – Governing Style</u>	<u>"</u>	<u>"</u>
<u>GP 3 – Board Job Description</u>	<u>"</u>	<u>"</u>
<u>GP 4 – Monitoring Governance Process and Board-Staff Relationship Policies</u>	<u>"</u>	<u>"</u>
<u>GP 5 – Board Chairperson's Role</u>	<u>"</u>	<u>"</u>

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<u>GP-6 — Board Committee Principles</u>	“	“
<u>GP-7 — Committee Structure</u>	“	“
<u>GP-8 — Agenda Planning</u>	“	“
<u>GP-9 — Board Member Code of Ethics</u>	“	“
<u>GP-10 — Board Member Covenants</u>	“	“
<u>GP-11 — Board Member Conflict of Interest</u>	“	“
<u>GP-12 — Process for Addressing Board Member Violations</u>	“	“

Monitoring Method: Board self-assessment  
Monitoring Frequency: Annually at the January Board Meeting

**GP-5 — Board Chairperson’s Role**

The Chair of the Board ensures the integrity of the Board’s processes and normally serves as the Board’s official spokesperson. Accordingly, the Board Chair has the following authority and duties:

- Monitor Board behavior to ensure that it is consistent with its own rules and policies and those legitimately imposed upon it from outside the organization.
  - Conduct and monitor Board meeting deliberations to ensure that only Board issues, as defined in Board policy, are discussed.
  - Ensure that Board meeting deliberations are fair and thorough, but also efficient, timely, orderly, and to the point.
  - Chair Board meetings with all the commonly accepted power of that position as provided in Roberts Rules of Order.
  - Conduct timely Board meeting debriefings and periodic self assessments to ensure process improvement.
- Make all interpretive decisions that fall within the topics covered by Board policies on Governance Process and Board/Staff Relationship, except where the Board specifically delegates portions of this authority to others, using any reasonable interpretation of the provisions in those policies.
  - Refrain from making any interpretive decisions about policies created by the Board in the Ends and Executive Limitations policy areas.
  - Refrain from exercising any authority as an individual to supervise or direct the District Director.
- Represent the Board to outside parties in announcing Board stated positions and in stating decisions and interpretations within the areas assigned to the Board Chair, delegating this authority to other Board members when appropriate, but remaining accountable for its use.
- Facilitate the summative evaluation of the District Director and issue a final report on the evaluation.
- Cooperate with the District Director to develop a proposed agenda for meetings of the District Board after inviting suggestions from the Board members.
- Keep (or cause to be kept) an accurate record of all Board Meetings and deliberations, including the maintenance of an accurate record, by individual member, of all formal votes of the District Board duly recorded by name in the minutes.
- In the absence or inability of the Board Chair, the Vice Chair shall have all of the powers and duties of the Board Chair.
- To recommend to the Board appointment of members to any committee created by the Board, but shall not serve

on the nominating committee for Board officers.

Monitoring Method: Board self-assessment  
Monitoring Frequency: Annually at the January Board Meeting

### **GP 6 – Board Committee Principles**

Board committees, when used, shall be assigned to support the work of the Board and to reinforce the wholeness of the Board’s job and never to interfere with delegation of authority from the Board to the District Director. Committees will be used sparingly and for the most part in an ad hoc capacity.

Accordingly:

Board committees are to assist the Board to do its job, not to help or advise the staff. Committees ordinarily shall assist the Board by preparing policy alternatives, implications or recommendations for Board consideration. In keeping with the Board’s broader focus, Board committees shall not have direct dealings with staff operations unless specifically given that authority by the Board.

Board committees may not speak or act for the Board except when formally given such authority by the Board for specific and time limited purposes. Expectations and authority shall be stated carefully by the Board to assure that committee authority shall not conflict with authority delegated to the District Director.

Board committees cannot exercise authority over the District Director or staff. Because the District Director works for the full Board, any direction to the District Director related to a committee recommendation must come from the full Board.

Board committees are expected to avoid over-identification with organizational parts rather than the whole. Therefore, a Board committee that has helped the Board create policy shall not be used to monitor organizational performance on that same subject.

This policy applies only to committees that are formed by Board action, whether or not the committees include Board members. It does not apply to committees formed under the authority of the District Director.

Monitoring Method: Board self-assessment  
Monitoring Frequency: Annually at January Board Meeting

### **GP 7 – Committee Structure**

A committee is a Board committee only if its existence and charge come from the Board and its work is intended to support the Board’s work, whether or not Board members serve on the committee. The only Board committees are those that are named in this policy, or as established by Board motion. Unless otherwise indicated, a committee ceases to exist as soon as its task is complete.

Monitoring Method: Board self-assessment  
Monitoring Frequency: Annually at the January Board Meeting

### **GP 8 – Agenda Planning**

To accomplish its stated objectives, the Board shall adopt and follow an annual agenda that schedules continuing review, monitoring, and refinement of *Ends* policies, linkage meetings with identified ownership and staff groups, monitoring of policies, and activities to improve board performance through education, enriched input, and deliberation.

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Accordingly:

The planning cycle shall end each year by November 1<sup>st</sup> in order that administrative decision making and budgeting can be based on accomplishing the next one year segment of the Board's most recent statement of long term ends.

The planning cycle shall start with the Board's development of its agenda for the next year, and shall include:

- Scheduled linkage discussions and consultations with selected groups and persons whose insights and opinions may be helpful to the Board.
- Education discussions on governance matters, including orientation of new Board members in the Board's governance process, and periodic discussions by the Board about means to improve its own process.
- Education related to Ends policies (e.g. presentations by futurists, demographers, advocacy groups, staff, etc.).
- Scheduled monitoring of all policies.

Throughout the year, the Board shall attend to consent agenda items as expeditiously as possible. An item may be added or removed from the consent agenda for separate consideration at the request of any Board member.

The Board shall conclude each meeting with agenda items to:

- Monitor the Board's process and performance, consistent with GP-2.7 and GP-10, and
- Review action to be taken to prepare for the next Board meeting.

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually at the January Board Meeting

### GP-9 Board Member Code of Conduct

The Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum.

Board members shall conduct all business in legal meetings in accordance with procedures prescribed in the rules and regulations and will reach decisions only after full consideration and debate on the issues in question. Once a decision is made, all Board members will abide in good faith by the decision.

Accordingly:

Board members shall represent the interests of the whole organization. This accountability supersedes:

- any conflicting loyalty to other advocacy or interest groups,
- loyalty based upon membership on other boards or staffs,
- conflict based upon the Board members' use of the services provided by the District.

Board members may not attempt to exercise individual authority over the organization. The Board shall not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is identified as a directive of the Board.

- Board members' interaction with the District Director or with staff must recognize the lack of authority vested in individuals except when explicitly authorized by the Board.
- Board members' interaction with the public, press or other entities must recognize the same limitation and the inability of any Board member to speak for the Board except to repeat explicitly stated Board decisions. This limitation does not restrict any Board member from engaging constituents directly.

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~~regarding their concerns and needs.~~

~~Board members shall not publicly make or express individual negative judgments about District Director or staff performance. Any such judgments of District Director or staff performance shall be made in closed session and only by the Board.~~

~~Board members shall maintain confidentiality appropriate to issues of a sensitive nature and information that otherwise may tend to compromise the integrity or legal standing of the Board, especially those matters discussed in closed session.~~

~~Board members shall refrain from any self-dealing or any conduct of private business or personal services between any Board member and the District except as procedurally controlled to assure openness, competitive opportunity and equal access to otherwise "inside" information.~~

~~Board members must not use their positions to obtain for themselves, or for their family members, employment or the award of a contract with the District. Should a Board member desire employment or the award of a contract, he or she must first resign.~~

~~When the Board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member shall recuse him/herself from the deliberation and abstain from the vote.~~

~~In order to build and maintain productive and effective relationships, Board members shall maintain a system of communication and interaction that builds upon mutual respect and trust.~~

Accordingly, Board members shall:

- ~~Exercise honesty in all written and interpersonal communication.~~
- ~~Demonstrate respect for the opinions of others.~~
- ~~Focus on issues rather than on personalities.~~
- ~~Maintain focus on common goals.~~
- ~~Communicate in a timely manner to avoid surprises.~~
- ~~Respect majority decisions of the Board.~~
- ~~Withhold final judgment on issues until fully informed.~~
- ~~Seek first to understand rather than to be understood.~~
- ~~Criticize privately, praise publicly.~~
- ~~Use closed sessions appropriately and judiciously.~~
- ~~Maintain appropriate confidentiality.~~
- ~~Openly share personal concerns.~~
- ~~Take the initiative to communicate and ask questions for clarification.~~
- ~~Share information and knowledge.~~
- ~~Give direction as the whole, not as individuals.~~
- ~~Make every reasonable effort to protect the integrity and promote the positive image of the organization and one another.~~
- ~~Deal with outside entities or individuals, with members, staff, and each other in a manner reflecting fair play, ethics and straightforward communication.~~

Board members shall not:

- ~~Embarrass each other or the organization.~~
- ~~Intentionally mislead or misinform each other.~~
- ~~Maintain hidden agendas.~~
- ~~Undermine majority decisions of the board.~~
- ~~Assume responsibility for resolving operational problems or complaints.~~

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually at the January Board Meeting

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### GP-10 Board member Conflict of Interest

Board members will annually disclose their involvement with other organizations, businesses or associations which might produce a conflict of interest. Board members are expected to avoid conflicts of interest involving any matter pending before the Board. A conflict of interest is deemed to exist when a Board member is confronted with an issue in which the Board member has a personal or pecuniary interest or an issue or circumstance that could render the Board member unable to devote complete loyalty and singleness of purpose to the organization.

Accordingly:

— If a Board member has a personal or private interest in a matter pending before the Board, the Board member shall disclose such interest to the Board, shall not vote on the matter and shall not attempt to influence the decisions of other members of the Board.

— The Board shall not enter into any contract with any of its Board members or with a firm in which a Board member has a controlling financial interest.

Accordingly, a Board member shall not:

— Disclose or use confidential information acquired in the course of official duties as a means to further the Board member's personal financial interests or the interests of a member of the Board member's immediate family.

— Solicit or accept a gift of substantial value or economic benefit for personal use which would tend to improperly influence a reasonable person, or which the Board member knows or should know is primarily for the purpose of a reward for official action.

— Engage in a substantial financial transaction for private business purposes with any employee of the District.

— Perform an official act that directly confers an economic benefit on a business in which the Board member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually at the January Board Meeting

### GP-11 Process for Addressing Board member Violations

The Board and each of its Board members are committed to faithful compliance with the provisions of the Board's policies. In the event of a Board member's willful and continuing violation of policy, the Board shall seek remedy by the following process:

Conversation in a private setting between the offending Board member and the Board Chair or other individual Board member designated by the Board.

Discussion in an executive session between the offending Board member and the full Board.

Request to the Summit County Manager and County Council for expulsion from the Board by 2/3 majority vote of the other Board members on the Board.

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually at the January Board Meeting

## CHAPTER 8

### BOARD/STAFF RELATIONSHIP (B/SR)<sup>2</sup>

#### **B/SR 1 — Global Governance Management Connection and Unity of Control: amended January 23, 2019**

The Board's sole connection to the operational organization is the District Director. Only decisions of the Board acting as an entity are binding on the Director.

Accordingly:

Decisions or instructions of individual Board members, officers or committees are not binding on the District Director except when the Board has specifically authorized such exercise of authority by individuals or committees.

In the case of Board members or committees requesting information or assistance without Board authorization, the Director may refuse such requests that require, in the Director's opinion, a material amount of staff time or resources or that are disruptive or unreasonable.

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually at the December Board Meeting

#### **B/SR 2 — Accountability of the District Director: amended January 23, 2019**

The District Director is the Board's only link to the operation of the organization. All authority over and accountability of staff is considered to be the responsibility of the Director.

Accordingly:

The Board shall never give instructions to persons who report directly or indirectly to the Director.

The Board shall not formally evaluate any staff member other than the Director.

Other than stating its values through policy or acting in an official capacity through the grievance process, the Board shall not participate in decisions or actions involving the hiring, evaluating, disciplining or dismissal of any employee other than the Director.

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually at the December Board Meeting

<sup>2</sup>These policies have been drawn, in substantial part, from the model offered boards in the book by John Carver and Miriam Mayhew Carver, *Reinventing Your Board* (San Francisco: Jossey-Bass, 2006) [www.josseybass.com](http://www.josseybass.com)



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**B/SR 3 — Delegation to the District Director: amended January 23, 2019**

The Board shall instruct the District Director through written policies that prescribe the organizational ends (Ends Policies) to be achieved and describe organizational situations and actions to be avoided (Executive Limitations Policies). The Board shall support any reasonable interpretation of those policies by the District Director.

Accordingly:

The Board shall develop policies instructing the District Director to achieve defined results for identified recipients at a specified cost. These policies shall be developed systematically from the broadest, most general level to more defined levels, and shall be called *Ends* policies.

The Board shall develop policies that limit the latitude the District Director may exercise in choosing the organizational means. These policies shall be developed systematically from the broadest, most general level to more defined levels, and they shall be called *Executive Limitations* policies.

As long as the District Director uses any reasonable interpretation of the Board's *Ends* and *Executive Limitations* policies, the Director is authorized to establish all further policies, make all decisions, establish all practices, and develop all activities the Director deems appropriate to achieve the Board's *Ends* policies.

The Board may change its *Ends* and *Executive Limitations* policies at any time, thereby shifting the boundary between Board and District Director domains. By doing so, the Board changes the latitude of choice given to the Director. However, as long as any specified delegation of responsibility is in place and the Director reasonably interprets existing policies, the Board shall respect and support the Director's choices even though they may not be the choices Board members may have made.

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually at the December Board Meeting

**B/SR 4 — Monitoring District Director Performance: amended January 23, 2019, March 3, 2021**

The Board shall view District Director performance as synonymous with organizational performance. Job performance of the Director shall be monitored systematically against the Director job expectations: reasonable progress toward organizational accomplishment of the Board's *Ends* policies, and organizational operation within the boundaries established in the Board's *Executive Limitations* policies.

Accordingly:

Monitoring determines the degree to which Board policies are being met.

The Board shall acquire monitoring data on *Ends* and *Executive Limitations* policies by one or more of three methods:

- Internal report, in which the Director discloses information and certifies compliance to the Board.
- External report, in which an external, disinterested third party selected by the Board assesses compliance with Board policies.
- Direct Board inspection, in which the Board assesses compliance with the appropriate policy criteria.

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In every case, the standard for compliance shall be whether the Director has reasonably interpreted the Board policy being monitored and determination of whether reasonable progress is being made toward achieving the Board's Ends policies. The Board shall make the final determination as to whether the Director's interpretation is reasonable and whether reasonable progress is being made.

All policies that instruct the Director shall be monitored on a schedule according to a frequency and by a method chosen by the Board, however the Board may monitor any policy at any time by any method.

During the last quarter of each year, the Board shall conduct a formal summative evaluation of the Director using the Performance Evaluation objectives and metrics established at the Board meeting to be held each June for the following calendar year. When appropriate, these objectives will be informed by the Executive Limitations and Ends enumerated in Chapters 9 and 10.

As part of that process, the District Director Liaison Committee will seek appropriate Staff and County input and make a recommendation to the full Board for discussion and possible approval. Based on the evaluation, the District Director's merit increase and bonus will be at the Board's discretion. Such merit increase and bonus must consider the District's budget. The District Director will receive a cost of living adjustment to salary consistent with that received by all other employees of the District. The Board will prepare a written evaluation document. The District Director will have the opportunity to review the document with the Board in executive session. The District Director and the Board Chairperson will sign the report.

Monitoring Method: Board assessment  
Monitoring Frequency: Annually in November

## CHAPTER 3

### RELATION OF SBSRD TO OTHER AGENCIES

#### Section I. Summit County Council

- A. The District was created by the Summit County Board of Commissioners, under the Utah Special Services District Act, to provide recreational services and facilities for residents of western Summit County residing in the unincorporated area outside of Park City.
- B. The County created the SBSRD Board to oversee the operation of the District. Board members are appointed to the Board by the Summit County Council.
  - a. **Procedure for Board Member Advertisement**
    - i. SBSRD Board vacancies shall be advertised by Summit County.
    - ii. SBSRD shall promote advertisement through its communication channels.
- C. The District is a separate body politic controlled by the Board, however, Summit County may at any time modify, limit, or revoke any right, power or authority delegated to the Board.
- D. Debt issuance by the District must be approved by the Summit County Council as the Governing Body.
  - a. The County Council has the power to cause taxes to be levied on all taxable property in the District for the carrying out of the purpose for which the District was created.
  - b. The maximum rate of tax levy applicable to the District for operations and maintenance as authorized by the District's voters pursuant to the Act is .000600 per dollar of taxable value of taxable property within the District.
  - c. The District may levy an unlimited tax levy to pay the principal of and interest on legally issued general obligation bonds.

#### Section II. Summit County Planning and Building

*Effective January 10, 2018*

- A. The District will work in alliance with the Summit County Planning Department as a service provider to Summit County to plan and provide for future parks and recreation facilities, recreational open space and non-motorized trails in conformance with the Snyderville Basin Recreation and Trails Master Plan Policies, as amended over time.
  - a. In the review of development proposals, SBSRD staff will identify opportunities for provision of community recreation, park and/or community trail facilities and bring them to the attention of the Board.
- B. An authorized agent of the District will review and sign all plats in the Snyderville Basin to be recorded with Summit County.
- C. ~~Recreation and Trails~~SBSRD Master Planning documents created by the District and adopted by the County Council as Governing Body from time to time function as the recreation elements of the Snyderville Basin General Plan.
  - a. SBSRD will perform duties of the District referenced in the Snyderville Basin General Plan and Snyderville Basin Development Code, adopted 1998, or as amended by ordinance thereafter.
- D. The Summit County Building Department will require a District-issued receipt from all residential and commercial development applicants documenting the payment of recreation facilities impact fees to the District, prior to the issuance of any building permit in the Snyderville Basin.

### **Section III. Basin Open Space Advisory Committee (“BOSAC”)**

- A. SBSRD will work cooperatively with BOSAC on the potential purchase of open space within the Snyderville Basin. BOSAC is a recommending body to the Summit County Manager for the purchase of recreational open space by Summit County. The Summit County Council is the approval authority for all open space purchases by SBSRD.
- B. SBSRD provides administrative oversight for the issuance of general obligation bonds approved by voters of the District for the purpose of acquiring recreational open space. SBSRD will budget and provide timely payment for principal and interest on debt service related to GO Bonds issued for recreational open space.
- C. The Summit County Manager exercises the power to appoint and remove members of the BOSAC. Due to fiduciary responsibilities related to debt service issued by SBSRD, SBSRD will be provided one appointed BOSAC position to be held by a Board member, in addition to a District staff liaison.
- D. Summit County may be responsible for associated cost of operations, maintenance, restoration of open space purchases recommended by representatives of BOSAC including, but not limited to, weed and pest control and all costs associated with third party conservation easements.
  - a. The District will be responsible for planning, construction and maintenance of all designated community trails within recreational open space.

### **Section IV. Other Agencies**

- A. SBSRD will work cooperatively with other agencies and their representatives, in the interest of providing for future recreational needs in the Snyderville Basin.
- B. The SBSRD Board has entered into an Agreement dated May 24, 2007 for Joint Use of Facilities for Recreation with Park City Municipal Corporation Recreation Services, and the Park City School District, as amended on May 1, 2012, ~~and~~ June 4, 2019 and extended for one year on January 9, 2023, on ???.

## CHAPTER 4

### OPEN AND PUBLIC MEETINGS

#### Section I. Background

- A. **Policy:** This shall be known as the Snyderville Basin Special Recreation District Open and Public Meetings Policy.
- B. **Purpose:** The policy establishes guidelines for meetings of the Board, including how meetings are to be convened, how they are to be conducted and how minutes are to be prepared and approved.

#### Section II. Compliance with State Law: *amended March 3, 2021*

- A. **Application of the Open and Public Meetings Act:** All meetings of the SBSRD Board must be open to the public unless specifically exempted by law. In order to be considered a meeting, a majority of the members of the Board must be present for the purpose of making a decision or deliberating toward a decision on any matter. If the meeting is less than a quorum, then it need not be open to the public and is not covered under the Open Meetings Act. In adopting this Policy, the District recognizes the application of the Open and Public Meetings Act, Utah §§52-4-101 et.seq. (the "Act"). Any inconsistency or conflict between this Policy and applicable provisions of the Act shall be governed by the Act, as amended from time to time. It is the policy of the District to provide Board member training on Utah's Open and Public Meetings Act on an annual basis.
- B. **Definitions:** The definitions stated in Utah §52-4-103 are incorporated here by reference.

#### Section III. Meeting Notice and Agenda: *amended March 3, 2021*

- A. **Required Annual Notice:** The Board will establish an annual meeting schedule, including the date, time, and location of each regular Board meeting throughout the year, and give public notice of the annual meeting schedule prior to the start of the following calendar year. Notwithstanding the foregoing, any meeting may be rescheduled at the request and on the affirmative vote of a majority of the Board, with notice of the rescheduled meeting to be provided as stated in paragraph D. A copy of the annual meeting schedule shall be posted at the District office, [inside Basin Recreation Fieldhouse](#), on the District website and published in the legal notices of the Park Record.
- B. **Special and Emergency Meetings:** The Board shall hold such special and emergency meetings as desired by the Board, provided that notice of all such meetings is given as provided in paragraph D. A special or emergency meeting of the Board may be convened at the request of any Board member upon the approval of at least two additional Board members.
- C. **Agenda:** An agenda shall be prepared for every meeting of the Board. Regular Board meeting agendas ~~may~~ should include a "public comment" agenda item. A similar agenda item may, but need not, be included in the agenda of any special or emergency Board meeting. Any interested party may ask any Board member or the person responsible for the agenda to include a particular subject on an agenda which subject may, in the discretion of the Board Chair, be so included. Each agenda shall include subjects as requested by any Board member. While the agenda need not be detailed, it must nevertheless treat each subject with reasonable specificity, so as to place interested persons on notice of principal subjects anticipated to be considered at the meeting. At the discretion of the Board Chair, subjects not appearing on the agenda may be discussed but, absent an emergency, no action shall be taken.
- D. **Notice:** Meetings of the Board shall be noticed in accordance with law. The District shall give not less than twenty-four (24) hours advance public notice of the agenda, including the date, time and location of each regular and special meeting of the Board. Board members, key staff, individuals noticed on the agenda, and other interested individuals will receive an agenda by electronic mail, fax, postal service or personal

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delivery. The District Director is accountable for the public notice of regularly scheduled Board meetings, special meetings, Board retreats and the annual notice of meetings for publication in a newspaper having general circulation in the Snyderville Basin (the Park Record). Whenever possible, public notice will be dated for release in the newspaper issue preceding the meeting date. Notice will also be provided to local radio, KPCW, and posted to the District's website, [Summit County website](#), and Utah Public Notice Website ("UPNW"). The District will comply with the requirements of the UPNW. The District Director shall appoint positions of District "owner" and "poster," who may be one and the same. The owner will be responsible for controlling all of the District's information on the UPNW. The poster will post public meeting notices and public bond hearing notices on behalf of the District.

- E. **Amendments to Agenda:** The agenda of a meeting of the SBSRD Board may be amended to include additional subjects at the request of any Board Member, as authorized by the Board Chair, even though notice of the meeting has already been given as provided in paragraph D, provided that the amended notice is posted at the District's principal office and provided to a local media correspondent as set forth above.

#### Section IV. Conduct of Meetings: amended March 3, 2021

- A. **Quorum:** No action may be taken and no business may be conducted at a meeting of the Board unless a quorum, consisting of a simple majority of the membership of the Board is present. A Board Member who is not present may nevertheless participate in the meeting through electronic means and be counted toward the required quorum in accordance with Utah §52-4-7.8. Any Board Member participating via electronic means may make, second and vote on all motions and participate in the discussion as though present, except that the Board Member who chairs the meeting must be present at the anchor location.
- B. **Control of the Meeting:** Unless the Chair or Vice Chair, as appropriate, is participating in the meeting via electronic communication, each meeting of the Board shall be conducted by the Chair, if present, by the Vice Chair in the absence of the Chair, or by any Board Member selected for that purpose by a majority vote of the Board Members present when neither the Chair nor the Vice Chair is present. The Board Member chairing the meeting may relinquish the Chair to any other Board Member, other than a Board Member participating via electronic communications, at any time during the meeting. The Board Member chairing the meeting may discuss every matter coming before the Board, make, second and vote on motions, and otherwise fully participate in the meeting.
- C. **Expulsion From a Meeting:** Any person who willfully disrupts a Board meeting to the extent that the orderly conduct of the meeting is seriously compromised may be removed from the meeting. Should the person refuse to leave the meeting when asked to do so by the Chair, law enforcement officials may be called to remove the person.
- D. **Closed Meetings:** Except as otherwise provided in this paragraph D, all meetings of the Board are to be open to the public and all decisions must be made in public. Closed meetings must be held during publicly noticed meetings of the District. A meeting, or a portion of a meeting, may be closed to the public upon the affirmative vote of two-thirds of the Board Members present at the meeting. A meeting may be closed for any of the reasons specified in Utah §52-4-205 as follows:
  - 1. The character, professional competence or physical or mental health of an individual (including personnel issues regarding employment or discipline of public officers and employees, performance evaluations, contract negotiations).
  - 2. Strategy session to discuss pending or reasonably imminent litigation.
  - 3. Strategy session to discuss the sale, purchase, exchange, or lease of real property if such discussion prevents the District from completing the transaction on the best possible terms.
  - 4. Discussion regarding deployment of security personnel, devices, or systems.
  - 5. Investigative proceedings regarding allegations of criminal misconduct.
  - 6. Discussions required to be confidential in accordance with the Utah Procurement Code.
- E. **Conduct of a Closed Meeting:** Board Members may not approve any resolution, rule, regulation, contract or appointment during a closed meeting. The identity of the specific person whose character, competence or health is to be discussed, the identity of the parties to pending or reasonable imminent litigation, or the identity of property which the Board is considering purchasing, exchanging or leasing need not be stated in the motion to close the meeting or in the public portion of the meeting where such disclosure might infringe on the confidence necessary to fulfill the purpose of closing the meeting. Upon a motion to enter executive

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session, general public and press shall be dismissed from the room. Only District Board members and those person(s) designated by the Board may be present during a closed meeting. All final decisions must be made outside of the executive session. The public must have a chance to be made aware of the final decision. A vote of the SBSRD Board relating to information discussed in the executive session can satisfy this requirement.

- F. **Recording of Meetings:** A complete and unedited audio recording of all open portions of the meeting shall be kept by the District from commencement through adjournment and be properly labeled with the date, time, and place of the meeting. Any other person in attendance may record all or any part of an open meeting, provided that the recording does not interfere with the conduct of the meeting. A recording of an open meeting shall be available to the public for listening within three business days after the end of the meeting. Notwithstanding other parts of this paragraph, a recording is not required to be kept of an open meeting that is a site visit or traveling tour, if no vote or action is taken by the Board.

G. **Electronic Meetings:**

1. **Definitions.** The following terms are defined as follows:
  - i. "Anchor Location" means the usual meeting place of the SBSRD Board at the offices of the District at Trailside Park in Summit County, Utah.
  - ii. "Meeting Administrator" means the Chair of the Board, the District Director, or another employee of the District specifically assigned and designated to operate the electronic conference equipment at the anchor location to assure that all members of the Board are continuously able to participate in the electronic meeting and to advise the party conducting the meeting of the initiation, recess, if appropriate, or adjournment of the meeting.
  - iii. "Electronic Meeting" means a public meeting of the Board convened and conducted by means of a telephonic conference device or other electronic means, allowing each member of the Board to call to the anchor location and participate concurrently with all other members of the Board in the conduct of the meeting.
2. **Notice of Electronic Meetings.** The Board shall convene electronic meetings when necessary pursuant to specific public notice of an electronic meeting by posting written notice of the electronic meeting at the Anchor Location and providing written or electronic notice to the media as otherwise provided by law. Notice of the electronic meeting shall also be provided to each member of the Board at least 24 hours before the meeting, including a description of how members will be connected to the electronic meeting. The notice to members of the Board shall indicate the ~~telephone number~~ web link required for participation and any access codes necessary to make an electronic meeting conference available to members of the Board.
3. **Quorum Verification.** Before an electronic meeting may be called to order, all members of the Board shall be given an opportunity to participate in the meeting and no electronic meeting shall be convened unless the quorum of the Board is able to participate either in person or electronically in the meeting.
4. **Public Attendance.** Each electronic meeting shall be convened by the meeting administrator by announcing the parties present at the meeting and by making available to members of the public at the Anchor Location an amplified speaker enabling members of the public to hear the comments of Board members and the conduct of the meeting.
5. **Conduct of the Meeting.** Upon determining that a sufficient number of the Board are present for the electronic meeting to be convened and members of the public can adequately hear the comments of all members of the Board, the Chair or other Board member conducting the meeting shall formally convene the meeting and take a roll call of those participating. The Chair or other Board member conducting the meeting shall provide opportunity for each matter on the agenda to be presented and shall, in an order determined by the Chair, request comments one at a time from those members of the Board participating by name to enable each Board member an opportunity to comment, question, or otherwise, participate in the meeting. Individual Board members may request permission to be recognized for further comments, questions, or statements as the meeting progresses.

6. Compliance with Law. In all other respects, electronic or telephonic meetings shall be conducted, recorded, and minutes shall be kept as required by law for all other open and public meetings, or for all other record keeping purposes of the District.

## Section V. Minutes

- A. **Open Meetings:** Written minutes shall be kept of all open meetings of the Board. Written minutes need only be a summary of the meeting and shall be the official record of action taken at the meeting. Draft minutes shall be prepared by the person designated by the Board. The minutes are to include the date, time, and place of the meeting; the names of Board Members present and absent; the substance of all matters proposed, discussed or decided which may include a summary of comments made by Board members, and a record, by individual member, of votes taken; the name of each person who is not a member of the Board and, after being recognized by the Board Chair, provided testimony or comments and the substance in brief of his/her testimony; and any other information that is a record of the proceedings of the meeting that any Board Member requests be entered in the minutes.
- B. **Closed Meetings:** The reason or reasons for holding a closed meeting and the vote of the Board Members, cast by each member by name, either for or against the proposition to close the meeting, is to be entered in the minutes of the meeting. The minutes shall also include the date, time, and place of the closed meeting; the names of Board Members present and absent during the closed meeting; and the names of all others present during the closed meeting except where such disclosure would infringe on the confidence necessary to fulfill the original purpose of closing the meeting as, for example, the identity of an employee whose character, competence or physical or mental health is being discussed. No other detail regarding a closed meeting need be included in the minutes, except as otherwise provided in paragraph D.
- C. **Sworn Statement:** If the Board closes a meeting to discuss the character, professional competence or physical or mental health of an individual or to discuss the deployment of security personnel, devices or systems, the person presiding at the closed meeting shall sign a sworn statement (affidavit) affirming that the sole purpose for closing the meeting was to discuss either (a) the character, professional competence or physical or mental health of an individual; or (b) the deployment of security personnel, devices or systems. Said form shall be filed with the official meeting minutes.
- D. **Tape Recording or Detailed Minutes of a Closed Meeting:** If the Board closes a meeting for any purpose other than as specified in paragraph C, the closed portion of the meeting will be recorded, with recorded reference to date, time, place, and general topics of discussion. Tapes or Electronic Recordings shall be sealed and cataloged by the Records Officer by meeting date and general topic. Notwithstanding anything to the contrary in this Policy, in the District's GRAMA policy or in the Government Records Access and Management Act, Utah §§63G-2-101 *et seq.*, tape or electronic recordings of closed meetings are protected records to be disclosed only pursuant to a court order as provided by Utah §52-4-304. Recordings of a closed meeting, or a closed portion of a meeting, shall be maintained separately from any open meeting minutes. Recordings of Executive Session will be used for the express purpose of review by a judge, in case of a legal challenge. Any person who violates Utah §63G-2-305(32) regarding the protected status of such minutes and tape recordings may be subject to criminal penalties.
- E. **Approval of Minutes:** A draft of written minutes will be distributed to the Board as soon as practicable following each Board meeting. Written minutes that have been prepared in a form awaiting only formal approval by the Board are a public record, and shall be clearly identified as "draft awaiting formal approval." Minutes shall not be considered the "official record" until they have been formally approved by the Board. Official meeting minutes, signed by the Secretary or another Board members present, shall be kept in a safe place by the Records Officer. With the exception of minutes that are "protected" as provided in paragraph D, a copy of all approved minutes of the District shall be kept in a notebook maintained at the District office for inspection by the public during normal business hours. A copy of the approved minutes shall be posted to the District's website.
  1. **Procedure for Board Approval of Minutes.** Draft minutes shall be prepared and sent to Board members in advance of the business meeting at which they are placed on the agenda for approval. Minutes distributed in advance shall be clearly identified as "draft awaiting formal approval." If written minutes are unavailable until the noticed meeting time, the Board Chair may allow adequate time to review minutes during the meeting before calling for a motion to approve. If, due

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to unforeseeable circumstances, minutes are unavailable at the time they are noticed for approval, the item will be tabled until the next business meeting. When a Board member requests a correction or amendment to the draft minutes, the request shall be reflected in the motion to approve, and the amended or corrected and approved minutes shall be retained. Meeting minutes shall be approved by Board motion, signed by the Clerk, or another Board member in the Clerk's absence, and turned over to the Records Officer.

#### Section VI. Application of this Policy

- A. **Emergency Meetings.** Emergency meetings of the Board shall be noticed in accordance with State law. An actual emergency must exist, and the minutes must describe the reason for the emergency. SBSRD will make an effort to contact the media and issue public notice, even in an emergency.
- B. **Board Retreat(s).** The SBSRD Board shall have one or more annual retreat(s). The retreat will be designed to facilitate the discussion of philosophical direction, and determine long range plans for the District. Board retreats will be publicly noticed, but may occur outside the District boundaries.
- C. **Committee meetings.** Committee meetings are not covered under the Open Meetings Act because they do not require a quorum, and because committee representatives simply make recommendations to the Board, which is the policy making body. If, however, a Committee meeting includes enough Board members so as to constitute a quorum, then it must be open to the public and appropriately noticed.
- D. **Chance and Social Meetings.** Board members may discuss public policy during chance or social meetings as they occur from time to time, however members constituting a quorum are strongly encouraged to avoid discussions of the business of SBSRD during social gatherings.
- E. **Budget, Tax Rate and Bond Election Hearings.** Budgetary hearings, tax increases, and bond elections shall be noticed in accordance with SBSRD Fiscal Policies and Procedures and Utah law.



## CHAPTER 6

### SPECIAL SERVICE DISTRICT ADVISORS

#### Section I. Background

- A. **Policy:** It is the policy of the Board to engage consulting services for professional and technical matters, including architects, engineers, attorneys, financial consultants, and technological support and budget annually for their services.
- B. **Purpose:** The policy identifies District advisors and expresses the relationship between the District and the advisor.

#### Section II. Advisors: amended January 23, 2019

- A. **Insurance Agent of Record:** An insurance agent of record shall be selected by the Director.
  - 1. The District Director and the Board may request any advice that may be needed in handling insurance matters pertaining to the welfare of the SBSRD.
  - 2. Individual Board members should direct requests through the District Director and/or the Chair.
  - 3. ~~The current Insurance Agent of Record is:~~
    - ~~Olympus Insurance Agency 220 Morris Avenue #340~~
    - ~~PO Box 65608~~
    - ~~Salt Lake City, UT 84165-0608~~
    - ~~(801) 486-1373~~
- B. **Legal Counsel:** The District Director shall select and consult with qualified legal advisors whose area of expertise is found to be in the best interest of the District.
  - 1. The District Director and any Board member may request counsel for legal advice that may be needed in relation to official SBSRD business, or for opinions that may be needed in handling matters pertaining to the welfare of the SBSRD Board, or District, as a whole.
  - 2. Private counsel will be selected and authorized by the Board based on the attorney's
    - i. Specific areas of expertise;
    - ii. Absence of identifiable conflict(s) of interest in representation of the District;
    - iii. Availability of time to complete the task, and;
    - iv. Consideration of fees
  - 3. ~~The current general counsel to the District is:~~
    - ~~Summit County Attorney~~
    - ~~Attn: David L. Thomas, Chief Civil Deputy~~
    - ~~Summit County Courthouse~~
    - ~~60 N. Main~~
    - ~~P.O. Box 128~~
    - ~~Coalville, Utah 84017~~
    - ~~435-336-3206~~
    - ~~dthomas@summitcounty.org~~
- C. **Independent Auditor:** The Board shall select an independent auditor to conduct the District's Annual Independent Audit, as required by law. Once selected, the auditor may be retained for as long as the Board chooses. However, if the District decides to change auditors, Staff will follow the Procurement Policies found in Chapter 12 herein.

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~~1. The current Independent Auditor of the District is:~~

~~Greg Ogden, CPA  
1761 East 850 South  
Springville, UT 84663  
(801) 489-8408~~

**D. Financial Advisor:** The Board shall select a financial advisor to avail itself of experienced financial advisory services in the financing of capital projects, including the structuring and marketing of municipal securities and other services desired and set forth in an Agreement for Financial Advisory Services.

~~1. The current Financial Advisor of the District is:~~

~~Zions Bank Public Finance  
Zions Bank Building  
One S. Main Street, 18<sup>th</sup> Floor  
Salt Lake City, UT 84133-1009  
(801) 844-7373~~

## **CHAPTER 7**

### **GOVERNANCE PROCESS (GP)**

Based on the work of © John and Miriam Carver<sup>4</sup>

#### **GP 1 – Governance Commitment**

The Board, on behalf of the residents of the District, holds itself accountable by ensuring that all actions it takes are consistent with the District's mission, vision, and values and the Board's policies.

In fulfillment of this charge, the Board is committed to rigorous improvement of its capacity to govern effectively using its policies to define its concerns in terms of values and its vision in terms of expectations.

Before beginning his/her duties as a Board member, each newly appointed Board member of the District shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this State, and that I will discharge the duties of my office with fidelity."

*Monitoring Method:* \_\_\_\_\_ *Board self-assessment*

*Monitoring Frequency:* \_\_\_\_\_ *Annually at the January Board Meeting*

#### **GP 2 – Governing Style, amended March 3, 2021**

The Board shall govern with emphasis on long-term organizational vision; exhibit future orientation rather than past or present; focus on strategic leadership rather than administrative detail; encourage diversity in viewpoints but support collective rather than individual decisions; observe clear distinction between Board and Director roles; and govern proactively rather than reactively.

The Board will recommend for adoption to the County Council, as the Governing Body, rules and regulations governing the organization of the Board, election of officers, and the calling and conducting of its meetings.

The Board shall govern so that long-term values are achieved in the manner consistent with productive use of people and resources, with orderliness, with deliberation of thought and with care in the use of Board Members' time.

Accordingly:

- ~~1.~~ The major ongoing concerns of the Board shall be careful consideration of the District's reason for existence, its mission, vision, and values. All other concerns, however legitimate, shall be routinely managed as much as possible to allow the Board to spend most of its time focused on the District's Ends policies.
- ~~2.1.~~ Board members shall be discreet and respectful of elected leaders and will be sensitive to the expectations and values of the public they serve.
- ~~3.1.~~ The Board shall cultivate a sense of group responsibility. The Board, not the Director, shall be responsible for governing with excellence. The District shall use the expertise of individual Board members to enhance the ability of the Board as a body, but the Board may not substitute judgments of individual members for the Board's collective values. The Board shall work in partnership with the District and staff.

<sup>4</sup>These policies have been drawn, in substantial part, from the model offered boards in the book by John Carver and Miriam Mayhew Carver, *Reinventing Your Board* (San Francisco: Jossey-Bass, 2006) [www.josseybass.com](http://www.josseybass.com)

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- ~~4.1. The Board shall hold itself accountable for governing with excellence. This self discipline shall apply to matters such as attendance, preparation for meetings, adherence to policymaking principles, respect of roles, and ensuring effective continuity of governance capability into the future.~~
- ~~5.1. The Board shall direct, control, and inspire the organization through the careful establishment of written policies reflecting the Board's values and perspectives. The Board's major policy focus shall be on the intended long-term benefits for its constituents, not on the administrative or programmatic means of attaining those benefits. The Board shall attend to current and short-term issues only (a) as a temporary expedient; (b) in monitoring the Director's performance; or (c) as a device to maintain grassroots understanding. No issue shall consume Board time that has not first been determined to be a Board issue. Board meetings shall be disciplined by this principle.~~
- ~~6.1. Complaints relative to District policy should be heard in Board meetings, not by individual Board members. Matters of policy should come before the in-session, or may be referred by the Board to a Committee of the District.~~
- ~~7.1. Individual Board members shall direct questions from the media to the District Director, or designee, for official comment on behalf of the SBSRD.~~
- ~~8.1. Continuous Board development shall include orientation of new members in the Board's governance process and periodic Board discussion and evaluation of process to assure continued improvement.~~
- ~~9.1. The Board shall allow no officer, individual or committee of the Board to hinder or be an excuse for the Board's not fulfilling its commitments.~~
- ~~10.1. The Board shall monitor its process and performance annually through a debriefing process. Self-monitoring may include comparison of actual Board activity and discipline to the standards reflected in policies in the Governance Process and Board Staff Relationship categories.~~
- ~~11.1. The responsibilities of the SBSRD Board shall be clearly distinguished from those of the District Director.~~

~~Monitoring Method: Board self-assessment~~  
~~Monitoring Frequency: Annually at the January Board Meeting~~

### **GP 3 – Board Job Description**

The job of the Board is to represent its constituents and lead the organization by determining and demanding appropriate and excellent organizational performance. To distinguish the Board's own unique job from the jobs of the District Director and staff, the Board shall concentrate its efforts on the following:

- ~~1. Utilizing proactive strategies to ensure meaningful linkage with District residents to determine their concerns, needs and demands.~~
- ~~2.1. Developing written governing policies that, at the broadest levels, address:
  - ~~a. *Ends*: Organizational products, impacts, benefits or results for specified recipients and their relative worth (what end result is desired for whom and at what cost);~~
  - ~~b. *Executive Limitations*: Constraints on executive authority that establish the practical, ethical, and legal boundaries within which all executive activity and decision-making shall take place;~~
  - ~~c. *Governance Process*: How the Board shall conceive, carry out, and monitor its own work;~~
  - ~~d. *Board/Staff Relationship*: How authority is delegated to the District Director and how the Director's use of that authority is monitored; the Director's role, authority, and accountability.~~~~
- ~~3.1. Ensuring District Director performance through monitoring *Ends* and *Executive Limitations* policies.~~

- ~~4.1. Ensuring Board performance through monitoring *Governance Process* and *Board-Staff Relationship Policies*.~~
- ~~5.1. Ensuring that the Ends are the focus of organizational performance.~~
- ~~6.1. Ensuring District compliance with fiduciary responsibilities and fiscal policies adopted by the County Council upon recommendation by the Board in order to provide for efficient handling, spending, accounting, and reporting of public funds as prescribed by Generally Accepted Accounting Principles (“GAAP”) and state laws.~~
- ~~7.1. Annually review and appoint an independent financial auditor for an audit of the organization and cause an internal review of financial transactions. The audit report is to be presented within 180 days of year end.~~

~~Monitoring Method: *Board self-assessment*~~  
~~Monitoring Frequency: *Annually at the January Board Meeting*~~

**GP 4 – Monitoring Board Governance Process and Board-Staff Relationship Policies**

The purpose of monitoring the Board’s *Governance Process* and *Board-Staff Relationship* policies is to determine the degree to which the Board adheres to and fulfills its own policy commitments and to assure the continued relevancy and currency of the policies. Monitoring shall be done as efficiently as possible, using Board time effectively so that meetings can be used to create the future rather than to review the past. Within the financial constraints of the District, the Board shall conduct periodic reviews to allow it to focus on governance issues and other matters that require in-depth and undivided attention.

These policies are monitored through Board self-assessment according to the following frequency:

<b><u>Board-Staff Relationship Policies</u></b>	<b><u>Frequency</u></b>	<b><u>Dates</u></b>
<del>B/SR-1 — Global Governance-Management Connection and Unity of Control</del>	<del>Annually</del>	<del>January Board Meeting</del>
<del>B/SR-2 — Accountability of the District Director</del>	<del>“</del>	<del>“</del>
<del>B/SR-3 — Delegation to the District Director</del>	<del>“</del>	<del>“</del>
<del>B/SR-4 — Monitoring District Director Performance</del>	<del>“</del>	<del>November Board Meeting</del>
<del>B/SR-5 — Summative Evaluation of the District Director</del>	<del>“</del>	<del>“</del>
<b><u>Governance Process Policies</u></b>	<b><u>Frequency</u></b>	<b><u>Dates</u></b>
<del>GP-1 — Governance Commitment</del>	<del>Annually</del>	<del>January Board Meeting</del>
<del>GP-2 — Governing Style</del>	<del>“</del>	<del>“</del>
<del>GP-3 — Board Job Description</del>	<del>“</del>	<del>“</del>
<del>GP-4 — Monitoring Governance Process and Board-Staff Relationship Policies</del>	<del>“</del>	<del>“</del>
<del>GP-5 — Board Chairperson’s Role</del>	<del>“</del>	<del>“</del>
<del>GP-6 — Board Committee Principles</del>	<del>“</del>	<del>“</del>
<del>GP-7 — Committee Structure</del>	<del>“</del>	<del>“</del>
<del>GP-8 — Agenda Planning</del>	<del>“</del>	<del>“</del>
<del>GP-9 — Board Member Code of Ethics</del>	<del>“</del>	<del>“</del>
<del>GP-10 — Board Member Covenants</del>	<del>“</del>	<del>“</del>
<del>GP-11 — Board Member Conflict of Interest</del>	<del>“</del>	<del>“</del>
<del>GP-12 — Process for Addressing Board Member Violations</del>	<del>“</del>	<del>“</del>

~~Monitoring Method: Board self-assessment~~  
~~Monitoring Frequency: Annually at the January Board Meeting~~

### **~~GP 5 – Board Chairperson’s Role~~**

~~The Chair of the Board ensures the integrity of the Board’s processes and normally serves as the Board’s official spokesperson. Accordingly, the Board Chair has the following authority and duties:~~

- ~~1. Monitor Board behavior to ensure that it is consistent with its own rules and policies and those legitimately imposed upon it from outside the organization.
  - ~~a. Conduct and monitor Board meeting deliberations to ensure that only Board issues, as defined in Board policy, are discussed.~~
  - ~~b. a. Ensure that Board meeting deliberations are fair and thorough, but also efficient, timely, orderly, and to the point.~~
  - ~~e. a. Chair Board meetings with all the commonly accepted power of that position as provided in Roberts Rules of Order.~~
  - ~~d. a. Conduct timely Board meeting debriefings and periodic self-assessments to ensure process improvement.~~~~
- ~~2. 1. Make all interpretive decisions that fall within the topics covered by Board policies on *Governance Process* and *Board/Staff Relationship*, except where the Board specifically delegates portions of this authority to others, using any reasonable interpretation of the provisions in those policies.
  - ~~a. Refrain from making any interpretive decisions about policies created by the Board in the *Ends* and *Executive Limitations* policy areas.~~
  - ~~b. a. Refrain from exercising any authority as an individual to supervise or direct the District Director.~~~~
- ~~3. 1. Represent the Board to outside parties in announcing Board-stated positions and in stating decisions and interpretations within the areas assigned to the Board Chair, delegating this authority to other Board members when appropriate, but remaining accountable for its use.~~
- ~~4. 1. Facilitate the summative evaluation of the District Director and issue a final report on the evaluation.~~
- ~~5. 1. Cooperate with the District Director to develop a proposed agenda for meetings of the District Board after inviting suggestions from the Board members.~~
- ~~6. 1. Keep (or cause to be kept) an accurate record of all Board Meetings and deliberations, including the maintenance of an accurate record, by individual member, of all formal votes of the District Board duly recorded by name in the minutes.~~
- ~~7. 1. In the absence or inability of the Board Chair, the Vice Chair shall have all of the powers and duties of the Board Chair.~~
- ~~8. 1. To recommend to the Board appointment of members to any committee created by the Board, but shall not serve on the nominating committee for Board officers.~~

~~Monitoring Method: Board self-assessment~~  
~~Monitoring Frequency: Annually at the January Board Meeting~~

### **~~GP 6 – Board Committee Principles~~**

~~Board committees, when used, shall be assigned to support the work of the Board and to reinforce the wholeness of the Board's job and never to interfere with delegation of authority from the Board to the District Director. Committees will be used sparingly and for the most part in an ad-hoc capacity.~~

~~Accordingly:~~

- ~~1. Board committees are to assist the Board to do its job, not to help or advise the staff. Committees ordinarily shall assist the Board by preparing policy alternatives, implications or recommendations for Board consideration. In keeping with the Board's broader focus, Board committees shall not have direct dealings with staff operations unless specifically given that authority by the Board.~~
- ~~2.1. Board committees may not speak or act for the Board except when formally given such authority by the Board for specific and time-limited purposes. Expectations and authority shall be stated carefully by the Board to assure that committee authority shall not conflict with authority delegated to the District Director.~~
- ~~3.1. Board committees cannot exercise authority over the District Director or staff. Because the District Director works for the full Board, any direction to the District Director related to a committee recommendation must come from the full Board.~~
- ~~4.1. Board committees are expected to avoid over-identification with organizational parts rather than the whole. Therefore, a Board committee that has helped the Board create policy shall not be used to monitor organizational performance on that same subject.~~
- ~~5.1. This policy applies only to committees that are formed by Board action, whether or not the committees include Board members. It does not apply to committees formed under the authority of the District Director.~~

~~Monitoring Method: Board self-assessment~~

~~Monitoring Frequency: Annually at January Board Meeting~~

### **~~GP 7 – Committee Structure~~**

- ~~1. A committee is a Board committee only if its existence and charge come from the Board and its work is intended to support the Board's work, whether or not Board members serve on the committee. The only Board committees are those that are named in this policy, or as established by Board motion. Unless otherwise indicated, a committee ceases to exist as soon as its task is complete.~~

~~Monitoring Method: Board self-assessment~~

~~Monitoring Frequency: Annually at the January Board Meeting~~

### **~~GP 8 – Agenda Planning~~**

~~To accomplish its stated objectives, the Board shall adopt and follow an annual agenda that schedules continuing review, monitoring, and refinement of *Ends* policies, linkage meetings with identified ownership and staff groups, monitoring of policies, and activities to improve board performance through education, enriched input, and deliberation.~~

~~Accordingly:~~

Effective January 10, 2018

~~1. The planning cycle shall end each year by November 1<sup>st</sup> in order that administrative decision making and budgeting can be based on accomplishing the next one year segment of the Board's most recent statement of long term ends.~~

~~2.1. The planning cycle shall start with the Board's development of its agenda for the next year, and shall include:~~

- ~~a. Scheduled linkage discussions and consultations with selected groups and persons whose insights and opinions may be helpful to the Board.~~
- ~~b.a. Education discussions on governance matters, including orientation of new Board members in the Board's governance process, and periodic discussions by the Board about means to improve its own process.~~
- ~~c.a. Education related to Ends policies (e.g. presentations by futurists, demographers, advocacy groups, staff, etc.)~~
- ~~d.a. Scheduled monitoring of all policies.~~

~~3.1. Throughout the year, the Board shall attend to consent agenda items as expeditiously as possible. An item may be added or removed from the consent agenda for separate consideration at the request of any Board member.~~

~~4.1. The Board shall conclude each meeting with agenda items to:~~

- ~~a. Monitor the Board's process and performance, consistent with GP-2.7 and GP-10, and~~
- ~~b.a. Review action to be taken to prepare for the next Board meeting.~~

~~Monitoring Method: Board self-assessment~~

~~Monitoring Frequency: Annually at the January Board Meeting~~

## **GP 9 – Board Member Code of Conduct**

~~A. The Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum.~~

~~B.A. Board members shall conduct all business in legal meetings in accordance with procedures prescribed in the rules and regulations and will reach decisions only after full consideration and debate on the issues in question. Once a decision is made, all Board members will abide in good faith by the decision.~~

~~Accordingly:~~

~~1. Board members shall represent the interests of the whole organization. This accountability supersedes:~~

- ~~a. any conflicting loyalty to other advocacy or interest groups;~~
- ~~b.a. loyalty based upon membership on other boards or staffs;~~
- ~~c.a. conflict based upon the Board members' use of the services provided by the District.~~

~~2.1. Board members may not attempt to exercise individual authority over the organization. The Board shall not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is identified as a directive of the Board.~~

- ~~a. Board members' interaction with the District Director or with staff must recognize the lack of authority vested in individuals except when explicitly authorized by the Board.~~
- ~~b.a. Board members' interaction with the public, press or other entities must recognize the same limitation and the inability of any Board member to speak for the Board except to repeat explicitly stated Board decisions. This limitation does not restrict any Board member from engaging constituents directly regarding their concerns and needs.~~



Effective January 10, 2018

~~e.g. Board members shall not publicly make or express individual negative judgments about District Director or staff performance. Any such judgments of District Director or staff performance shall be made in closed session and only by the Board.~~

~~3.1. Board members shall maintain confidentiality appropriate to issues of a sensitive nature and information that otherwise may tend to compromise the integrity or legal standing of the Board, especially those matters discussed in closed session.~~

~~4.1. Board members shall refrain from any self-dealing or any conduct of private business or personal services between any Board member and the District except as procedurally controlled to assure openness, competitive opportunity and equal access to otherwise "inside" information.~~

~~5.1. Board members must not use their positions to obtain for themselves, or for their family members, employment or the award of a contract with the District. Should a Board member desire employment or the award of a contract, he or she must first resign.~~

~~6.1. When the Board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member shall recuse him/herself from the deliberation and abstain from the vote.~~

~~C.A. \_\_\_\_\_ In order to build and maintain productive and effective relationships, Board members shall maintain a system of communication and interaction that builds upon mutual respect and trust.~~

Accordingly, Board members shall:

- ~~1. \_\_\_\_\_ Exercise honesty in all written and interpersonal communication.~~
- ~~2.1. \_\_\_\_\_ Demonstrate respect for the opinions of others.~~
- ~~3.1. \_\_\_\_\_ Focus on issues rather than on personalities.~~
- ~~4.1. \_\_\_\_\_ Maintain focus on common goals.~~
- ~~5.1. \_\_\_\_\_ Communicate in a timely manner to avoid surprises.~~
- ~~6.1. \_\_\_\_\_ Respect majority decisions of the Board.~~
- ~~7.1. \_\_\_\_\_ Withhold final judgment on issues until fully informed.~~
- ~~8.1. \_\_\_\_\_ Seek first to understand rather than to be understood.~~
- ~~9.1. \_\_\_\_\_ Criticize privately, praise publicly.~~
- ~~10.1. \_\_\_\_\_ Use closed sessions appropriately and judiciously.~~
- ~~11.1. \_\_\_\_\_ Maintain appropriate confidentiality.~~
- ~~12.1. \_\_\_\_\_ Openly share personal concerns.~~
- ~~13.1. \_\_\_\_\_ Take the initiative to communicate and ask questions for clarification.~~
- ~~14.1. \_\_\_\_\_ Share information and knowledge.~~
- ~~15.1. \_\_\_\_\_ Give direction as the whole, not as individuals.~~
- ~~16.1. \_\_\_\_\_ Make every reasonable effort to protect the integrity and promote the positive image of the organization and one another.~~
- ~~17.1. \_\_\_\_\_ Deal with outside entities or individuals, with members, staff, and each other in a manner reflecting fair play, ethics and straightforward communication.~~

Board members shall not:

- ~~1. \_\_\_\_\_ Embarrass each other or the organization.~~
- ~~2.1. \_\_\_\_\_ Intentionally mislead or misinform each other.~~
- ~~3.1. \_\_\_\_\_ Maintain hidden agendas.~~
- ~~4.1. \_\_\_\_\_ Undermine majority decisions of the board.~~
- ~~5.1. \_\_\_\_\_ Assume responsibility for resolving operational problems or complaints.~~

**Monitoring Method:** \_\_\_\_\_ *Board self-assessment*

**Monitoring Frequency:** \_\_\_\_\_ *Annually at the January Board Meeting*

**~~GP-10 Board member Conflict of Interest~~**

~~Board members will annually disclose their involvement with other organizations, businesses or associations which might produce a conflict of interest. Board members are expected to avoid conflicts of interest involving any matter pending before the Board. A conflict of interest is deemed to exist when a Board member is confronted with an issue in which the Board member has a personal or pecuniary interest or an issue or circumstance that could render the Board member unable to devote complete loyalty and singleness of purpose to the organization.~~

~~Accordingly:~~

~~1. If a Board member has a personal or private interest in a matter pending before the Board, the Board member shall disclose such interest to the Board, shall not vote on the matter and shall not attempt to influence the decisions of other members of the Board.~~

~~2.1. The Board shall not enter into any contract with any of its Board members or with a firm in which a Board member has a controlling financial interest.~~

~~Accordingly, a Board member shall not:~~

~~a. Disclose or use confidential information acquired in the course of official duties as a means to further the Board member's personal financial interests or the interests of a member of the Board member's immediate family;~~

~~b.a. Solicit or accept a gift of substantial value or economic benefit for personal use which would tend to improperly influence a reasonable person, or which the Board member knows or should know is primarily for the purpose of a reward for official action;~~

~~e.a. Engage in a substantial financial transaction for private business purposes with any employee of the District.~~

~~d.a. Perform an official act that directly confers an economic benefit on a business in which the Board member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.~~

~~Monitoring Method: Board self-assessment~~

~~Monitoring Frequency: Annually at the January Board Meeting~~

**~~GP-11 Process for Addressing Board member Violations~~**

~~The Board and each of its Board members are committed to faithful compliance with the provisions of the Board's policies. In the event of a Board member's willful and continuing violation of policy, the Board shall seek remedy by the following process:~~

~~a. Conversation in a private setting between the offending Board member and the Board Chair or other individual Board member designated by the Board;~~

~~b.a. Discussion in an executive session between the offending Board member and the full Board;~~

~~e.a. Request to the Summit County Manager and County Council for expulsion from the Board by 2/3 majority vote of the other Board members on the Board.~~

~~Monitoring Method: Board self-assessment~~

~~Monitoring Frequency: Annually at the January Board Meeting~~

## ~~CHAPTER 8~~

### ~~BOARD/STAFF RELATIONSHIP (B/SR)<sup>2</sup>~~

#### ~~B/SR 1 — Global Governance Management Connection and Unity of Control; amended January 23, 2019~~

~~The Board's sole connection to the operational organization is the District Director. Only decisions of the Board acting as an entity are binding on the Director.~~

~~Accordingly:~~

- ~~1. Decisions or instructions of individual Board members, officers or committees are not binding on the District Director except when the Board has specifically authorized such exercise of authority by individuals or committees.~~
- ~~2.1. In the case of Board members or committees requesting information or assistance without Board authorization, the Director may refuse such requests that require, in the Director's opinion, a material amount of staff time or resources or that are disruptive or unreasonable.~~

~~Monitoring Method: ————— Board self-assessment~~

~~Monitoring Frequency: ————— Annually at the December Board Meeting~~

#### ~~B/SR 2 — Accountability of the District Director; amended January 23, 2019~~

~~The District Director is the Board's only link to the operation of the organization. All authority over and accountability of staff is considered to be the responsibility of the Director.~~

~~Accordingly:~~

- ~~1. The Board shall never give instructions to persons who report directly or indirectly to the Director.~~
- ~~2.1. The Board shall not formally evaluate any staff member other than the Director.~~
- ~~3.1. Other than stating its values through policy or acting in an official capacity through the grievance process, the Board shall not participate in decisions or actions involving the hiring, evaluating, disciplining or dismissal of any employee other than the Director.~~

~~Monitoring Method: ————— Board self-assessment~~

~~Monitoring Frequency: ————— Annually at the December Board Meeting~~

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<sup>2</sup>These policies have been drawn, in substantial part, from the model offered boards in the book by John Carver and Miriam Mayhew Carver, *Reinventing Your Board* (San Francisco: Jossey-Bass, 2006) [www.josseybass.com](http://www.josseybass.com)

Effective January 10, 2018

**~~B/SR 3 — Delegation to the District Director: amended January 23, 2019~~**

~~The Board shall instruct the District Director through written policies that prescribe the organizational ends (Ends Policies) to be achieved and describe organizational situations and actions to be avoided (Executive Limitations Policies). The Board shall support any reasonable interpretation of those policies by the District Director.~~

~~Accordingly:~~

- ~~1. The Board shall develop policies instructing the District Director to achieve defined results for identified recipients at a specified cost. These policies shall be developed systematically from the broadest, most general level to more defined levels, and shall be called *Ends* policies.~~
- ~~2.1. The Board shall develop policies that limit the latitude the District Director may exercise in choosing the organizational means. These policies shall be developed systematically from the broadest, most general level to more defined levels, and they shall be called *Executive Limitations* policies.~~
- ~~3.1. As long as the District Director uses any reasonable interpretation of the Board's *Ends* and *Executive Limitations* policies, the Director is authorized to establish all further policies, make all decisions, establish all practices, and develop all activities the Director deems appropriate to achieve the Board's *Ends* policies.~~
- ~~4.1. The Board may change its *Ends* and *Executive Limitations* policies at any time, thereby shifting the boundary between Board and District Director domains. By doing so, the Board changes the latitude of choice given to the Director. However, as long as any specified delegation of responsibility is in place and the Director reasonably interprets existing policies, the Board shall respect and support the Director's choices even though they may not be the choices Board members may have made.~~

~~Monitoring Method: ————— *Board self-assessment*~~

~~Monitoring Frequency: ————— *Annually at the December Board Meeting*~~

**~~B/SR 4 — Monitoring District Director Performance: amended January 23, 2019, March 3, 2021~~**

~~The Board shall view District Director performance as synonymous with organizational performance. Job performance of the Director shall be monitored systematically against the Director job expectations: reasonable progress toward organizational accomplishment of the Board's *Ends* policies, and organizational operation within the boundaries established in the Board's *Executive Limitations* policies.~~

~~Accordingly:~~

- ~~1. Monitoring determines the degree to which Board policies are being met.~~
- ~~2.1. The Board shall acquire monitoring data on *Ends* and *Executive Limitations* policies by one or more of three methods:
  - ~~a. Internal report, in which the Director discloses information and certifies compliance to the Board.~~
  - ~~b.a. External report, in which an external, disinterested third party selected by the Board assesses compliance with Board policies.~~
  - ~~c.a. Direct Board inspection, in which the Board assesses compliance with the appropriate policy criteria.~~~~
- ~~3.1. In every case, the standard for compliance shall be whether the Director has reasonably interpreted the Board policy being monitored and determination of whether reasonable progress is being made toward achieving the Board's *Ends* policies. The Board shall make the final determination as to whether the Director's interpretation is reasonable and whether reasonable progress is being made.~~

Effective January 10, 2018

~~4.1. All policies that instruct the Director shall be monitored on a schedule according to a frequency and by a method chosen by the Board, however the Board may monitor any policy at any time by any method.~~

~~During the last quarter of each year, the Board shall conduct a formal summative evaluation of the Director using the Performance Evaluation objectives and metrics established at the Board meeting to be held each June for the following calendar year. When appropriate, these objectives will be informed by the Executive Limitations and Ends enumerated in Chapters 9 and 10.~~

~~As part of that process, the District Director Liaison Committee will seek appropriate Staff and County input and make a recommendation to the full Board for discussion and possible approval. Based on the evaluation, the District Director's merit increase and bonus will be at the Board's discretion. Such merit increase and bonus must consider the District's budget. The District Director will receive a cost of living adjustment to salary consistent with that received by all other employees of the District. The Board will prepare a written evaluation document. The District Director will have the opportunity to review the document with the Board in executive session. The District Director and the Board Chairperson will sign the report.~~

~~Monitoring Method: Board assessment  
Monitoring Frequency: Annually in November~~

CHAPTER 9

**Executive Limitations<sup>3</sup>**

**EL-1 Global Executive Constraint: amended January 23, 2019**

The District Director shall not knowingly cause or allow any practice, activity, decision or organizational circumstance which is unlawful, unethical, unsafe, disrespectful, imprudent or in violation of Board policy or applicable laws and regulations governing Districts.

**EL-2 Emergency District Director Succession: amended January 23, 2019**

In the event of sudden and unexpected loss of Director services, the District Administrator shall assume duties to ensure the continued operation of the District until the Board appoints an interim Director.

**EL-3 Treatment of Constituents / Others: amended January 23, 2019**

With respect to Director and staff interactions with constituents and others with whom the District associates, the Director shall not cause or allow conditions, procedures, actions or decisions which are unlawful, unethical, unsafe, disrespectful, disruptive, undignified, imprudent, or in violation of Board policy.

Accordingly, the District Director shall not:

1. Fail to develop and maintain positive relationships with constituents, public agencies and officials, contractors, service providers, insurers, consultants, and others to ~~effect~~-affect the exchange of information, resources, programs, and ideas to ensure the best interests of the public.
2. Fail to recommend policies and procedures to the Board that ensure compliance with all federal and state regulations and local laws.
3. Fail to provide for effective handling of complaints; specifically, the Director shall not prohibit or make it difficult for a constituent to present a complaint to the Board if resolution has not been reached at the staff level.
4. Fail to disclose the opportunity to leverage relationships with other entities that share interests with the District.
5. Use methods of collecting, reviewing, transmitting or storing information that fail to protect confidential information.
6. Fail to consistently attend the quarterly Team Management Committee meeting of the Summit County Manager.

**EL-4 Treatment of Staff: amended January 23, 2019**

In compliance with Utah §17B-1-803, SBSRD will establish a personnel system which incorporates policies for the following: recruiting, advancing, compensating, training, retention, fair treatment, and provision of information about political right and appeals procedures.

With respect to treatment of paid staff and volunteers, the District Director shall not cause or allow conditions, procedures, actions or decisions which are unlawful, unethical, unsafe, disrespectful, disruptive, undignified, imprudent, unreasonably secretive, or in violation of Board policy.

<sup>3</sup>These policies have been drawn, in substantial part, from the model offered boards in the book by John Carver and Miriam Mayhew Carver, *Reinventing Your Board* (San Francisco: Jossey-Bass, 2006) [www.josseybass.com](http://www.josseybass.com)

Effective January 10, 2018

Accordingly, the District Director shall not:

1. Fail to provide the SBSRD Board the opportunity to annually review its personnel policies to ensure they conform to the requirements of state and federal law, in accordance with Utah Chapter 17B-1-802.
2. Operate without written personnel policies which:
  - a. Clarify personnel rules and procedures for staff.
  - b. Provide for recruitment, selection, and advancement of employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.
  - c. Provide for equitable and adequate compensation.
  - d. Provide for training employees as needed to assure high-quality performance.
  - e. Provide for the retention of employees on the basis of the adequacy of their performance, and separation of employees whose inadequate performance cannot be corrected.
  - f. Provide for effective handling of appeals and grievances of employees without discrimination, coercion, restraint or reprisal.
  - g. Protect against wrongful conditions such as sexual harassment, nepotism, and grossly preferential treatment for personal reasons.
  - h. Protect against potentially harmful or unsafe conditions.
  - i. Provide information to employees regarding their political rights and prohibited practices under the Hatch Political Activities Act, 5 USC Sec. 1501 through 1508.
  - j. Provide for the fair treatment of employees by ensuring that no employee shall be subject to discrimination on the basis of race, political affiliation, gender, age, disability, color, national origin, religion, or marital status.
3. Fail to provide adequate job descriptions for all positions.
4. Fail to ensure that employees' health will not be endangered by allowing conduct or activity that poses undue risk to their safety.
5. Fail to protect confidential information.
6. Promise or imply guaranteed employment or employ any employee on any basis other than "at will".
7. Fail to provide educational opportunities that will continuously improve the professional abilities and expertise of staff.
8. Prevent staff from informing the Board if they have good reason to believe that critical issues are being misrepresented to the Board by the Director.
9. Fail to provide staff with an opportunity to become familiar with the provisions of this policy.

#### **EL-5 Staff Compensation and Benefits: amended January 23, 2019**

It is the policy of the District Board to provide for the employment of competent leaders, a sound division of duties and responsibilities, a fair salary schedule, and satisfactory working conditions. With respect to compensation and benefits for employees, the District Director shall not fail to develop compensation and benefit plans that adequately reward employees consistent with organizations of comparable size and type, and consistent with available resources.

Accordingly, the District Director may not:

1. Change his or her compensation and benefits, except as those benefits are consistent with a package for all other employees.

Effective January 10, 2018

2. Fail to develop and implement salary policies and pay plans for personnel that comply with all requirements of state and federal law.
3. Fail to develop and implement compensation plans to attract and maintain top quality staff, consistent with the geographical and professional market within which the District operates.
4. Create compensation obligations over a longer term than revenues can be safely projected.
5. Establish or change benefits so as to cause unpredictable or inequitable situations, including those that:
  - a. Cause unfunded liabilities to occur.
  - b. Provide less than some basic level of benefits to all permanent employees.
  - c. Allow any employee to lose benefits already accrued from any pre-existing plan.
  - d. Treat the Director differently from other key employees.

**EL-6 Staff Evaluation: amended January 23, 2019**

With respect to evaluation of employees, the District Director shall not fail to develop and maintain an evaluation system that measures employee performance in terms of achieving the Board's *Ends* policies and compliance with the Board's *Executive Limitations* policies.

**EL-7 Financial Planning and Budgeting: amended January 23, 2019**

Financial planning for any fiscal year shall not deviate materially from the Board's *Ends* policies, risk fiscal jeopardy to the District or fail to be derived from a multi-year plan.

Accordingly, the Director may not have a budget which:

1. Is not in a summary format understandable to the Board.
2. Fails to adequately itemize and describe revenues and expenditures.
3. Fails to show the amount spent in each program or area for the most recently completed fiscal year, the amount budgeted and projected for each program or area for the current fiscal year, and the amount recommended for the next fiscal year.
4. Fails to disclose budget-planning assumptions.
5. Plans for the expenditure in any fiscal year of more funds than are conservatively projected to be received during the year.
6. Fails to provide adequate and reasonable budget support for Board development and other governance priorities.
7. Fails to consider the fiscal soundness of future years or ignores the building of organizational capability sufficient to achieve *Ends* in future years.
8. Fails to reflect anticipated changes in employee compensation including inflationary adjustments, performance increases, and benefit changes.
9. Fails to reflect anticipated increases or decreases in the number of employees.



*Effective January 10, 2018*

10. Fails to present to the Board on an annual basis a review and recommendation on property tax rates and collections, user fees, and a specific target for unrestricted net assets.

**EL-8 Financial Management: *amended January 23, 2019***

With respect to the actual, ongoing condition of the District's financial health, the Director shall not cause or allow a material deviation from the policies adopted by the Board, cause or allow any fiscal condition that is inconsistent with achieving the Board's *Ends*, fail to exercise due and prudent care, or place the long term financial health of the organization in jeopardy.

Accordingly, the District Director may not:

1. Expend more funds than are conservatively projected to be received in the fiscal year, unless revenues are made available from unrestricted net assets, or other reserves in excess of minimum fund balances, as approved by the Board.
2. Indebt the organization or create obligations beyond the District's anticipated revenues.
3. Fail to meet obligations in a timely manner.
4. Fail to continually review expenditures and effectiveness of budgetary controls in the departments of the District and present to the Board quarterly financial reports.
5. Allow reports or filings required by any local, state or federal agency to be overdue or inaccurately filed.
6. Expend any funds without disclosing to the Board any conflict of interest or fail to annually provide a conflict of interest report to the Board.
7. Fail to aggressively pursue receivables after a reasonable grace period.
8. Fail to keep complete and accurate financial records on a modified accrual basis by fund type and accounts in accordance with GAAP.
9. Receive, process or disburse funds under controls that are inconsistent with GAAP.
10. Authorize any single purchase or commitment of greater than \$20,000, except as provided in Chapter 2, Article II, Section 7.1a. Splitting orders to avoid this limit is not acceptable.
11. Change fee structures without properly executed public notice, public hearings, and Board approval.
12. Use any long term reserves without the express consent of the Board.
13. Develop or administer any program that leverages the benefit of any individual District Board or staff member.
14. Fail to make an annual presentation to the County Council, as the Governing Body, of the District's goals, budget, and activities.

**EL-9 Asset Protection: *amended January 23, 2019***

The Director shall not allow District assets to be unprotected, inadequately maintained, inappropriately used or unnecessarily risked.

Accordingly, the District Director shall not:

*Effective January 10, 2018*

1. Fail to insure adequately against theft and casualty and maintain adequate liability protection for District Board members, staff, and the District itself.
2. Unnecessarily expose the District, the Board or staff to claims of liability.
3. Fail to obtain insurance coverage against theft and property losses to 100 percent of replacement value.
4. Allow personnel access to material amounts of funds or fail to manage each major fund of the District, and closely supervise those having the care, management, collection, or distribution of public monies belonging to the District.
5. Subject facilities and equipment to improper wear and tear or insufficient maintenance.
6. Make any purchase without strict compliance with District purchasing policies and procedures.
7. Receive, process or disburse funds under controls which are insufficient to meet the compliance standards of the District's Independent Auditor.
8. Invest or hold funds in instruments that are non-compliant with the State Money Management Act.
9. Fail to protect public records, District information, and files from loss or significant damage.
10. Acquire, encumber or dispose of real property without a recommendation from the Board and approval of the County Council as the Governing Body.
11. Fail to maintain general fund balances that exceed the allowed amount as designated by State law.
12. Fail to manage District assets in compliance with GASB Statement No. 34, and the asset capitalization policy adopted by the Board.
13. Endanger the organization's public image or credibility, particularly in ways that would hinder its mission, vision, and values.

**EL-10 Communication and Support to the Board: *amended January 23, 2019***

The District Director shall not fail to give the Board as much information as necessary to allow the District Board to be adequately informed and supported in their work.

Accordingly, the District Director shall not:

1. Fail to submit monitoring data required by the Board (see policy *B/SR-4- Monitoring District Director Performance*) in a timely, accurate, and understandable fashion, directly addressing provisions of the Board policies being monitored and including the Director's interpretations.
2. Fail to advise the Board in a timely manner of trends, facts, and information relevant to the Board's work.
3. Fail to advise the Board of significant transfers of money within funds or other changes substantially affecting the organization's financial condition.
4. Fail to advise the Board of changes in assumptions upon which Board policy has been established.
5. Fail to provide for the Board as many staff and external points of view and opinions as needed for fully informed Board decisions.

*Effective January 10, 2018*

6. Fail to advise the Board if, in the Director's opinion, the Board or individual members are not in compliance with the Board's policies on *Governance Process* and *Board-District Director Relations*, particularly in the case of Board or Board member behavior that is detrimental to the work relationship between the Board and the District Director.
7. Fail to provide a mechanism for official Board, officer or committee communication.
8. Fail to work with the Board as a whole except when:
  - a. Fulfilling reasonable individual requests for information.
  - b. Working with officers or committees duly charged by the Board.
  - c. Communicating with the Board Chairperson.
9. Fail to report in a timely manner any actual or anticipated noncompliance with any Board *Ends* or *Executive Limitations* policy.
10. Fail to supply sufficient information about items on the agenda to enable directors of the Board to make informed decisions.
11. Fail to provide to Board members a draft copy of Board meeting minutes as soon as practicable following each Board meeting.
12. Fail to provide electronic notice to Board members, including a proposed agenda and related information at least five days prior to a scheduled Board meeting.
13. Fail to supply for the consent agenda all items delegated to the Director, yet required by law or contract to be Board-approved, along with monitoring assurance.

**EL-11 Conduct of Appointments: *amended January 23, 2019***

With respect to appointments to vacancies on the Board, the District shall follow procedures established by the Summit County Council and County Manager for timely notice and conduct of the processes necessary for such appointments consistent with the provisions of the Administrative Control Board Rules and Regulations and Utah Law.

Accordingly, the District Director shall not:

1. Fail to develop and execute a calendar with the Summit County Manager that provides ample time for conduct of the appointment process.
2. Fail to follow procedures for solicitation of Board members so that the County Council may consider a field of qualified candidates in filling vacancies on the Board.
3. Fail to ~~develop a briefing document to~~ advise interested parties as to the duties and responsibilities of a Board member and to confirm that the candidate should be able to meet those obligations.

## CHAPTER 10

### ENDS POLICIES<sup>4</sup>

#### ~~E-1~~ Mission and Vision of Snyderville Basin Special Recreation District: ~~amended January 23, 2019~~

~~MISSION: The District is committed to operational excellence, providing top-notch facilities, trails, parks, and programs that inspire lifelong recreational engagement. Through strategic collaborations, The District enhances and protects amenities while championing sustainability and ecological diversity. Basin aims to deepen the community's connection to recreation, promote informed ownership, and ensure inclusive opportunities for all.~~

~~VISION: The District provides equitable access to a variety of recreational opportunities for every age and ability, while stewarding an exceptional natural setting that is internationally renowned and locally valued. Our goal is to innovate & evolve, ensuring that the recreational experiences we offer not only meet but exceed the expectations of both current and future generations.~~

~~The mission of the Snyderville Basin Special Recreation District is to enhance life. Our vision is to connect the community through recreation.~~

As a result of our efforts, the community benefits from excellence in public recreation. Facilities developed and maintained and all program offerings for the benefit of the community shall be equal or superior to the best of products or services of comparable public recreation providers.

#### ~~E-2~~E-1 Effective Governance and Management: ~~amended January 23, 2019~~

As a result of our efforts, Board members, the District Director, and staff will conduct themselves according to ~~values established by the Board~~ guiding principles as established in the 2024 strategic planning process.

District endeavors shall exemplify the following ~~guiding principles~~ values:

- High quality of service and operational excellence
- Environmental stewardship
- Empower local communities
- Community Connection
- Equitable Access
- New Programming & Facilities

- a. ~~We act with integrity.~~
- b. ~~We have passion for what we do.~~
- e. ~~We are accountable and make things happen.~~
- d. ~~We embrace continuous learning and change.~~
- e. ~~We communicate openly, honestly and directly.~~
- f. ~~We care about others and treat them with respect.~~
- g. ~~We operate as a team.~~

#### ~~E-3~~E-2 Constituent Satisfaction: ~~amended January 23, 2019~~

*Effective January 10, 2018*

As a result of our efforts, District residents shall have confidence that their recreational needs are addressed with dependability, reliability, and professionalism, and to the highest standards of excellence.

**E-4E-3 Advocacy: amended January 23, 2019**

As a result of our efforts, District residents shall have an effective advocate for the continuing advancement of public recreation facilities and services.

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<sup>4</sup> These policies have been drawn, in substantial part, from the model offered boards in the book by John Carver and Miriam Mayhew Carver, *Reinventing Your Board* (San Francisco: Jossey-Bass, 2006) [www.josseybass.com](http://www.josseybass.com)

# PERSONNEL & OPERATIONS POLICY MANUAL



SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT  
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PARK CITY, UT 84098  
(435) 649-1564  
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[www.basinrecreation.org](http://www.basinrecreation.org)

*Adopted 7/13/2022 Revised [month, date, 2024]*

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## Snyderville Basin Special Recreation District

### Personnel & Operations Policy

#### SECTION 1.0 -] PERSONNEL SYSTEM PROVISIONS Provisions for Personnel and Operations

##### **A.1.1 Purpose:**

Amended [month, date, 2024]

Snyderville Basin Special Recreation District ("District") is a special service district created pursuant to Utah Code Ann. Title 17D and operating under the laws of the State of Utah and administers public funds. The policies and procedures relative to the personnel working for the District are set ~~forth for a dual purpose~~ as follows:

1. To give employees clear, concise information as to their rights, privileges, obligations, and responsibilities.
2. To provide the administration direction in dealing fairly and consistently with all employees, volunteers, and patrons.
- 2-3. To outline the operational policies and procedures for the District, along with associated expectations and responsibilities, in a clear and logical manner.

##### **~~B.1.2 Functions of the Manual:~~**

Amended January 22, 2020, March 3, 2021, [month, date, 2024]

It is the policy of the District that this manual be used as an outline of the basic personnel policies and practices, operational policies and practices, and all associated procedures for the District. The manual, however, is not intended to alter the employment-at-will relationship in any way.

- ~~1-~~ 1.2.1 This manual contains general statements of District policy and should not be read as including the fine details of each policy, nor as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases. The District may add to the policies in the manual or revoke or modify them from time to time. Every effort will be made to keep the manual current, but there may be times when policy will change before this material can be revised.
- ~~2-~~ 1.2.2 All manuals are District property and are assigned to employees holding a District position. The ~~District Director~~ Business Manager or their designee is responsible for distribution of the manuals to newly hired employees. Each employee shall sign a statement that they have received, read, and understand the manual. Amendments shall be distributed through the ~~District Director~~ Business Managers or their designee. Each employee shall sign a statement that they have received, read, and understand the amendment.
- ~~3-~~ 1.2.3 An Administrative Control Board has been established with the authority to review and recommend changes in the District's personnel and operations policies. Department managers and supervisors are encouraged to recommend changes or new policies. All policies are to be adopted in final form by the Governing Body of the District. Once adopted, the District Director is responsible for disseminating new policy information to Staff.
- ~~4-~~ 1.2.4 The District Director, department managers, and supervisors should refer to the manual whenever questions of policy interpretation or implementation arise. They should, when possible, refer the employee to the policies and exercise caution in copying materials and avoid disseminating fragmented portions of these policies. Issues needing clarification should be referred to the ~~Personnel Director~~ Business Manager.
- ~~5-~~ 1.2.5 As used in the manual:
  - a. The words "shall" or "will" are to be construed as mandatory and the word "may" as permissive;
  - b. Any reference to a specific gender shall be construed to include any gender.
  - c. References to specific position titles, either for an individual or group of positions, within the District may include:

- i. Governing Body – refers to the legislative body of the county that created the District and appoints the members of the District’s Administrative Control Board.
- ii. Administrative Control Board – refers to the County appointed legislative body capable of exercising any delegated right, power, or authority that the Governing Body possesses with respect to the governance of the District.
- iii. District Director – refers to the Chief Operating Officer for the District.
- iv. District Superintendent – refers to the position responsible for the District’s strategic planning, project management, and procurement processes.
- v. Business Manager – refers to the position responsible for managing all District business operations, financial processes, and human resource functions.
- vi. Department Managers – refers to any of the managers who provide leadership and oversee the functions and daily operations of a District department.
- b-vii. Supervisors – refers to any of the supervisors who provide leadership and oversee the functions and daily operations of a District division under the direction of a Department Manager.

### **1.3 Applicability of Policies and Procedures:**

The policies and procedures set forth herein shall apply to all personnel, except where specifically excluded within the text of individual contracts or elsewhere in this document. If lawful and applicable federal or state governmental regulations concerning elected and appointed officials are contrary to these policies, such governmental regulations shall have precedence. These policies and procedures do not apply to members of boards and commissions, persons engaged under contract to supply professional or technical services, and volunteer personnel who receive no or nominal compensation from the District.

### **1.4 Personnel System Standards:**

The system standards subscribed to by the District shall conform to the following:

1. Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skill levels, including open consideration of qualified applicants for initial appointment.
2. Providing equitable and adequate compensation.
3. Educating employees as needed, to assure high quality performance and justify reasonable performance standards.
4. Normally, retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected or corrected in a timely manner.
5. Assuring non-discrimination for applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, age, military status, disability, sexual orientation, gender identification, and with proper regard for their privacy and constitutional rights as citizens.
6. Providing information to employees regarding their political rights and prohibited practices under the Hatch Act or related legal guidelines.
7. Providing a formal procedure for processing the appeals and grievances of employees without discrimination, coercion, restraint, or reprisal.

### **1.5 District Directives**

District Directives shall be employed by the District Director as a means of issuing administrative procedural guidelines focused on providing direction to employees, volunteers, and patrons regarding operational matters and internal administration.



1.5.1 District Directives shall not contradict or supersede District policy or budgets as approved and adopted by the Administrative Control Board and Governing Body, or any other established local, state, or federal law.

1.5.2 District Directives may include descriptive statements regarding District operations or descriptions of internal work processes. These statements or descriptions will be maintained and organized as separate, supplemental documents in support of District policy.

~~7.~~ 1.5.3 District Directives shall be approved, amended, or rescinded by the District Director as needed.

Snyderville Basin Special Recreation DistrictPersonnel & Operations PolicySECTION 2.0 - ] ~~EQUAL EMPLOYMENT OPPORTUNITY~~ Equal Employment OpportunityA.2.1 Legal Compliance

It is the policy of the District to comply with the guidance set forth in Title VII of the Civil Rights Act of 1964 according to Public Law 92-261 approved March 24, 1972; with Executive Order No. 11246, of September 24, 1967; with Title V, Section 503 of the Rehabilitation Act of September 26, 1973 (Public Law 93- 112); Americans with Disabilities Act of July 26, 1990; Civil Rights Act of 1991; amendments to the above laws and any other regulation which is or may yet be promulgated relating to fair employment practices.

B.2.2 Anti-Discrimination

The District will provide fair treatment of applicants and employees in all aspects of personnel administration without regard to race, color, religious creed, sex, national origin, age, military status, disability, sexual orientation, gender identification and with proper regard for constitutional rights. No class of jobs will be closed to any individual because of the above referenced criteria.

C.2.3 Compensation

Employees will be compensated on the basis of equal pay for equal work as determined through a formal job classification system. No individual will receive reduced compensation for equal work on the basis of race, color, religion, sex, national origin, age, military status, disability, sexual orientation or gender identification.

D.2.4 Nepotism

*Amended January 22, 2020, July 13, 2022*

It shall be the policy of the District to comply with the Anti-Nepotism provisions of Utah Code §52-3-1 *et. seq.*

- ~~i.~~ 2.4.1 Employment of relatives and household members prohibited.
    - ~~a.~~ 2.4.1.1 "Relative" means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in- law, father-in- law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.
    - ~~b.~~ 2.4.1.2 "Household member" means a person who resides in the same residence as the public officer.
    - ~~c.~~ 2.4.1.3 No supervisor may employ, appoint, ~~or vote for,~~ or recommend the appointment of a relative or household member in or to any position of employment, when the salary, wages, pay, or compensation of the individual will be paid from public funds and the individual will be directly supervised by a relative or household member, or be employed within the supervisors organizational hierarchy or department, except as follows:
      - ~~i.a.~~ i.a. The individual is eligible or qualified to be employed by the District as a result of their compliance with merit system laws or regulations;
      - ~~ii.b.~~ ii.b. The individual will be compensated from funds designated for vocational training;
      - ~~iii.c.~~ iii.c. The individual is a volunteer as defined by the Utah Code Title 67, Chapter 20;
      - ~~iv.d.~~ iv.d. The individual is the only person available, qualified, or eligible for the position;
- or

~~v.e.~~ The District Director determines that the supervisor is the only person available or best qualified to perform supervisory functions for the individual.

~~d.~~ **2.4.1.4** No supervisor may directly or indirectly supervise an individual within their organizational hierarchy or department who is a relative or household member when the salary, wages, pay, or compensation of the relative or household member will be paid from public funds, except as follows:

~~i.a.~~ The relative or household member was appointed or employed before the supervisor assumed their position, if the relative's or household member's appointment did not violate the provisions of Utah Code §52- 3-1 in effect at the time of their appointment;

~~ii.b.~~ The individual is eligible or qualified to be employed by the District as a result of their compliance with merit system laws or regulations;

~~iii.c.~~ The individual will be compensated from funds designated for vocational training;

~~iv.d.~~ The individual is a volunteer as defined by Utah Code;

~~v.e.~~ The individual is the only person available, qualified, or eligible for the position; or

~~vi.f.~~ The District Director determines the supervisor is the only person available or best qualified to perform supervisory functions for the individual.

~~e.~~ **2.4.1.5** When the District Director or department manager supervises a relative or household member:

~~i.a.~~ The supervisor shall make a complete written disclosure of the relationship to the District Director, and the Board;

~~ii.b.~~ The supervisor who exercises authority over a relative may not evaluate the relative's job performance or recommend salary increases for the relative.

~~f.~~ **2.4.1.6** No individual may accept or retain employment if they are paid from public funds, and they are under the direct supervision of a relative, except as follows:

~~i.a.~~ The individual was appointed or employed before the supervisor assumed their position;

~~ii.b.~~ The individual is eligible or qualified to be employed by the District as a result of their compliance with merit system laws or regulations;

~~iii.c.~~ The individual is the only person available, qualified, or eligible for the position;

~~iv.d.~~ The individual is compensated from funds designated for vocational training;

~~v.e.~~ The individual is a volunteer as defined by Utah Code; or

~~vi.f.~~ The District Director has determined that the individual's relative is the only person available or qualified to supervise the individual.

## **E-2.5 Affirmative Action**

The District shall take affirmative action in all aspects of personnel management to assure compliance with Equal Employment Opportunity standards (EEO). Affirmative Action plans and programs shall be undertaken when deemed necessary by the District Director or Personnel Director or otherwise required by a regulatory agency of the State of Utah or the federal government. Implementation shall be at the direction of the District Director.

**Snyderville Basin Special Recreation District**  
**Personnel & Operations Policy**  
**Section 4.0 - Position Management**

**A.4.1 Position Allocation**

*Amended [month, date, 2024]*

It is District policy, ~~as much as possible~~, to initiate proposed changes in the number of personnel or reclassification of personnel during the process of budget approvals for the ensuing year or formal budget amendments for the current year. This allows for the most thorough consideration of personnel expenditures and available revenues. The establishment of a position by the District cannot take place without the appropriate budget approval of the Governing Body. No person shall be hired or appointed, and no regular ~~benefitted~~ employee promoted to any position (exceptions may occur for the occasional emergency/temporary, contractual, or part-time professional work needs), until it has been properly allocated as follows:

- ~~1.a.~~ The development or revision of a current job description.
- ~~b.~~ The proper classification of the position and assignment to an established pay range.
- ~~2.c.~~ Verification that funds are available to support the position, promotion, or change in classification.
- ~~3.d.~~ The presentation, ~~of justification, and approval as to the need for of~~ the new position or ~~for the~~ promotion ~~and advancement~~ of an employee.
- ~~4.~~ Verification that funds are available to support the position, promotion or change in classification.

**B.4.2 Job Description**

*Amended January 23, 2019; January 22, 2020; [month, date, 2024]*

The initial content of all job descriptions shall be provided by subject matter experts such as department managers, District Director, supervisors, and incumbent workers through the use of questionnaires, written documents, and related materials. If needed, verification shall be obtained through on-site job audits conducted or coordinated by the ~~District Administrator~~ Business Manager or their designee. Based upon obtained information, the ~~District Director~~ Business Manager or their designee shall prepare the description in approved format for finalizing. The ~~District Director~~ Business Manager shall utilize the Personnel Committee to review and finalize the description for full-time positions. All employees will be assigned to a position with an established job description and must be able to meet the requirements for performing the "essential functions" of the position to which ~~assigned~~ they are assigned. Standard formats shall include essential ~~and marginal~~ duties and responsibilities and minimum qualifications (training, education, and experience) ~~and which~~ may be modified by the ~~Personnel Director~~ Business Manager or District Director from time to time. The description shall be used by the District as the basis for:

- ~~1.a.~~ The classification of the position and determination of its salary schedule.
- ~~2.b.~~ Preparation of examinations and for determination as to whether an applicant or employee meets minimum requirements for a particular class of positions.
- ~~3.c.~~ For preparation of a position announcement soliciting applications from interested individuals for position vacancies.
- ~~4.d.~~ The orienting of a new employee to the duties and responsibilities of a position to which hired or promoted by an administrative officer, supervisor, or department manager.
- ~~5.e.~~ The development of performance management objectives and evaluations.

**~~C.4.3~~ Classification**

*Amended [month, date, 2024]*

All District positions are evaluated on a set of common factors (i.e., difficulty of work, complexity, judgment, responsibility, controls over the work, minimum qualifications, education and training, physical environment, etc.) and assigned a comparable salary range. All employees hired on a full-time or part-time basis will receive compensation according to the classification of the position for which they are hired. Recommendations for the advancement-classification of full-time positions shall be in writing and must be approved by the District Director. Recommendations for the classification of part-time positions shall be in writing and must be approved by the department manager.

**~~D.4.4~~ Reclassification**

*Amended January 22, 2020; [month, date, 2024]*

If the duties and responsibilities of a position change significantly, the department manager shall submit a request for reclassification to the District DirectorBusiness Manager with a draft job description. The District Administrator-Business Manager or their designee will perform an analysis of the job to determine reclassification eligibility.

4.4.1 Reclassification of a position to a class with a lower pay range shall not generally change an employee's salary.

4.4.2 Reclassification of a position to a class with a higher pay range. Normally, the employee's pay shall be adjusted equitably within the new pay range according to the employee's relevant and related experience, as verified by the Business Manager or their designee, in correlation to the job description.

4.4.2.1 At minimum, the reclassified employee's salary will be no less than which is at least equal to their current salary.

4.4.3 The District DirectorBusiness Manager shall utilize the Personnel Committee to review and finalize the job description for any full-time or benefitted position.

**~~E.4.5~~ Reorganization**

*Amended [month, date, 2024]*

Reclassification may be required from time to time as a result of reorganization. Circumstances may arise from the reorganization or reclassification process which require the abolition of a position, which shall be treated as a reduction-in-force (see Section 7, paragraph C). Reorganization shall also be sufficient cause for reclassification by way of reassignment (see Section 7, paragraph I and J). In an effort to minimize the effects of a reduction-in-force brought about by reassignment, reclassification, or reorganization, the following options shall be considered:

1-a. The employee may be assigned to a lesser position. OR

**Commented [BR1]:** We will update the section citations once they have been determined, following the restructure of the policy outline

~~2-b.~~ The employee may be reassigned to another position within the District, depending upon qualifications and available positions.

~~3-c.~~ If the employee's pay is greater than the maximum for the position to which they are assigned or transferred, the employee shall be placed on a salary freeze for a period not to exceed two (2) years. If during the two-year period, the employee's rate of pay falls back within the assigned pay range, the freeze shall be lifted. If at the end of two years, the employee's pay rate still falls above the maximum of the pay range, that employee's pay rate shall be reduced to the maximum of the assigned position.

**Snyderville Basin Special Recreation District**  
**Personnel & Operations Policy**  
**Section 5.0 - Hiring for New and Vacant Positions**

**A-5.1 Recruiting**  
*Amended [month, date, 2024]*

Selecting and advancing employees in the District personnel system shall be on the basis of their ability, knowledge, and skill levels related to the job description for the vacant position. The District Director may execute, with the approval of the Board, written employment agreements for certain positions.

**B-5.2 Disqualification**

The District reserves the right to reject any application which is incomplete or indicates on its face that the applicant does not possess the minimum qualifications required for the position. Applicants and subsequently hired applicants who make false or misleading statements, or who are found to have engaged in any type of deception or fraud in the application or testing process shall be rejected, subject to discipline, or ~~immediately~~ terminated.

**C-5.3 Testing**  
*Amended [month, date, 2024]*

Applicants may be subjected to competitive testing or evaluation which may include, but is not limited to:

- a. ~~Rating of education and experience,~~
- b. ~~Written, oral, or physical agility tests, psychological testing,~~
- c. ~~Essential function demonstrations, and/or~~
- d. ~~Background investigations,~~
- e. ~~Proof of academic attainment, etc.~~

Applicants for positions which require the worker to operate District vehicles or equipment on public roadways may be required to provide a copy of a State Department of Motor Vehicle driving record. The driving record may be used to assist in the ranking of applicants who meet the minimum qualifications.

**D-5.4 Physical Examination/Drug Testing**  
*Amended [month, date, 2024]*

Public health and safety demands that employees be physically able to perform the duties and essential functions of the position for which they are hired. The physical requirements of the job constitute bona-fide occupational qualifications and will be outlined in the job description. The District will make every effort to provide reasonable accommodations for employees and applicants in compliance with the Americans with Disabilities Act (ADA), however, if the requested accommodation creates an undue hardship on the District it shall not be obligated to provide such.

~~1-~~ 5.4.1 A physical examination may be required before an applicant is hired or appointed to any District position. The results of the exam will be presented to the ~~District Director~~ Business Manager or their designee, in writing. A disabled applicant may be required to submit to a physical exam only subsequent to a job offer being made and only if all others being hired are required to do the same.

~~2-~~ 5.4.2 The District may require a medical examination at any time during the employee's work

tenure, if deemed necessary to assure the safety and health of the employee, co-workers, and the public. The District will pay the cost of any required medical examination.

~~3-~~ 5.4.3 Final candidates for any position may be required to undergo chemical screen testing to determine the presence of controlled substances in the body. Subject to the ADA, any applicant who tests positive, tampers with, or adulterates their sample may be disciplined or disqualified according to these policies and procedures and state law (see Drug Free Workplace policy, Utah Code §34-38-8, District Policies and Procedures, Section 12, paragraph H, subparagraph 6).

Commented [BR1]: Policy citations will be updated when finalized

**~~E-5.5~~ Employment Eligibility Verification**

*Amended March 3, 2021; [month, date, 2024]*

In conformance with the "Immigration Reform and Control Act of 1986" (P.L. 99- 603) and in order to avoid monetary penalties for the hiring of undocumented workers, the ~~District Director-Business Manager~~ shall establish an employment verification system, and shall verify that all applicants for vacant positions or persons hired to fill vacant positions are authorized to work within the boundaries of the United States.

~~1-~~ 5.5.1 The ~~District Administrator-Business Manager~~ or designee shall complete or have completed Immigration and Naturalization Service Form I-9 prior to or on a hired employee's first day of work and verify work eligibility through examining such documents as a United States Passport, birth certificate, social security card, driver's license, an alien identification document, or other qualifying documentation.

~~2-~~ 5.5.2 Employees must also attest in writing that they are authorized to work in the United States. Forms and all written verifications shall be kept along with other personnel records and shall be kept in accordance with the ~~Utah State-Government~~ Records Access Management Act. These documents shall be made available to the Immigration and Naturalization Service, or the Department of Labor as requested.

**~~F-5.6~~ Hiring Procedures**

*Amended January 23, 2019, January 22, 2020, March 3, 2021, July 13, 2022; [month, date, 2024]*

~~1-~~ 5.6.1 When the need arises to create a new position or fill a vacancy for any full-time or part-time position, the department manager shall coordinate with the ~~District Administrator-Business Manager~~ to begin the recruitment process as outlined in Section 4 and below. No new benefitted positions shall be created without the approval of the Administrative Control Board and the appropriate budget approval of the ~~County Council-Governing Body~~ and adherence to Paragraph A of Section 4 of this ~~manual~~policy document.

Commented [BR2]: Review and update citations as needed

~~2-~~ 5.6.2 Upon approval to recruit (and ~~when applicable-after~~ receiving signed documentation authorizing the creation of a position) from the District Director, the ~~District Administrator-Business Manager~~ or their designee shall prepare, advertise, and post the opening externally as well as where District employees will be made aware of the opportunity. First consideration in filling the vacancy for all merit positions shall be given to current District employees who qualify.

5.6.3 All applications will be received by the ~~District Administrator-Business Manager~~ or their designee. Applications for full-time or benefitted positions will be accepted for a minimum of seven (7) calendar days. If necessary, recruitment may be extended as needed to attract sufficiently qualified applicants.

~~3-~~ 5.6.3.1 Applications for part-time regular, seasonal, or temporary positions may be



accepted upon receipt and do not require a minimum posting period.

~~5.6.4~~ Following the closing date of postings for full-time or benefitted positions, the ~~District Administrator Business Manager~~ (or their designee), and the department manager, shall review all applications to determine those that meet the minimum qualifications. Those applicants who qualify shall then be ranked with consideration to factors such as training, education, experience, etc.

~~4-~~ 5.6.4.1 Following the closing date of postings for part-time regular, seasonal, or temporary positions, the department manager or designee shall review all applications to determine those that meet the minimum qualifications. Those applicants who qualify shall then be ranked with consideration to factors such as training, education, experience, etc.

~~5-~~ 5.6.5 Upon ranking the applicants, the top candidates for the position will be determined and contacted.

5.6.5.1 For full-time or benefitted positions:

- a. The department manager or their designee(s) will conduct interviews with the top candidates.
- b. Upon the selection of the individual to be hired, the department manager shall submit the name of their choice and proposed salary in writing to the District Director and ~~District Administrator Business Manager.~~
- c. Before the development of a formal employment offer, the Business Manager or their designee will conduct an equity analysis based upon candidate experience and qualifications, with consideration to existing employees in similar positions, market analysis, and available budget. The Business Manager or designee will propose a salary based upon the completed analysis to the District Director for approval.
- d. No offer is final until approved by the District Director.

5.6.5.2 For part-time regular, seasonal, or temporary positions:

- a. The department manager or their designee(s) will conduct interviews with the top candidates.
- b. Upon the selection of the individual to be hired, the department manager shall submit the name of their choice and proposed salary in writing to the Business Manager or their designee.
- c. Before for the development of a formal employment offer, the Business Manager or their designee will review the submission for consistency and adherence to established District policy and processing. No offer is
- d. Following the Business Manager or designee review, the final offer until is approved by the ~~District Director~~ department manager.

~~6-~~ 5.6.6 Before extending a conditional offer of employment to the finalist, the ~~District Administrator Business Manager or their designee~~ will secure the following:

- ~~1. Signed documentation by the District Director and department manager if a new employee is hired or a current employee is promoted to an amount higher than the starting wage for that position.~~
- ~~2. All notes, scores, or other documentation created and/or received during the interview process.~~
- ~~3-a.~~ The results of any physical ~~or~~ medical ~~psychological~~ examinations.
- ~~4-b.~~ The results of any job-related skills or agility tests.

**Commented [BR3]:** This will be captured through the equity analysis process described above.

**Commented [BR4]:** Staff with the State Archives & Records Management division advised against retaining these types of documents.

~~7-~~ ~~5.6.7~~ Included in the conditional offer of employment to the finalist, the ~~District Administrator Business Manager~~ (or their designee) will:

- ~~4-a.~~ Require the necessary background check information be submitted.
- ~~b.~~ Provide the instructions for the finalist's required pre-employment drug screening test (if applicable).
- ~~2-c.~~ Provide the instructions for the finalist's required motor vehicle report (if applicable).

**5.7 Veterans Preference**

~~5.7.1~~ For purposes of new hires, any eligible veteran of the armed forces of the United States separated from the armed forces under honorable conditions following more than six (6) months of active duty shall, in the final determination of scoring, be given a veteran preference of 5% of the total possible score for eligible veterans and 10% of the total possible score for veterans with a disability of a purple heart recipient, pursuant to Utah Code §71-10-2. This shall be added to the grade earned by such veterans only if the veteran earns a passing score without preference.

Commented [BR5]: Verify that this is a correct citation

~~5.7.2~~ Additionally, for purposes of new hires, there will be a preference score added pursuant to Utah Code §71-10-2 for any preference eligible veteran's spouses or unmarried widows or widowers.

**~~6-5.8~~ Employee Induction**

Amended January 22, 2020; [month, date, 2024]

After the new employee is hired, they shall promptly receive a general orientation concerning benefits, compensation practices, personnel policies and procedures, and various employment expectations from the ~~District Director Business Manager~~ or their designee. Job specific orientation shall be conducted by the immediate supervisor. All new employees must sign a document stating they have read and understand the District's Personnel Policies and Procedures.

**~~4-5.9~~ Orientation Period**

Amended March 3, 2021, July 13, 2022; [month, date, 2024]

All appointments to ~~year-round full-time or benefitted~~ positions within the District, whether new hires, rehires, or reinstated ~~ments~~ (affected by reduction-in-force ~~or leave without pay~~), ~~transfer, or promotional~~, require an orientation or probationary period during which both the District and the employee can determine compatibility and competence.

This orientation period is designed to acquaint the new employee with the position and allow the employee, supervisor, department manager, and District Director, to fairly measure the employee's ability to successfully perform the job.

~~1-~~ ~~5.9.1 New Hire Orientation-~~ During the orientation period, the supervisor shall conduct monthly check-in's to coach the employee in their job duties, apprise the employee of their suitability for the position, address areas that need improvement or focus, and determine any employment action to be recommended to the District Director and Business Manager. (see Section 6, ¶ E, Conditional Employees)

Commented [BR6]: Update and verify citation as needed.

~~2-~~ ~~5.9.2~~ The orientation or probationary period for ~~a~~ benefitted District employees shall be six (6) months in duration with the period extendable in one (1) month increments up to an additional six (6) months for good cause, but with the condition that the orientation period employee may appeal any undue prolongation of the period designed to thwart merit principles. The employment relationship

may be terminated at any time during the new hire orientation period, with or without notice, and with or without cause, by either the employee or the District.

a. 5.9.2.1 During the new hire orientation period, all benefits accrue.

b. 5.9.2.2 At the close of the orientation period, the department manager shall submit a ~~6-month~~ written evaluation based upon the employment period to date and determination of continued employment.

5.9.3 An employee is not eligible for promotion, transfer, or reassignment during the orientation period unless the current department manager and the new department manager have agreed in consultation with the Business Manager to allow the change to occur during the orientation period.

3. 5.9.4 Career Ladder Adjustment/In-grade Advancement: Employees participating in an ~~Career Ladder Adjustment/In-grade Advancement~~ shall not be required to enter a new orientation period.

~~4. Promoted or Transferred Employee Orientation: During the promoted or transferred employee orientation, the supervisor shall conduct monthly check-ins to coach the employee in the new job duties, apprise the employee of their suitability for the position, address areas that need improvement or focus, and determine the employment action to be recommended to the District Director. Promoted or transferred employees who fail to demonstrate competence and or compatibility with the new assignment within the six (6) month orientation period may be reassigned to their previous or equivalent position with the equivalent pay and tangible benefits previously held if one is available. Reassigned employees shall have all rights of appeal and due process as defined by policy and procedures. For the purposes of annual evaluations, promoted or transferred employees' anniversary dates shall fall on the date of their promotion or transfer.~~

Snyderville Basin Special Recreation District  
Personnel & Operations Policy  
SECTION 7.0 - PERSONNEL ACTIONS  
Personnel Actions

A.7.1 Promotion

A promotion is defined as a change in job title recognizing increased capacity and responsibility of an employee from a position in one job class to a position in another job class having a higher entrance salary. Promoted personnel shall receive a pay increase commensurate with their abilities and other employees holding the same or similar position but will typically enter the new position at the bottom of their new range. The District Director shall take into consideration longevity, performance evaluations, and budget. Full-time employees shall be entitled to continued benefits notwithstanding the orientation period and conditional status associated with such promotion.

~~B. Career Ladder Adjustment~~

~~A career ladder adjustment is defined as moving an employee from one position in a job class to a similar position with a higher entrance salary in the same job class. This change recognizes an employee's increased capacity and responsibility to perform their work to a higher standard. If budgeted, personnel receiving a career ladder adjustment will be moved to the bottom of the new range or receive a five percent (5%) increase, whichever is greater. There is no orientation period required for an employee receiving a career ladder adjustment.~~

**Commented [BR1]:** This will be replaced by a new In-grade advancement policy in the coming months.

C.7.2 Layoff (Reduction-in-Force)

Should it become necessary to undergo a reduction of the work force, brought about by a reduction of operating revenues, technological innovation, the discontinuance or reduction of services, or other grounds consistent with economic and efficient administration of the District; the District Director shall lay off the necessary number of employees considering such factors as, but not limited to, longevity, performance, and organizational needs. The decision matrix shall be filed with the Personnel Director/Business Manager. Individuals being separated by a reduction in force do not have a right to prior notice. In determining which employees should be laid off, the District Director shall utilize the following sequence to achieve the required reduction:

- ~~1.a.~~ Temporary/seasonal employees (shall be separated or reduced in work hours).
- ~~2.b.~~ Part-time employees (shall be separated or reduced in work hours).
- ~~3.c.~~ Full-time employees (may be separated or offered part-time employment).

~~D.7.3 Abolishment of Job~~

If a circumstance should arise requiring the abolition of a certain position, the individual holding that position may maintain their employment status by one of the following:

- ~~1.a.~~ The employee may be returned to a previous position, if a position is open or allocated by the Personnel Committee at a salary appropriate for the position, which may entail a reduction in pay.
- ~~2.b.~~ The employee may be promoted based upon performance, qualifications, and position availability.
- ~~3.c.~~ The affected employee may be transferred to another department to fill an open position, for which they are qualified, commanding equal or lesser compensation.
- ~~4.d.~~ If none of the alternatives are available, the employee shall be separated.

~~E.7.4 Separation~~

~~Amended January 23, 2019~~

~~Full-time or benefitted employees with Mmerit status employees may be subject to separation for cause,~~

reasons of reduction in-force, reduction of work, abolishment of a position, or lack of funds. An employee placed on disability leave which exceeds 180 days shall be separated from the District. Otherwise, all employees will be retained on the basis of their performance and separated if inadequate performance cannot be corrected. Full-time or benefitted employees with Merit status employees have the right to appeal as outlined in the grievance procedures of Section 14 if they perceive the separation to be unjustified. Part-time, seasonal, temporary, seasonal or contract and exempt personnel may be terminated "at will" or according to terms of individual employment agreements.

Commented [BR2]: Update citation

#### **7.5 Resignation**

*Amended January 22, 2020*

Excessive turnover is costly and therefore, should be avoided. Competent employees who resign voluntarily should be interviewed by the Business Manager~~District Director~~ or their designee to determine the potential for reconsideration. If the reason for the resignation is a misunderstanding or mistake by the District, an effort shall be made to correct the situation. Employees who resign and desire to leave the District in good standing should give a minimum of two (2) weeks' notice if they are to be considered for re-employment at a future date. Resignations must be in writing and submitted to the employee's immediate supervisor, the Business Manager~~District Administrator~~, or the District Director.

#### **7.6 Job Abandonment or De facto Resignation**

An employee who is absent from work for three (3) consecutive workdays and presumed capable of giving proper notifications but does not inform the supervisor, ~~shall~~may be deemed to have resigned in the absence of proof to the contrary. At the discretion of the District Director, and shall the employee may be informed of the same in writing by the department manager and separated from District employment.

#### **7.7 Reinstatement/Rehire**

Former employees, who left voluntarily, and in good standing, may be reinstated to a vacant position only when their qualifications and ability indicate a potential for performance which would clearly exceed expected performance of current, and promotable employees. Previous District experience may be taken into consideration in determining placement of the employee on the District's salary schedule and accrual of benefits if the rehire or reinstatement occurs within one (1) year from the date of separation. The reinstated/rehired employee shall be required to observe the waiting period before being placed on the District's offered insurances. If a reinstated/rehired employee returns to District employment within three (3) months of their separation date, there shall be no change in their PTO accrual index date (date of first eligible employment). If the employee returns after three (3) months, they shall lose at a minimum one (1) year of accrual for PTO. Employees reinstated to the same position shall not be required to complete the six-month orientation period if they already successfully completed this during their prior tenure. Employees rehired into a new position will participate in the orientation period.

#### **7.8 Transfer**

*Amended January 23, 2019, March 3, 2021*

A transfer is defined as a move from one department to another and should not be confused with the managerial function of moving personnel from one office to another within the same department by promotion, demotion, or reassignment.

Transfer is also a method of filling a vacant position through transfer of an interested, qualified employee already working for the District. However, employees are encouraged to talk with their department manager

before making such application. Transfers must be approved by the District Director. A transferring employee must qualify for the job to which they are transferring. A transferred employee shall retain all accumulated sick and annual leave. A transferring employee may suffer a loss of base pay due to budget constraints and/or if, in the opinion of the department manager, the transferring employee lacks job knowledge and/or competency equal to current employees in the same job classification, whose pay would be less than that of the transferred employee.

#### **~~4-7.9~~ Reassignment**

The effective operation of the District may require periodic changes in work assignments to match functional needs with capabilities of District personnel. An employee may be reassigned from one position to a different position within the District. Employees who are reassigned to a position with a higher pay scale shall be moved to the bottom of the new range or receive a five percent (5%) increase, whichever is greater.

If the District reassigns an employee to a position with a lower salary range and the employee's current salary is higher than the maximum, the employee shall have their pay frozen (See Section 4). If the reassignment is requested by the employee, that employee shall suffer a loss of pay consistent with the reduction of responsibility. Employees may request reassignments but must do so in writing to their department manager and the District Director.

**Commented [BR3]:** Review and update citations as needed.

#### **~~4-7.10~~ Performance Evaluations & Documentation**

*July 13, 2022*

The District Director, department managers, and immediate supervisors shall in a timely manner, document noteworthy, or significant incident behaviors of employees. Such records may be used to support decisions which affect employee status related to job advancement, rewards, discipline, and discharge.

~~4-~~ **7.10.1** Timing & Purpose Of Performance Evaluations: All year-round employees will receive annual employee performance evaluations. Year-round part time employee evaluations shall be conducted by supervisors in December of each year. Year-round full-time employee performance evaluations shall be conducted by the department manager, supervisor, or District Director on, or within 14 days of, the employee's date of hire anniversary each year. All annual performance evaluations shall be used as the basis for the following:

- a. To assure that employees are fully aware of performance standards which apply to their jobs;
- b. To allow employees to express ambitions, desires, and set goals;
- c. To determine training needs;
- d. To transfer and reassign employees for better use of skills and abilities;
- e. To make appraisals for promotions;
- f. To discharge incompetent employees;
- g. To identify employees to be separated for reduction-in-force; and
- h. To make recommendations to the District Director for merit increases to wages-/salary.

**Snyderville Basin Special Recreation District**  
**Personnel & Operations Policy**  
**Section 9.0 - Leave, Health & Fringe Benefits**

**A.9.1 Qualifying Benefitted Employees**

Amended January 23, 2019; [month, date, 2024]

As used in this Section, Qualifying Benefitted Employees are defined as “employees working more than 1560 hours annually.” Seasonal employees may be offered health insurance benefits if such employee exceeds 1560 hours during a look-back period of twelve (12) months from the date of hire.

**B.9.2 Group Health Insurance**

Amended January 23, 2019; [month, date, 2024]

The District may pay premiums for health insurance, for Qualifying Benefitted Employees, and their dependents.

The District may pay premiums for dental, long-term disability, life insurance, and accidental death and dismemberment, up to a maximum amount designated by the District Director for full-time annual and benefitted employees.

Non-qualifying part-time, ~~temporary regular, and~~ seasonal, or temporary employees, contractors, and volunteers are not eligible for any benefits, except those required by law or as outlined in this policy.

**C.9.3 Continuation of Benefits**

Amended [month, date, 2024]

The District recognizes and follows the Consolidated Omnibus Budget Reconciliation Act (COBRA) regulations for insurance coverage after employment by the District for all Qualifying Benefitted Employees. Qualifying Benefitted Employees separating from District employment will be allowed to continue group medical and dental insurance coverage at cost to the employee for up to eighteen (18) months from the date of separation (except when terminated for “gross misconduct”). The District may assess up to a maximum of two percent (2%) of the premium as an administrative fee. Employees and/or dependents shall be notified within thirty (30) days from date of separation regarding extension and conversion privileges and must reply in writing within sixty (60) days of notice or forfeit their extension right. Payment must be made within forty- five (45) days of acceptance of COBRA benefits or benefits will be canceled.

~~1.~~ 9.3.1 Dependents of employees are eligible to continue insurance at their cost for up to thirty-six (36) months upon the occurrence of the following:

- a. Upon legal separation or divorce from the covered employee;
- b. The death of the covered employee;
- c. When dependents cease to be dependent under the definition of the plan;
- d. When Medicare eligible employees cease participation in employer sponsored plans.

~~2.~~ 9.3.2 Insurance cannot be continued beyond any of the following:

- a. The date that premium payments become past due;
- b. The date when the individual becomes covered under any other group health plan or is entitled to Medicare benefits;
- c. In the case of a spouse, when the spouse remarries or becomes covered under another group health plan; and

- d. On the date when the employer ceases to provide any group plan, except the District would be obligated to allow employees or dependents to continue coverage under any replacing group policy or policies.

**~~D. FMLA & Disability Leave~~**

~~Amended January 23, 2019~~

~~Family & Medical Leave without pay shall run concurrently and shall begin the first day the employee is not able to work. In the event of long term disability, health, dental, and life insurance premium payments will be paid by the District for a period of six (6) months from date of inception of the disability. An employee returning to work after disability leave shall provide a return-to-work release from their physician listing accommodations, if any. The District may restrict the employee’s return to work if the accommodations preclude the employee from performing the essential functions of their job. An employee who cannot return to their regular scheduled job and fully participate in the job’s responsibilities after this six (6) month period may be separated from employment with the District.~~

**~~E.9.4 Leave Status~~**

Paid time off, sick, or funeral leave shall not be used to create overtime. The purpose of leave is to supplement the full-time annual employee’s forty (40) hour workweek.

**~~F.9.5 Vacation Leave or Paid Time Off (PTO)~~**

~~Amended January 23, 2019; January 22, 2020; March 3, 2021; July 13, 2022; [month, date, 2024]~~

- ~~1. 9.5.1~~ The District believes that a reasonable period of time away from the job encourages good health and the well-being of employees. This is a benefit to the District, as well as the employee. Therefore, it is the policy of the District to grant paid time off (PTO) to full-time annual employees.
- ~~2. 9.5.2~~ Full-time annual or benefitted employees begin accruing PTO on the date employment begins. Years of District service, for establishing paid time off accrual rates, shall be based on the employee’s full-time hire date. ~~See Section 7-H for details on re-hired / reinstated employees.~~
- ~~3. 9.5.3~~ Beginning ~~January 1, 2023~~ May 6, 2024, accumulation of PTO shall be based upon the following schedule:

<b>PTO Accrual Schedule</b>				
<b>PTO Accrual Schedule</b>				
Years of Service	Monthly Hours	Annual Hours	Annual Days	Annual Weeks
<del>0-2.99</del>	8	96	12	2.4
<del>3-5</del>	9	108	13.5	2.7
<del>6-83-6.99</del>	10	120	15	3
<del>9-11</del>	11	132	16.5	3.3
<del>12-147-11.99</del>	12	144	18	3.6
<del>15-17</del>	13	156	19.5	3.9
<del>18-2012-17.99</del>	14	168	21	4.2
<del>21-23</del>	15	180	22.5	4.5
<del>2418+</del>	16	192	24	4.8



~~Employees who as of January 1, 2023, are accruing PTO at a rate higher than that reflected in the above schedule shall continue to accrue at their current rate until such time that they come into alignment with the new schedule.~~

~~9.5.4 Upon approval of the District Director, an eligible employee's PTO service date at hire may be modified outside of the above schedule based upon prior relevant experience in a comparable position. For purposes of leave accrual, the Business Manager or their designee shall recognize and establish an eligible employee's PTO service date at hire based upon prior relevant experience in a comparable benefitted position, service in a comparable public merit system, or military service. Employees may receive one year of PTO accrual credit for every two years of qualifying prior experience. The District Director then has final approval of the PTO service date and accrual rates, which shall begin on the employee's full-time hire date.~~

~~9.5.5 For existing eligible employees, the Business Manager or their designee shall establish an employee's adjusted PTO service date (if needed) based upon the same criteria outlined in 9.5.4 and establish a new PTO accrual rate effective May 6, 2024. The District Director then has final approval of the adjusted PTO service date and accrual rates before implementation.~~

~~4. Former employees who are re-hired with reinstatement rights following military service shall be entitled to assume the same eligibility for PTO as enjoyed as outlined in Section 7, Paragraph H.~~

~~5. 9.5.6~~ Employees may carry unused PTO over to the next District anniversary year to a maximum of ~~160~~200 hours of accrued ~~PTO~~paid time off. Any accrued PTO in excess of the ~~160~~200 hours shall be forfeited on their District anniversary date following the year in which the leave was accrued.

~~6. 9.5.7~~ PTO may not be accrued during a period of time when leave of absence without pay is being granted for reasons other than personal or family related illness or condition as defined by the federal Family & Medical Leave Act (FMLA) and when an employee has announced their resignation or retirement from the District.

~~7. 9.5.8~~ Utilization: The employee's manager must approve in advance all PTO leave. The supervisor may schedule PTO leave so that District operations are not disrupted. PTO may be requested and utilized in increments of 2-hour blocks.

~~8. 9.5.9~~ An authorized holiday which falls within the time period of an employee's scheduled PTO shall not be charged as PTO.

~~9. PTO Advance. Full-time annual employees may apply for an advance on their PTO accrual. Approval in writing must be granted by both the department manager and District Director. PTO advance may not exceed one half (1/2) of the PTO earned in one calendar year and may not have a negative balance at year end (Dec 31) unless approved by the District Director. Employee is responsible for repaying the advance in total if they separate from the District.~~

~~10. 9.5.10~~ PTO is to be taken as time off and there will be no pay in lieu of time off.

~~11. 9.5.11~~ Resignation: Upon resignation or retirement, an employee who has successfully completed their orientation period may take the cash value of earned PTO leave (carried over and earned), or time off with pay equal to the number of PTO hours earned. PTO shall not accrue when an employee has announced their resignation or retirement from the District and ~~are is~~ using the time off with pay option. Payments made pursuant to this section shall be at the rate of pay current upon termination. Deductions from termination pay may be made where the terminating employee has outstanding obligations to the District. The District may withhold the payment of termination pay if the

employee fails to return District property in their possession.

~~12-~~ 9.5.12 Record Keeping: The official record of accrued and used PTO is to be kept by the District through a formal leave accounting system. Supervisors shall be provided with leave accounting reports periodically for departmental and employee review. Employees are responsible for reviewing their pay stubs. Any discrepancies shall be reconciled directly through the ~~District Administrative office~~Business Manager or their designee. If discrepancies are not reported within sixty (60) days, all reports shall be deemed correct.

### **~~G-9.6~~ Sick Leave**

*Amended January 22, 2020; [month, date, 2024]*

Sick leave is accrued for full-time annual or benefitted employees as a benefit and may be used for personal illness, illness in the immediate family, or during ~~an~~ unpaid FMLA leave. Sick leave taken in excess of three (3) working days may require a statement from an attending physician. The District Director and/or department managers must use discretion in approving sick leave, while insisting that seriously ill employees stay off the job. Accrued sick leave is a District-owned benefit afforded to those full-time annual and benefitted District employees who become ill or injured and cannot perform their normal duties.

- ~~1-~~ 9.6.1 Sick leave shall be earned at the rate of 3.69 hours per pay period of full-time employment and may be used, with approval, as earned. Sick leave shall not be granted beyond the amount accrued by any employee.
  - a. Full-time employees may accrue up to 720 hours of sick leave. Employees who have 720 hours of sick leave may not accrue additional sick leave until their sick leave bank drops below the 720 hours.
  - ~~b. Effective January 1, 2017, employees, who have in excess of 720 hours of sick leave as of the effective date, shall not accrue any additional time until their sick leave balance drops below 720 hours.~~
  - ~~c.~~ b. Sick leave shall not be paid out at the time of separation of employment.
- ~~2-~~ 9.6.2 Sick leave shall not accrue during a period in which a leave of absence without pay is being granted for reasons other than personal or family related illness or condition as defined by the Family & Medical Leave Act (FMLA). Sick leave shall not accrue when an employee has announced their resignation or retirement from the District and is using the time off with pay option.
- ~~3-~~ 9.6.3 Requests to the employee's immediate supervisor for the use of sick leave shall be made at or prior to the employee's scheduled reporting time.
- ~~4-~~ 9.6.4 Supervisors are charged with the responsibility to approve or deny leave requests and may require the employee to provide evidence of illness or injury.
- ~~5-~~ 9.6.5 The official record of accrued and used sick leave is to be kept by the District through a formal leave accounting system. Supervisors shall be provided with leave accounting reports periodically for departmental and employee review. Any discrepancies shall be reconciled directly through the ~~District Administrative office~~Business Manager or their designee. If discrepancies are not reported within sixty (60) days, all reports shall be deemed correct.
- ~~6-~~ 9.6.6 Workers Compensation: In the event an employee is injured on the job, they must apply for workers compensation. The employee may additionally utilize accrued sick leave in accordance with the following formula: "Gross monthly compensation minus industrial (workers) compensation equals total

compensation subject to sick leave utilization. The number of hours to be charged shall be determined by dividing the total amount subject to use by the appropriate hourly compensation rate." This shall not be construed as allowing a gross income, inclusive of industrial (workers) compensation and sick leave, to exceed the employee's regular monthly salary or earnings.

~~7.~~ 9.6.7 Insurance benefits may be provided for more serious or longer-term illness or accidents. While insurance policies pay 67% of the normal wage, sick leave time and PTO may be used on a pro-rata basis to maintain normal income. The employee may supplement the disability benefit with accrued PTO and sick leave to receive 33% of their normal wage. If no sick leave or PTO time is available, normal insurance proceeds only are payable.

#### **~~H.9.7~~ Funeral & Bereavement Leave**

*Amended July 13, 2022; [month, date, 2024]*

~~1.~~ 9.7.1 Funeral & Bereavement leave with pay, not to exceed ~~three (3) days forty~~ (240 hours), may be allowed for full-time annual and benefitted employees in the event of the following:

~~a.~~ The Loss of a Spouse, ~~Adult Domestic~~ Designee (as noted for health insurance), ~~Son, Daughter Child, Mother, Father Parent, Grandson, Granddaughter child, Grandparent, Stepmother, Stepfather parent, Stepson, Stepdaughter child, Son Child-in-law, Daughter Parent-in-law, Sibling, and Sibling-in-law~~ Grandparents, Grandparents-in-law, Sister, Brother, Father-in-law, Mother-in-law, Sister-in-law, and Brother-in-law.

~~a.~~ 9.7.2 Bereavement leave with pay, not to exceed eight (8) hours, may be allowed for loss of other family members with the written permission of the department manager.

9.7.3 Twenty-four (24) hours of bereavement leave shall be provided to employees whose pregnancy or partners pregnancy ended ~~The end of an employee's pregnancy~~ by way of miscarriage or stillbirth, ~~or,~~

~~b.a.~~ The end of an ~~individual employee's~~ pregnancy by way of miscarriage or stillbirth, ~~or, the end of an individual's pregnancy by way of miscarriage or stillbirth~~ if:

i. The employee is the individual's spouse or partner;

ii. ~~(A.)~~ The employee is the individual's former spouse or partner; and

iii. ~~(B.)~~ The employee would have been a biological parent of a child born as a result of the pregnancy;

~~iii-b.~~ The employee provides documentation to show that the individual intended for the employee to be an adoptive parent, as that term is defined in Utah Code §78B-6-103, of a child born as a result of the pregnancy; or under a valid gestational agreement in accordance with Title 78B, Chapter 15, Part 8, Gestational Agreement, the employee would have been a parent of a child born as a result of the pregnancy.

~~iv.~~ under a valid gestational agreement in accordance with Title 78B, Chapter 15, Part 8, Gestational Agreement, the employee would have been a parent of a child born as a result of the pregnancy.

~~2.~~ 9.7.4 Employees desiring extended funeral or bereavement leave may request to use comp time, PTO, or leave without pay. Leave without pay may be used only if the employee has no accrued comp time or PTO. Funerals which occur during the use of PTO shall be treated as described in this paragraph and not be charged to PTO.

~~3.~~ 9.7.5 If a funeral is attended or death occurs while an employee is on a leave of absence, there will be no time off with pay forthcoming.

**9.8 Holiday Leave**

~~With the exception of paragraph 5 below, this section applies only to full-time annual employees~~  
 Amended January 23, 2019, July 13, 2022; [month, date, 2024]

- ~~1-~~ **9.8.1** The following days have been designated by the District to be paid holidays and apply only to full-time or benefitted employees:

New Year's Day	January 1st
Martin Luther King Jr. Day	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday of May
Independence Day	July 4th
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veteran's Day	November 11th
Thanksgiving Day	4th Thursday of November
Day after Thanksgiving	Friday after Thanksgiving
<del>Christmas Eve</del>	<del>December 24th (1/2 day)</del>
Christmas Day	December 25th

- ~~2-~~ **9.8.1.1** When any of the above holidays fall on a Sunday, the following Monday shall be observed as the holiday. When any of the above holidays fall on a Saturday, the preceding Friday shall be observed as the holiday.

- ~~3-~~ **9.8.1.2** Should a holiday occur while an employee is on PTO, the employee will not be charged with PTO the day of the holiday.

- ~~4-~~ **9.8.2** Holiday Leave Pay: Full-time ~~annual~~ benefitted employees who work on a designated holiday will receive their regular rate of pay ~~as well as and up to~~ eight (8) hours of floating holiday time which may be taken at any point, with their ~~manager's~~ approval of their manager or supervisor, by the end of the calendar year.

- ~~5-~~ **9.8.3** The following shift adjustment compensation shall apply to part-time ~~non-~~ benefitted regular, seasonal, and temporary employees if they are scheduled to work on any of the following holidays:

New Year's Day	January 1st
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Christmas Day	December 25th

- a. If a part-time ~~non-benefitted regular~~, seasonal, or temporary employee works on a qualified holiday, he/she will receive compensation at the rate of two (2) times the employee's regular hourly rate for the number of hours worked on that day.
- b. Part-time ~~non-benefitted regular~~, seasonal, or temporary positions will not be compensated for the holidays listed above if they do not work on that holiday.

9.8.4 Floating Holiday Leave Pay: Full-time annual and benefitted employees are entitled to the additional floating holidays outlined below, the hours of which must be used by December 31 and may not be rolled over or paid out:

- ~~6.a.~~ Individual employee birthdays will be observed as a paid day off or used as a floating holiday.
- ~~b.~~ Employees are entitled to one additional floating holiday per year in lieu of Juneteenth if actively employed on June 19.
- ~~7.c.~~ Employees are entitled to one additional floating holiday per year in lieu of Pioneer Day if actively employed on July 24.
- ~~8.~~ Employees are entitled to one additional floating holiday per year in lieu of Juneteenth if actively employed on June 19.
- ~~9.~~ All floating holiday hours must be used by December 31 and may not be rolled over or paid out.

#### ~~9.9~~ **Court or Jury Leave**

Each full-time annual employee entitled to paid leave under these rules shall, during regularly scheduled work time only, be entitled to leave of absence with full pay for such period of required absence when, in obedience to a subpoena or direction by proper authority, the employee is to appear as a witness in a case involving the federal government, the State of Utah, or a political subdivision thereof, to serve on a jury or as a witness in a grievance/hearing. Witness or juror fees paid to employees on leave with pay shall be returned to the District for deposit in the general fund. Per diem and witness or juror fees may be retained by an employee who elects to use PTO leave while on jury duty or acting as a witness. Absence due to litigation not required by the employee's position, but as an individual, shall be taken as PTO, comp time, or leave without pay.

#### ~~9.10~~ **Parental Leave**

*Amended January 23, 2019*

Parental leave is leave associated with the birth of an employee's own child or the placement of a child with the employee in connection with an adoption. The amount of leave under this policy is four (4) weeks. This leave does not supersede other laws that apply to the birth or adoption of a child.

- ~~1-~~ 9.10.1 Merit Full-time annual or benefitted employees may receive up to four (4) weeks of paid, job protected, leave during the first twelve (12) weeks following birth or adoption.
  - a. Notice & Verification: The employee must:
    - i. Provide to his/her department manager and the District Administrator thirty (30) days' written notice of the requested leave (or as much notice as practicable if the leave is not foreseeable),
    - ii. Complete the necessary forms at the time of the leave, and
    - iii. File the documents with the District Administrator.
- ~~2-~~ 9.10.2 Parental Leave is a benefit of employment, and its use will not be considered as a negative factor in employment actions, such as hiring, promotions, or disciplinary actions under attendance policies.

Upon receiving notice of an employee's need for Parental Leave, the District shall provide the employee with a detailed notice specifying the employee's rights and obligations under District policy and explain any consequences of a failure to meet these obligations. The notice shall include:

- a. Any requirements for the employee to make or participate in the payment of insurance premiums, and the methods for doing so. The employee's potential liability for health insurance premiums paid by the District during the leave if the employee does not return to work;
- b. The employee's reinstatement rights to the same or equivalent job, unless the employee is

defined a key employee under FMLA.

- ~~3-~~ **9.10.3** Method of Leave Usage:
- a. ~~B~~Birth of the parent's own child: Parental Leave, if taken, shall be used anytime during the first twelve (12) weeks after the birth of the child. Parental Leave shall not extend beyond the end of the twelve (12) week date from the birth of the child.
  - b. Adoption of a child:
    - i. The parents of an adopted child shall receive Parental Leave after the child(ren) has been placed in their home.
    - ii. Parental Leave, if taken, shall be used anytime during the first twelve (12) weeks after the placement of the child(ren). Parental Leave shall not extend beyond the end of the twelve (12) week date from the placement of the child(ren).
    - iii. To qualify for Parental Leave the adopted child(ren) shall be under eighteen (18) years of age.
  - c. All leave shall be used in one (1) block of time.
  - d. Parental Leave shall run concurrently with FMLA, if applicable.
- ~~4-~~ **9.10.4** Parental Leave will be paid at one hundred percent (100%) of an Eligible Employee's straight-time, regular pay for the specified amount of time outlined in this policy.
- a. Sick leave and PTO accrual shall be allowed in accordance with the District's FMLA policy.
- ~~5-~~ **9.10.5** The fact that a multiple birth or adoption occurs (for example, the birth or adoption of twins) does not increase the length of Parental Leave granted for that event.
- ~~6-~~ **9.10.6** If both parents are employed by the District, each parent shall receive up to four (4) weeks Parental Leave.

#### ~~9.11~~ **Family & Medical Leave (FMLA) Without Pay**

*Amended January 22, 2020; [month, date, 2024]*

The District will comply with all applicable requirements of the Family & Medical Leave Act of 1993 (FMLA).

- ~~1-~~ **9.11.1 Eligibility:** All employees who have worked for the District for at least twelve (12) months (which need not be a consecutive twelve (12) month period) ~~and~~ **AND** have worked for the District at least 1250 hours in the previous consecutive twelve (12) month period qualify for family and medical leave without pay.
- ~~2-~~ **9.11.2** Eligible employees may receive up to twelve (12) weeks of unpaid, job protected, leave in any twelve (12) month period for the following reasons:
- a. To care for a child upon birth or upon placement for adoption or foster care;
  - b. To care for a parent, spouse, or child with a serious health condition;
    - i. When an employee is unable to work because of a serious health condition. A serious health condition is defined as "any illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider" (i.e. doctors, podiatrists, dentists, clinical psychologists, optometrists, nurse practitioners, and nurse midwives). In addition, a single event or occasion, which results in a regimen of continuing treatment under the supervision of the health care provider, such as a regimen of medication or physical therapy, qualifies. Excluded from coverage are voluntary or cosmetic treatments, which are not medically necessary and preventive physical examinations. An employee returning to work after FMLA leave for their own

serious health conditions shall provide a return-to-work release from their physician listing accommodations, if any. The District may restrict or deny the employee's return to work if the accommodations preclude the employee from fully participating in their job responsibilities or the accommodations required to do so would prove to be an undue hardship on the District.

c. When a family member is called to serve on active military duty

~~3-~~ **9.11.3** Eligible employees may receive up to twenty-six (26) weeks of unpaid, job protected, leave in any twelve (12) month period to care for a family member who sustained an injury or illness in the line of active military duty.

~~4-~~ **9.11.4** Notice & Verification: Employees who want to take FMLA leave ordinarily must provide the District with at least thirty (30) days' notice of the need for leave if the need for leave is foreseeable. If the need is not foreseeable, the employee should give as much notice as is practicable. The employee notice shall contain the reason for the leave, the anticipated timing of the leave, and the expected duration of the leave. In addition, employees who need leave for their own or a family member's serious health condition must provide medical certification of the serious health condition within fifteen (15) days after the request or as soon thereafter as is reasonably possible. The District may also require a second or third opinion (at the District's expense), periodic recertification of the serious health condition (as frequently as every thirty (30) days), and, when the leave is a result of the employee's own serious health condition, a fitness for duty report to return to work. The District may deny leave to employees who do not provide proper advance leave notice or medical certification within the established time frame.

~~5-~~ **9.11.5** District Communication Requirements: Upon receiving notice of an employee need for FMLA leave, the District must provide the employee with a detailed notice specifying the employee's rights and obligations in connection with the law and District policy and explain any consequences of a failure to meet these obligations. The District notice shall include:

- a. A statement that the leave will be counted against the employee's annual FMLA leave entitlement;
- b. Requirements for the employee to furnish medical certification of a serious health condition and the consequences for failing to do so;
- c. The requirement for the employee to use accrued paid leave,
- d. Any requirements for the employee to make or participate in the payment of insurance premiums, and the methods for doing so;
- e. Any requirement of the employee to present a fitness for duty certificate in order to return to work;
- f. The employee reinstatement rights to the same or equivalent job;
- g. The employee's status as a "key employee" and the conditions under which reinstatement may be denied, and
- h. The employee's potential liability for health insurance premiums paid by the District during the leave if the employee does not return to work.

~~6-~~ **9.11.6** Method of Leave Usage: The leave may be taken intermittently or on a reduced leave schedule without the District's approval when medically necessary; therefore department managers shall take an active role in verifying medical necessity, especially in the case of emergencies and short notice situations. FMLA leave may be taken in half-hour, hourly, daily, or weekly blocks of time.

~~7-~~ **9.11.7** Employee Entitlements: Employees taking qualified FMLA leave are entitled to receive health benefits during the leave at the same level and terms of coverage as if they had been working

throughout the leave. In addition, the District shall reinstate an employee returning from FMLA leave to the same or equivalent position with equivalent pay, benefits, and other employment terms as previously provided. The District's obligation under FMLA to reinstate an employee returning from leave ceases once the employee has used up their 12/26 week entitlement and continues on another form of leave, paid or unpaid. Also, the District may deny reinstatement if it can be demonstrated that the employee would not otherwise have been employed at the time the reinstatement request is made, such as when an employee's position is eliminated due to a layoff.

9.11.8 **Accrued Benefit Impact:** Employees' use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave. However, before taking unpaid leave, the employee must first use any accrued PTO, compensatory time, and sick leave during a FMLA leave. In calculating the number of leave days used as part of the 12/26 week FMLA limit, all paid leave shall be included. (1 *Section 9.N.8 was amended on July 19, 2017*)

~~8-~~ 9.11.9 **Defining 12-month period:** The District shall use one (1) of four (4) methods as defined by FMLA, and may change methods when determined to be in the best interest of the District in terms of administration. However, sixty (60) days' notice must be given to employees of intent to change and employees must retain the full benefit of 12/26 weeks of leave. The District shall use one of the following:

- a. The calendar year;
- b. Any fixed twelve (12) month period, such as a fiscal year, an employee's anniversary date, or a year which is or may be required by state leave law;
- c. The twelve (12) month period measured forward from the date an employee's first FMLA leave begins; or
- d. A rolling twelve (12) month period measured backward from the date an employee uses any FMLA leave.

The District has opted to use item c: "the twelve (12) month period measured forward from the date an employee's first FMLA leave begins."

~~• the twelve (12) month period measured forward from the date an employee's first FMLA leave begins.~~

~~9-~~ 9.11.10 **Temporary Work Assignments:** Where medical necessity dictates the need to use scheduled intermittent leave or a reduced work schedule, the District may require the employee to transfer temporarily to an alternative position that better accommodates recurring periods of leave than the employee's regular position. In addition, the District may transfer an employee to a part-time job with the same hourly rate of pay and benefits as long as the employee is not required to take more leave than is medically necessary.

~~10-~~ 9.11.11 **Record Keeping Requirements:** Records retention for FMLA purposes must be maintained in accord with record keeping requirements of the Fair Labor Standards Act (FLSA). Records must be kept for a minimum of three (3) years, which includes the following information:

- a. Basic payroll records;
- b. Dates that FMLA leave is taken;
- c. Hours of FMLA leave;
- d. Copies of employee notification given to employer
- e. Copies of employer notices regarding employee rights and obligations;
- f. Copies of District policies and procedures describing benefits and leave provisions;
- g. Premium payments of employee benefits;
- h. Documents pertaining to disputes regarding designation of FMLA leave. All records relating to



medical information must be kept in separate, confidential medical files.

### **9.12 FMLA & Disability Leave**

*Amended January 23, 2019; [month, date, 2024]*

Family & Medical Leave without pay shall run concurrently and shall begin the first day the employee is not able to work. In the event of long-term disability, health, dental, and life insurance premium payments will be paid by the District for a period of six (6) months from date of inception of the disability. An employee returning to work after disability leave shall provide a return-to-work release from their physician listing accommodations, if any. The District may restrict the employee's return to work if the accommodations preclude the employee from performing the essential functions of their job or create undue hardship for the District. An employee who cannot return to their regular scheduled job and fully participate in the job's responsibilities after this six (6) month period may be separated from employment with the District.

### **~~M.9.13~~ Military Leave**

Leave shall be granted to full-time annual employees for a period of active military service. Extended military leave is six (6) months or more, not to exceed five (5) years unless approved by the District. Short-term military leave is any leave of less than six (6) months in duration, normally not longer than 120 hours.

~~1-~~ **9.13.1** Short-term Military Leave is authorized for employees pursuant to the following conditions:

- a. Employees are entitled to 120 hours of military leave per year without loss of regular pay or other fringe benefits. The employee shall take military leave when activated. After the employee has exhausted their 120 hours of military leave, they may take unpaid leave.
- b. Whenever possible, employees who are members of reserve units of the military shall notify the District Director within one (1) week of receipt of an activation notice and shall indicate in writing their intention and anticipation with regard to participating in periods of active duty. Such written notification shall be made a part of the individual employee's personnel file.
- c. Employees requesting short term military leave may go on leave without pay status prior to using accrued PTO and comp time.
- d. While on short term military leave, none of the employee's benefits shall accrue, except that health, dental, and life insurance benefits will remain in force.
- e. If the employee does not return to District employment after six (6) months, the District Director may declare the position vacant.

~~2-~~ **9.13.2** Extended Military Leave Without Pay shall be granted to employees who enlist, are drafted, or are recalled to active service in the armed forces of the United States in accordance with the provision of the Universal Military Training and Service Act. Former employees shall be permitted to return to District employment without loss of benefits pursuant to the provisions of the Utah Code §39-3-1. The following conditions shall apply:

- a. USERRA provides that an individual may serve up to five (5) years in the uniformed services, in a single period of service or in cumulative periods totaling five (5) years and retain the right to re-employment by their pre- service employer (38 USC 4312(c)).
- b. The employee must have satisfactorily completed the period of active duty and furnish a certificate to that effect.
- c. The District shall follow USERRA regulations regarding the reinstatement of an employee returning from active military duty. If the employee declines an offer for position vacancy, reinstatement rights may be canceled by the District Director.

- d. If, due to a service-connected disability or for some other reason, an employee is not qualified to perform all the duties of their former position, they will be placed in the closest comparable position for which they are qualified, or the employee will be placed on a list of eligibles for consideration for future openings. Under the Americans With Disabilities Act, reasonable accommodation shall be provided unless to do so would prove to be an undue hardship.

#### **N-9.14 Administrative Leave**

*Amended [month, date, 2024]*

9.14.1 In cases of training, ~~special educational pursuits~~, hardships, or other cases not provided for in these policies, upon recommendation of the ~~D~~department ~~M~~anager, the District Director may grant short-term leaves at full pay, partial pay, or without pay to full-time ~~annual and benefitted~~ employees.

9.14.2 ~~The District Director may grant a discretionary award of paid administrative leave to full-time or benefitted employees for outstanding performance, to encourage support and participation in District work functions and events, or participation in wellness programs. The award of paid administrative leave may not exceed ten (10) working days in aggregate over a calendar year and must be used within the same calendar year it is earned, unless otherwise designated by the District Director.~~

9.14.3 ~~The Board shall have the power to grant the same to the District Director.-~~

9.14.4 ~~Administrative Leave is not eligible for pay out upon separation from employment.~~

9.14.5 ~~The approval or denial of such requests is at the discretion of the Director and/or Board and is not subject to appeal.~~

#### **O. Time Off For Working Events / Functions**

~~To encourage support and participation at the District's work functions and events, annual full time non-exempt staff may earn paid time off for participating at designated events/functions. Such staff will be paid for the hours worked at the event/function in addition to accruing paid time off. The Department Manager and District Director must authorize the time off on the District form. The form is to be filed with the Administration Department within the same pay period. Employees must then specify on their timesheets when they are using the Time Off for Working Events/Functions.~~

- ~~1. It will be at the discretion of the District Director to declare what events qualify and how much time is accrued.~~
- ~~2. Time off must be used within the same calendar year it is earned, unless otherwise designated by the District Director.~~
- ~~3. Time off for Working Events/Functions is not eligible for pay out upon separation from employment.~~

#### **9.15 Recruitment Leave**

Recognizing the competitive and costly nature of the recruitment process, the District supports reasonable efforts to attract, hire, and retain well-qualified employees.

9.15.1 Upon hire, the District Director may grant new-hires a block of Recruitment Leave according to the following schedule:

- a. Positions Grade 16 and above, up to eighty (80) hours.
- b. Positions Grade 15 and below, up to forty (40) hours.

9.15.2 Recruitment Leave must be used within one year of the hire date. Any unused amount beyond that date is forfeited by the employee.

9.15.3 Recruitment Leave is not eligible for pay out upon separation from employment.

### **P.9.16 Retirement**

*Amended January 23, 2019, January 22, 2020*

The District is a participant in the public employee retirement programs of the Utah Retirement Systems (URS). The District endorses the concept that performance, not age should be the standard for retaining qualified employees. There shall be no set retirement age from District employment. Contributions into the retirement system shall be made for all employees who otherwise qualify under URS rules.

- ~~1-~~ 9.16.1 Employees, at their discretion, may choose to retire any time after they are eligible under provisions of the Utah Retirement Act.
- ~~2-~~ 9.16.2 Employees over retirement age, as defined by the Social Security Administration, can be retained or hired as long as they are physically and mentally able to satisfactorily discharge the duties of the position.
- ~~3-~~ 9.16.3 The retirement system provides a number of benefits to the employee, including retirement benefits, death benefits, and survivor's allowances. Contributions are made by the employer. All new hires are enrolled into the new non-contributory plan.
- ~~4-~~ 9.16.4 All employees who have previously participated with URS prior to July 1, 2011 shall be enrolled in the Tier I retirement.
- ~~5-~~ 9.16.5 Effective July 1, 2011, all existing employees who have not participated and all newly hired employees shall be enrolled with the URS Tier II retirement unless previously enrolled within a URS retirement system.
- ~~6-~~ 9.16.6 Appointed members of the District's Administrative Control Board are classified as part-time and do not qualify for membership in URS.
- ~~7-~~ 9.16.7 Seasonal employees, temporary employees, and part-time non-benefitted employees are not eligible for URS benefits.
- ~~8-~~ 9.16.8 The District does not maintain any positions eligible for exemption from retirement coverage.

### **Q.9.17 Unemployment Insurance**

The District participates in the State Unemployment Insurance Program as a self-insured employer. Any person terminated for reasons other than cause will be eligible for unemployment benefits in accordance with the rules and provisions as provided by the State. Employees terminated for cause shall not be eligible for unemployment benefits from the District.

### **R.9.18 Education Assistance**

*Amended January 23, 2019*

When it is determined by the District Director that additional training or education is required for an employee's proper performance of a job, the District shall allow rescheduling of work time together with compensation for time spent in training plus associated expenses for that employee.

If a merit annual employee desires to enhance their own job skills through training or academic pursuits which are viewed by the District Director as being directly related to the job or a position to which one may wish to become promoted, and the employee initiates such a request; the District may give consideration in work schedule accommodations and tuition expense reimbursement or coverage.

Tuition expenses must be budgeted during the District's regular budget process. Employees requesting tuition reimbursement must be employed by the District for a minimum of two (2) years. The District may choose to participate at a rate of fifty percent (50%) of education expenses and may not exceed current IRS limitations for tax-free benefits. Any potential Education expenses in excess of current IRS limitations may be taxable by the IRS. Employees with approved educational assistance must enter into a written agreement that upon termination (voluntary or involuntary, except for reduction in force) they will refund to the District monies received for educational assistance based upon the following schedule:

<u>Time Period Between Date Of Termination &amp; Conclusion of Educational Course(s)</u>	<u>Portion of Expenses Refunded to District</u>
<u>Less Than One Year</u>	<u>100%</u>
<u>One Year, But Less Than Two Years</u>	<u>75%</u>
<u>Two Years, But Less Than Three Years</u>	<u>50%</u>
<u>Three Years, But Less Than Four Years</u>	<u>25%</u>
<u>Greater Than Four Years</u>	<u>0%</u>

~~Time Period Between Date Of Termination & Conclusion of Educational Course(s)~~ ~~Portion Of Expenses Refunded To District~~

<del>Less Than One Year</del>	<del>100%</del>
<del>One Year, But Less than Two Years</del>	<del>75%</del>
<del>Two Years, But Less Than Three Years</del>	<del>50%</del>
<del>Three Years, But Less Than Four Years</del>	<del>25%</del>
<del>Greater Than Four Years</del>	<del>0%</del>

Employees who participate in this benefit shall provide proof of eighty percent (80%) attendance and maintain a C grade or better in all classes at the end of each term or semester.

### **~~S.9.19~~ Programs and Fieldhouse Membership Benefits Available During Active Employment**

*Amended January 23, 2019, January 22, 2020, March 3, 2021*

The following benefits are available during active employment with the District.

Fieldhouse Membership and Fitness Classes for Employee:

- Full-Time Benefitted: Free
- Part Time Year-Round: Free<sup>1</sup>
- Seasonal: Free
- Temporary/Special Projects: Free

- Board Members: Free

#### Fieldhouse Membership and Fitness Classes for Spouse, Partner, Child(ren)<sup>2</sup>:

- Full-Time Benefitted: Free
- Part Time Year-Round: Free<sup>3</sup>
- Seasonal (after six months of consecutive work with at least two shifts/week)<sup>4</sup>: Free
- Temporary/Special Projects: No discount
- Board Members: Free

#### Fitness Programs for Employee:

- Full-Time Benefitted: if space allows, free for employee/spouse/partner/child
- Part Time Year-Round: if space allows fifty percent (50%) discount for employee, fifteen percent (15%) discount for spouse/partner or child
- Seasonal: No discount
- Temporary/Special Projects: No discount
- Board Members: if space allows, free for board member/spouse/partner/child

#### Youth Programs (Recreation and Fieldhouse):

- Full-Time Benefitted: Free
- Part Time Year-Round: Fifty percent (~~25~~50%) discount<sup>5</sup>
- Seasonal: Fifty percent (~~25~~50%) discount
- Temporary/Special Projects: No discount
- Board Members: Free

#### Summer Camps (Recreation and Fieldhouse):

- Full-Time Benefitted: Free
- Part Time Year-Round: Fifty percent (~~25~~50%) discount
- Seasonal: Fifty percent (~~25~~50%) discount
- Temporary/Special Projects: No discount
- Board Members: Free

#### Specialty or Travel Camps:

- Full-Time Benefitted: Fifty percent (50%) discount
- Part Time Year-Round: Twenty-five percent (~~20~~5%) discount
- Seasonal: No discount
- Temporary/Special Projects: No discount
- Board Members: Fifty percent (50%) discount

#### Adult Programs:

- Full-Time Benefitted: Case by case
- Part Time Year-Round: Case by case
- Seasonal: No discount
- Temporary/Special Projects: No discount
- Board Members: Case by case

#### Partnership Programs:

- Full-Time Benefitted: Thirty-five percent (35%) discount
- Part Time Year-Round: Thirty-five percent (~~20~~35%) discount Seasonal: No discount

- Temporary/Special Projects: No discount
- Board Members: Thirty-five percent (35%) discount

#### Swim Lessons at the Fieldhouse:

- Full-Time Benefitted: Free
- Part Time Year-Round: Twenty-five percent (205%) discount
- Seasonal: No discount
- Temporary/Special Projects: No discount
- Board Members: Free

#### Private Instruction Programs:

- Full-Time Benefitted: Twenty-five percent (25%) discount
- Part Time Year-Round: Twenty-five percent (205%) discount
- Seasonal: No discount
- Temporary/Special Projects: No discount
- Board Members: Twenty-five percent (25%) discount

#### Special Events or Programs:

- Full-Time Benefitted: Free

<sup>1</sup> Scheduled Fitness Instructors are included in this category, but substitute instructors are not eligible for benefits.

<sup>2</sup> Child: a dependent child through age twenty-five (25), includes stepchildren. If an employee does not have a spouse, partner or child to designate, he or she may choose another individual to benefit. The responsibility to ensure proper utilization of the benefit is on the employee's supervisor.

<sup>3</sup> Part-Time Year-Round employees must work a minimum of two (2) shifts per week, on average, in order to be eligible for spouse/partner or child privileges. Only one (1) spouse/partner or child can receive the benefit and must be designated upon employment. Scheduled fitness instructors are included in this category, but substitute instructors are not eligible for benefits.

<sup>4</sup> Seasonal employees qualify for free Fieldhouse membership and Fitness Classes for Spouse, Partner, and Child(ren) after six months of working consecutive seasons, with at least two shifts per week.

<sup>5</sup> A reduced cost is offered only if spaces are available after patron registration for part-time year-round and seasonal employees.

#### **~~T. Benefit Limitation~~**

~~The benefits described in this section constitute the total and complete benefit package offered and available to all District employees who qualify for participation according to eligibility requirements established by this policy manual.~~

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**Commented [DJ1]:** Incorporated into NEW Personnel and Operations Policy as Sections 18-21. Page numbers will be updated.

**Commented [DJ2]:** Items removed will be incorporated into District Directives if needed.

*Effective January 10, 2018*

District's Parent Code of Conduct  
Parent Self Checklist  
Scholarships

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~~CHAPTER 1~~ Section 18  
GENERAL DISTRICT POLICIES

**DISASTER RESPONSE PLANNING**

**General Policy:** The District has developed a Disaster Plan. All employees will be ~~provided~~provided with a copy of such plan and expected to adhere to it to the maximum extent possible and practicable.

**SERVICE ANIMAL POLICY: *amended March 3, 2021***

Only service animals are allowed in the Fieldhouse facility. Emotional support animals are not service animals and are therefore prohibited from the Fieldhouse facility.

Service dogs<sup>7</sup> are allowed wherever people are allowed, unless the animal poses a direct threat, a fundamental alteration, is not housebroken or is not under the control of the person with the disability.

If you encounter a patron with an animal in the Fieldhouse, follow the below steps:

1. Politely stop the patron and notify him/her that pets are not allowed in the building.
2. If the patron says the animal is his/her service animal, allow the patron to enter with the animal.
3. If you have questions or concerns about an animal, please contact the Fieldhouse ~~Manager or~~ Supervisor on Duty.

<sup>7</sup> Under the ADA, service animals are limited to dogs with very limited exceptions for miniature horses.

**ENFORCEMENT OF DISTRICT RULES AND/OR INSTRUCTIONS: *effective January 22, 2020***

Failure to follow posted rules and/or instructions of the District will result in the following consequences to patrons:

First Offense: A verbal warning will be issued.

Second Offense: A cease and desist letter will be issued.

Third Offense: Participant will be suspended from using District facilities and/or participating in District programs. ~~No refund of fees will be issued.~~

Fourth Offense: Participant will be permanently prohibited from using District facilities and/or participating in District programs. No refund of fees will be issued.

The District reserves the right to skip any level of consequences in cases where the safety of other patrons and/or District employees is involved or when other special circumstances warrant such, as determined by the District Director.

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**CANCELLATION POLICIES: *amended January 23, 2019, March 3, 2021, March 20, 2024***

To request a credit or refund, a Patron Credit Request Form must be completed and submitted to [refunds@basinrecreation.org](mailto:refunds@basinrecreation.org). All refunds will be issued through the original method of payment. If cash was used, the patron will be issued account credit or a check. Payments to the District are subject to the following policies:

**General Policy:** Unless specifically provided below, full refunds will be given if notice of cancellation is provided at least seven (7) or more calendar days prior to the first day of an activity, camp or program. All cancellation requests must be submitted via a timestamped email at least seven (7) or more calendar days prior to the first day of an activity, camp or program to be eligible for a refund. Any requests received after the cancellation deadline above will not be considered.

For purposes of this policy, the first day of an activity or program is defined as the date of the first scheduled camp session, meeting,

*Effective January 10, 2018*

practice, or evaluation. Programs cancelled by the District will be refunded in full. This general policy applies to all camps, sports, athletic leagues, swim lessons, clinics and programs. Refunds for inclement weather are at the discretion of staff.

**Fieldhouse Pass Policy:**

1. Single day and one (1) month passes are non-refundable and non-creditable.
2. Refunds on all other passes will be pro-rated. No retroactive cancellations.
3. Only twelve (12) month passes may be put "on hold" by direct request to the Fieldhouse Supervisor. Holds may be granted for one (1) time only for a minimum of two (2) weeks and a maximum of three (3) months during the original twelve (12) month pass period. Advanced notice is required.

**Fieldhouse Rental and Reservation Policy:**

All cancellation requests for a Party Room, Court, Field, or Bounce House reservation must be received at least three (3) calendar days prior to the reservation date to be eligible for a refund. Any requests received less than three (3) calendar days prior to the reservation will not be considered for a refund. If the District must cancel a reservation, the reservation holder will be given a full refund or the reservation will be rescheduled to a mutually agreed upon time.

**Meeting Room and Park Pavilion Policy:** If the applicant cancels a reservation seven (7) or more calendar days prior to the date reserved, a full credit/refund will be issued. If a facility reservation is cancelled less than seven (7) calendar days prior to the date reserved, only the deposit will be returned. Credits or refunds of the remaining fees will NOT be issued. If, due to unforeseen circumstances, a cancellation is initiated by the District, the reservation holder will be given a one hundred percent (100%) refund for that specific date or the District will provide a credit toward a mutually agreed upon future reservation.

**Coach Credits:** If a coaching credit is offered, the credit will be placed on the payer's account at the conclusion of the season. It will be available to use towards future purchases.

**Special Circumstance Policy:** If a participant cannot attend or continue an activity due to an illness or an extraordinary circumstance, a pro-rated credit or refund may be granted. A note from a doctor may be required.

Without exception, no credits or refunds will be given under any of the above provisions if the request is received after the final day of the program.

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**CHAPTER 2 Section 19  
PARKS  
POLICIES**

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**DOG POLICY IN PARKS**

**Commented [MW3]:** Updated to conform with Field Use Application

Users will keep all dogspets off any game field and five (5) yards beyond any game sideline or end line. Dogs must be leashed (six foot (6') leash maximum) and under the control of the owner. Owners must be "in possession" of the dogs (physically holding on to the leash) and dogs may not be tethered to any fixed objects or structures. DogPet owners are responsible for all actions of their dogs (cleaning up after their animal, biting, rough play, etc.) and also must abide by the regulationsrules of Summit County Animal Control. Owners must be present with their dogspets at all times in off leash areas which are provided at a number of parks (dogs cannot be left unattended in the dog parks). No dogspets are permitted on synthetic turf fields. The District is not responsible for the actions of any dog or owner and reserves the right to ask an owner to remove his/her dogpet, and self, if any of the above rules are violated.

Users will respect the facilities and other users by keeping all pets off the game field and five (5) yards beyond any game sideline or end line. Dogs must be leashed (six foot (6') leash maximum) and under the control of the owner. Owners must be "in possession" of the dogs (physically holding on to the leash) and dogs may not be tethered to trees or park equipment. Pet owners are responsible for all actions of their dogs (cleaning up after their animal, biting, rough play, etc.) and also must abide by the rules of Summit County, with the specific exception that a physical leash is required on fields due to the nature of the activities on the fields. Owners must be present with their pets at all times in off leash areas which are provided at a number of parks (dogs cannot be left unattended in the dog parks). No pets are permitted on synthetic turf fields.

The District is not responsible for the actions of any dog or owner and reserves the right to ask an owner to remove his/her pet, and self, if any of the above rules are violated.

**CHAPTER 3 Section 20  
FIELDHOUSE POLICIES**

**FIELDHOUSE USE POLICY: amended January 23, 2019, January 22, 2020, March 3, 2021**

**Definitions:**

1. **Resident Pass:** Daily, Monthly, or Annual orPuneh Pass with associated fees adopted by the District Board and offered to those living or working in Summit County.
2. **Non-Resident Pass:** Daily orPuneh Pass with associated fees offered to visitors of Summit County.
3. **Senior and Youth Citizen Pass:** Discounted pass with associated fees for those sixty (60) years and over and youth (17) years and younger.
4. **Stakeholder:** Any team or organization within the Park City School District ("PCSD") boundaries that utilizes District facilities and meets the criteria below. If a team or organization fails to meet any of these criteria, it will no longer be considered a stakeholder and will no longer be entitled to stakeholder consideration for use:
  - a. At least seventy-five percent (75%) of the team or organization's participants reside in the PCSD.
  - b. Stakeholders work toward equitable facility use for all organizations or teams through full attendance at periodic stakeholder organizational meetings, and through resolving problems on site.
5. **For-Profit:** A business or other organization whose primary goal is making money, or a profit. For profit applies to money changing hands in connection with the event in the facility, whether this is in the form of a sale, an entry fee, or a fee previously paid to user (e.g., a class fee), not to whether the user actually makes a profit.

**Fees:** The Board shall adopt administrative fees from time-to-time to offset the costs associated with these policies and programs.

The District may alter, change, and/or add any rules it deems necessary to provide the public and all citizens of the Snyderville Basin area high quality and safe facilities. Failure to follow District policies could result in: (1) revocation of passes or privileges, (2) financial responsibility for damages, and/or (3) the loss of use of any District facility.

## General Policies

The District believes that it is in the best interest of all users to define scheduling priorities for use of the Fieldhouse.

1. Programs and special events sponsored by the District will take first priority.
  - a. In accordance with the CC&R's of the Newpark Development Agreement, the District will utilize the Fieldhouse facility for ten (10) days per calendar year for non-athletic events such as concerts and conventions.
2. Stakeholder games/practices will take second priority.
  - a. Reservations by stakeholder groups may be submitted up to six (6) months in advance. Schedules will be confirmed within two (2) weeks of the time the reservation is submitted.
  - b. All PCSD UHSAA sanctioned sports will be given priority from 3-5pm on Mondays – Thursdays during the school year.
  - c. Reservations for stakeholder activities may be submitted on an ongoing basis and will be scheduled according to space availability and user history.
3. Non-resident groups will take third priority.
  - a. Reservations for non-resident groups may be submitted up to three (3) months in advance. Schedules will be confirmed within two (2) weeks of the time the reservation is submitted.
4. A Fieldhouse Use Application and Agreement must be submitted to the District at the time the reservation is made.
  - a. **Deposits:** Reservations require a fifty percent (50%) deposit at the time of reservation confirmation.
  - b. **Final Payment:** Final payment for facility use is due twenty-four (24) hours prior to occupancy. Special final payment arrangements will be considered at the request of stakeholder groups reserving large blocks of time.
  - c. **Cancellations:** If the applicant cancels a reservation seven (7) or more days prior to the date reserved, a full credit/refund will be issued. If a reservation is cancelled less than seven (7) days prior to the date reserved, only the deposit will be returned. Credits or refunds of the remaining fees will NOT be issued. If, due to unforeseen circumstances, a cancellation is initiated by the District, the reservation holder will be given a one hundred percent (100%) refund for that specific date or the District will provide a credit toward a mutually agreed upon future reservation.
5. Proof of local status is required for advanced reservations and to qualify for local user fees.
6. Reservations will be configured in one to two (1-2) hour blocks. All groups are encouraged to arrive on time and leave the facility immediately following their scheduled time.
7. To the extent possible, District personnel will schedule with consideration given to the most efficient use of the facility. For example, baseball and softball may be block scheduled to utilize batting cages.
8. Reservation schedules will be posted on site and online weekly.
9. Person(s) or groups securing a reservation will be responsible for clean-up, breakage, damage or vandalism. An additional fee will be charged for damage or additional staff clean up as needed.
10. Church and civic groups are subject to the same Resident and Non-resident fees published in the Fieldhouse Fee Schedule. The District does not consider fee waivers.
11. Regulations:
  - a. **Events Outside Normal Hours of Use:** Extra staff costs will be charged for reservations before or after facility hours.
  - b. **Supervision:** All person(s) or groups holding a reservation shall provide supervision at all times. Supervisors(s) must identify themselves as such to District personnel.
  - c. **Conduct:** No person shall engage in fighting, riotous, threatening or indecent conduct or use any abusive, threatening, profane or indecent language while on Fieldhouse property. Verbal or physical abuse of District staff or coaches, players, and spectators associated with the various users will not be permitted. Anyone violating this regulation will be asked to leave the facility immediately.
  - d. **Modifications:** Any modification to the facility must first be approved by the District, including but not limited to placement of soccer or lacrosse goals or any temporary structures.
  - e. **Damage and Clean-Up:** The reservation holder shall require that all persons it is responsible for (coaches, players, spectators, and others) use the space in a safe, prudent, and responsible manner and only for its usual and intended purpose. The reservation holder shall leave the facility in a clean and orderly condition. All trash shall be disposed of properly.
  - f. **Sponsorship:** The reservation holder shall not represent or imply that the District in any way sponsors, supports, or endorses the activity for which the facility is to be used without the express written consent of the District Director.
  - g. **Concessions:** All concessions and fundraising activities conducted on or adjacent to facilities rented in this agreement

- shall be subject to licensing and permitting through Summit County.
- h. **Alcohol:** No person shall possess or use any alcoholic beverages within the Fieldhouse except as allowed by a permit issued by the County Manager and with the prior written approval of the District Director.
  - i. **Drugs:** No person shall possess or use any illegal drugs on Fieldhouse property.
  - j. **Pets:** With the exception of certified and designated service animals, no pets allowed unless permitted by special event.
  - k. **Noise:** The reservation does not grant permission to amplify sound or music unless approved by District staff.
  - l. **Parking:** Parking is not exclusive to Fieldhouse reservation holders.
  - m. **Lost and Found:** The District is not responsible for personal property that is lost or stolen. A "lost and found" is maintained at the Fieldhouse front desk. Items will be kept a maximum of thirty (30) days.
  - n. **Insurance:** User Organization must provide a certificate of insurance to the District prior to using the Fieldhouse. The insurance certificate endorsement must list Snyderville Basin Special Recreation District as an additional insured and provide coverage for a minimum of two million dollars (\$2,000,000) per occurrence and four million dollars (\$4,000,000) aggregate for bodily injury and property damage. Such endorsement shall provide that such insurance coverage is primary and not contributory to any insurance policy maintained by the District. User Organization agrees to indemnify, defend and hold the District, its officers and employees harmless from any and all claims, losses, costs (including attorneys' fees) and other liability because of injury to persons or property arising as a result of or in connection with User Organization's use of the facilities provided under this policy, except to the extent such claims, losses, costs and other liability result solely from the negligent acts or omissions of the District.
  - o. **Facility Use Policies:** User agrees to follow all District Fieldhouse policies and accepts responsibility for informing agents of the user of their content. It is understood that the information received may be changed or replaced by other policies and procedures that the District may adopt in the future.

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**FITNESS PASS POLICY: amended January 23, 2019, January 22, 2020, March 3, 2021**

**Application:** Pass holder represents and warrants that all facts stated in his/her application are true and correct and that all children identified therein are legal dependents of the pass holder. The application is incorporated by reference to the agreement.

**Payment:** All payments to the District are subject to the cancellation policies of the District.

**Returned Check Policy:** If a check is returned for insufficient funds, the District will submit the check a second time. If the check is returned again, the fitness pass will be terminated and the pass holder will be assessed a handling fee. Pass holder will be required to pay the handling fee prior to acceptance of any future Fieldhouse application.

**Fee Guarantee:** Pass holder fees may be modified from time to time by the District Board. No fee increase outside the approved fee range will be applicable until both the fitness pass has expired and public notice of the fee increase has been given.

**Fitness Pass Cards and Basin App:** Pass holder will be issued a card or may download the Basin App to their electronic device, which will entitle the pass holder and appropriate family members to enjoy the benefits of the facility. Pass holder agrees to present the card or use the Basin App for admittance and to be responsible for the proper use of the card and App by all family members. Pass holder agrees that if the card is lost or misplaced, then the pass holder will be required to purchase a replacement card or use the Basin App before being admitted to the facility.

**Pass Holder Privileges:** Pass holders (including spouse and family members, as appropriate) will be admitted to public areas of the Fieldhouse such as the weight room, indoor track, indoor field and gymnasium, and pool and hot tub (during open play periods) at no additional charge. Batting/golf cages, programs, and field rentals will incur additional fees.

**Special Events:** Pass holder must recognize that the District is required through contractual agreement to host non-athletic special events no less than ten (10) calendar days per year. During these events, regular Fieldhouse hours may be modified or unavailable. Notice of special events, including modified hours or periods of closure, will be posted in the main lobby.

**Rules and Regulations:** Pass holder must acknowledge that the Fieldhouse operates under rules and regulations established for the safety and protection of patrons and agree to be bound by such, as well as by rules and regulations subsequently approved and posted or published by the District. Rules and regulations of the District are incorporated into the agreement by reference. Facilities, equipment, hours, service, regulation, and policies are subject to change without prior notice, at the sole discretion of the District, and pass holder agrees to accept such changes as a condition of being a pass holder.

**Behavior:** Pass holder must acknowledge that Basin Recreation's facilities and programs are public and pass holder's behavior impacts other patrons. Should the pass holder behave in a manner that Basin Recreation management deems inappropriate, including but not limited to behavior that is threatening, dangerous, offensive, unsportsmanlike or obscene, any recreation pass or other indicia of authorization to use Basin Recreation facilities may be revoked or suspended and/or participation in any activity may be prohibited.

**Age Restrictions:** Pass holder must agree to observe the age limitation of fourteen (14) years of age or older for all equipment and District-run classes both inside and outside the Fieldhouse, specifically excepting youth-related classes.

**Pass Holder Responsibility:** Pass holder must recognize that there are hazards connected with activities at the Fieldhouse. On behalf of the pass holder, spouse, and any dependent designated in pass holder's applications, pass holder knowingly and voluntarily assumes the risk of such hazards. Pass holder must agree to defend, indemnify, and hold the District and its officers, agents, Board, and employees

harmless from and against any and all loss, damage, and expense incurred by reason of any claim or liability based upon personal injury (including death) or property damage arising out of the negligent or intentional action of pass holder or of any spouse or dependent identified on pass holder's application. Pass holder further must agree to release the District and its officers, agents, Board, and employees from any and all liability arising out of injury to pass holder, spouse, or any dependent identified in the application or otherwise supervised by pass holder from and against the same. Pass holder understands that he/she retains complete responsibility for the supervision and safety of the pass holder's child on District property during a fitness class.

**Pass Account Holds:** Only twelve (12) month passes may be put "on hold" pursuant to a direct request to the facility [managerSupervisor](#). Holds may be granted for one (1) time only for a minimum of two (2) weeks and a maximum of three (3) months.

**Agreement.** The signed agreement, pass holder's application, the fee schedule in effect, and the District's rules and regulations in effect and as amended constitute the entire agreement between the pass holder and the District. [Should the District need to verify the passholder's identity a photo ID will be required to check in or a profile photo will be added to their account.](#)

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#### CHAPTER 4 SPECIAL EVENT POLICIES

##### SPECIAL/RESERVED EVENTS ON DISTRICT FIELDS; *amended January 22, 2020, March 3, 2021*

**Hours of Use:** Parks are open for use during daylight hours. Special approval from the District must be obtained for use of facilities before or after daylight hours.

**Applications:** Applications may not be made more than one (1) calendar year prior to the application's event date. Returning events are permitted to apply for the subsequent year immediately following the event, with the understanding that pricing may change. All Field Use applications must include the required application fee at time of submittal. A damage deposit, plus fifty percent (50%) of events fees is due at least sixty (60) days prior the event. The remainder balance of fees is due fifteen (15) days before the event. Properly completed applications will be processed on a first come, first served basis. Non-refundable processing fees will apply.

**Right to Deny:** Applicants that fail to meet any of the requirements or fill out an incomplete application will not be processed. The District reserves the right to turn down any application based on past performance, including but not limited to failure to follow the rules and regulations pertaining to the policies set forth at the District's discretion. Failure to follow any District policy may result in (1) revocation of the event, and (2) the applicant being held financially responsible for park and/or field damages, including but not limited to signs, restrooms, benches, and parking facilities.

**Supervision:** All person(s) or group(s) holding a reservation shall provide field supervision at all times. Supervisors(s) must identify themselves as such to District personnel. The applicant shall require that all persons it is responsible for (participants, volunteers, spectators and others) use the field in a safe and responsible manner. The applicant shall be liable for any damage (other than ordinary wear and tear) resulting to the fields, including pavilions, restrooms, trailheads, parking areas, schools, and other District property by either the applicant or the persons it is responsible for.

**Conduct:** No person shall engage in fighting, riotous, threatening or indecent conduct or use any abusive, threatening, profane, or indecent language while on park property. Verbal or physical abuse of District staff or coaches, players, officials or spectators will not be permitted. Anyone violating this regulation will be asked to leave the grounds immediately.

**Field Modifications:** Any modification to the field(s) must first be approved by the District, including, but not limited to, placement of soccer goals, changing the shape of fields, or setting up any temporary or permanent structures. No temporary tents may be staked on grass areas without prior approval by the District. Staking of temporary tents is prohibited on synthetic fields.

**Temporary Signs:** Production and placement of cautionary signage may be required of the event promoter. All signage must be removed from park and field facilities, city and county roads, public or private property within twenty-four (24) hours of the end of the event. Failure to timely remove signage may result in a portion of the damage deposit being withheld. The District and/or the event promoter will post notification of the event one (1) week prior to the event at impacted intersections and access points.

**Fees:** A damage deposit per field and half of the event fees are due at least sixty (60) days prior to the start of the event. The remaining balance of fees is due fifteen (15) days before the event. The deposit amount will be determined at the sole discretion of the District at the time of approval, with consideration given to the scope and scale of the event and its potential impacts. The damage deposit will be held in a non-interest bearing account. The Board shall adopt administrative fees from time-to-time to offset the costs associated with these events and programs.

**Clean-Up:** The user shall leave the field(s) and amenities in a clean and orderly condition. All equipment shall be returned to its designated location. All trash shall be collected, packed out, and disposed of properly immediately following the event. Recycling is strongly encouraged. The following items are NOT permitted at any event on the District property: plastic (any type of plastic that has NO number for recycling), all Styrofoam, and wax or plastic-coated paper.

**Waste:** Dumpsters and portable toilets may be required based on the size and duration of the event. The duration of the event will also determine if there will be a restroom cleaning fee. The number of toilets required is based upon the maximum number at the event during its peak time. The total number of toilets required will be determined on a case-by-case basis.

**Damage:** The user shall require that all persons it is responsible for (coaches, players, spectators and others) use the field(s) in a safe, prudent and responsible manner and only for its usual and intended purpose. The user shall be liable for any damage (other than ordinary wear and tear) resulting to the field(s) and amenities, including pavilions, restrooms and improvements adjacent to the fields by either the user or persons it is responsible for supervising. The District reserves the right to determine whether or not the deposit will be returned based on a post-event inspection of the facilities by District staff and compliance with the terms and conditions set forth herein. If needed, field repair and clean-up of facilities will be completed by District staff and charged against the damage deposit at an hourly rate to cover the cost of labor, materials and equipment. If damages exceed the deposit amount, the applicant will be held liable for any remaining costs associated with repair or cleanup.

**Insurance:** The District requires all applicants to carry a policy of general liability insurance in an amount no less than two million dollars (\$2,000,000) per occurrence and four million dollars (\$4,000,000) aggregate. The District must be named as an additional insured on the certificate of liability insurance endorsement. Such endorsement shall provide that such insurance coverage is primary and not contributory to any insurance policy maintained by the District. A copy of the policy must be provided to the District thirty (30) days prior to the field use.

**Cancellations:** Field use may be cancelled by the applicant up to sixty (60) days prior to the field use date without penalty. For cancellations within sixty (60) days and not less than thirty (30) days prior to the field use, fifty percent (50%) of the fees shall be refunded to the applicant. For cancellations within thirty (30) days and not less than fourteen (14) days prior to the field use, twenty-five percent (25%) of the fees shall be refunded to the applicant. Cancellations made within fourteen (14) days of the event shall not be entitled to refund. Field use cancelled by the District shall result in a full refund of fees.

**Sponsorship:** The applicant shall not represent or imply that the District in any way sponsors, supports or endorses the activity for which the field(s) is to be used without the express written consent of the District Director.

**Concessions:** All concessions and fundraising activities conducted on or adjacent to fields rented in this agreement may be subject to licensing and permitting through Summit County.

**Alcohol:** No person shall possess or use any alcoholic beverages on District property except [as allowed by a permit issued by the County Manager and](#) with prior written approval of the District Director.

**Drugs:** No person shall possess or use any illegal drugs on District property.

**Pets:** Users will keep all pets off any game field and five (5) yards beyond any game sideline or end line. Dogs must be leashed (six foot (6') leash maximum) and under the control of the owner. Owners must be "in possession" of the dogs (physically holding on to the leash) and dogs may not be tethered to trees or park equipment. Pet owners are responsible for all actions of their dogs (cleaning up after their animal, biting, rough play, etc.) and also must abide by the rules of Summit County, with the specific exception that a physical leash is required on fields due to the nature of the activities on the fields. Owners must be present with their pets at all times in off leash areas which are provided at a number of parks (dogs cannot be left unattended in the dog parks). No pets are permitted on synthetic turf fields. The District is not responsible for the actions of any dog or owner and reserves the right to ask an owner to remove his/her pet, and self, if any of the above rules are violated.

**Noise:** The permit does not grant permission to amplify sound or music. No amplified music may be played without written District approval.

**Parking:** Parking is not exclusive to permit holders. No parking is allowed on grass. Cars parked in posted fire lanes or bus turnouts will be ticketed and/or towed. A parking, shuttling from remote sites, and access plan may be required as part of the application. One (1) parking attendant to notify participants and spectators of where to park is required for every parking lot impacted. If parking rules are not followed and/or if cars are parked illegally, the damage deposit will be forfeited.

*Effective January 10, 2018*

**Fires:** Fires on District property are prohibited, with the exception of propane barbecues.

**Safety and Emergency Plan:** A safety and emergency medical plan may be required as part of this application. All necessary permits must be obtained from the appropriate emergency service providers. At the recommendation of the Park City Fire District, the District may mandate that EMS personnel and an ambulance be on site at the time of the event. This will be determined by the nature and size of the activity.

**Additional Permitting:** This is not a Summit County permit. The applicant is responsible for acquiring all necessary permits from various government entities, landowners and/or others which may include the following: Summit County Planning and Building Department, Summit County Health Department, Summit County Engineer, Park City Municipal, Park City Police, Utah State Highway Patrol, Park City Fire District and the Summit County Sheriff. Approval by these entities will be required where applicable as part of this process. Applicant must obtain a Mass Gathering Permit from the Summit County Health Department if more than three hundred (300) people are expected for an event.

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# SBSRD Summary of Policy Updates and Changes

Referencing Proposal in Front of Summit County Council on April 3, 2024

<b>Document/Policy</b>	<b>Page</b>	<b>Substantive Change Summary</b>	<b>Why the change?</b>
Personnel & Operations Policy Manual	9	Combination of personnel along with operations has been undertaken to reduce instances of separate policies having similar references and topics.	With minor inconsistencies being confusing the true intent is to reduce the sheer volume of these policies to something that is manageable to an employee and district leadership.
Personnel & Operations Policy Manual	10 (1.2.5)	Updated position titles	Prior versions carried terminology and positions that had not existed in years
Personnel & Operations Policy Manual	10-11 (1.5)	Global coverage of day-to-day directives	This section allows the Director to publish internal directives such as allowing pets in the office without continuous review by the Board or Council
Personnel & Operations Policy Manual	12 (2.4)	Nepotism clarified to ensure any concerning relationships are reviewed by the Director with Board notification	
Personnel & Operations Policy Manual	20 (4.4)	Reclassification of jobs within approved budget	With a movement to ensure that positions were graded properly with the experience of employees while also providing for advancement opportunities, pay ranges can be reviewed without creating a new job
Personnel & Operations Policy Manual	23-24 (5.6)	There was no prior direction for PT job posting period and interview requirements.	Summer PT hiring is a big business and prior interpretation of policies led managers to interview candidates even when not at all qualified.  Furthermore, these additions provide for a process by which staff may propose and construct new positions with a more objective approach.
Personnel & Operations Policy Manual	25-26 (5.9)	Clarified orientation period for new hires	This alleviates manager and employee confusion by creating a more formal system including options for ongoing review.
Personnel & Operations Policy Manual	31 (7.6)	Job abandonment clarification	Recent experience illustrated that clarity was needed
Personnel & Operations Policy Manual	38 (9.5)	PTO accrual schedule was normalized using industry data	It was apparent that the accrual schedule was very top heavy and not in alignment with other opportunities available in our general area.

# SBSRD Summary of Policy Updates and Changes

Referencing Proposal in Front of Summit County Council on April 3, 2024

Personnel & Operations Policy Manual	41 (9.7)	Bereavement Leave updated to be more in line with county benefits strategy	This review was prompted by a staff member who experienced a sudden loss where the previous leave strategy did not provide the support, we felt was right.
Personnel & Operations Policy Manual	48 (9.14)	Administrative (training) leave was sometimes provided but never fully outlined in policy	
Personnel & Operations Policy Manual	48 (9.15)	Creating boundaries around base PTO accrual rate for experienced new hires	This will continue to help with bringing in top talent
Personnel & Operations Policy Manual	90 (Dog Policy in Parks)	Slight updates to dogs in parks to highlight safety	
Personnel & Operations Policy Manual	94 (Agreement)	Formalized item requiring photo ID (either a picture on a membership account or a produced item of identification)	This will help to enforce responsible use of passes.
Governance Policy Updates	1	The board updated this section to better outline the role that the board plays in helping to set and clarify policy that provides the district director with the support and boundaries to execute on staff plans to help the district to succeed	This section should focus on how positive working relationships produce the best results. Wording of some sections did not reflect current best practices and the board saw a need to further clarify boundaries to allow the director to put policies into action and manage access to staff.
Governance Policy Updates	1	Mission, Vision and Guiding Principles updated per approved Strategic Plan	
Governance Policy Updates	5 (V.6.)	Highlighting Directors authority to direct staff to attend Board Committee meetings as opposed to the Board directing staff	No issues with this previously. This is just adding clarity.
Governance Policy Updates	6 (IX.*)	This begins the major consolidation of all Board related policies into one single document	

# SBSRD Summary of Policy Updates and Changes

Referencing Proposal in Front of Summit County Council on April 3, 2024

Governance Policy Updates	7 (IX.4.2)	This section further clarifies that the board sets policies entrusts the director to enact the policies. If either the board or director have questions, they should engage in substantive talks to clarify any misunderstandings.	
Governance Policy Updates	8 (IX. 5 - Board Ethics)	Largely unchanged but for consolidation to a single section	



## STAFF REPORT

TO: Summit County Council

FROM: Summit County Auditor Office

DATE: April 3, 2024

RE: BOE Final Recommendations & Hearing Decisions

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### **Actions Requested by BOE**

See attached spreadsheet for parcels that have received a hearing decision and are ready for ratification.

A property with a "Significant Adjustment" is a valuation that differs from the original assessed value by at least 20% and \$1,000,000. (UT Code 59-2-1004) There are no properties with significant adjustments in this report.

*Action Requested* – as the BOE, ratify hearing officer decisions.

Thank you for your time.

## 2023 BOE Adjustments 4/3/2024

#	Account #	Parcel ID	Old Market Value	New Market Value	MV Difference	BOE Hearing Date	Appellant Reason/Provided Documentation	Assessor's Written Response
1	0030449	SNC-1035	\$ 507,200	\$ 445,500	\$ (61,700)	2/27/2024	Comps and cost per square foot	Hearing prep indicated unit was over valued. For equity and value purposes value recommended is \$445,500
2	0030662	SNC-1057	\$ 700,000	\$ 520,000	\$ (180,000)	2/27/2024	Comps	Hearing prep indicated unit was overvalued. For equity and value purposes value recommended is \$520,000
3	0030704	SNC-1061	\$ 697,600	\$ 520,000	\$ (177,600)	2/27/2024	Comps	Hearing prep indicated unit was overvalued. For equity and value purposes value recommended is \$520,000
4	0030712	SNC-1062	\$ 697,600	\$ 520,000	\$ (177,600)	2/27/2024	Comps	Hearing prep indicated unit was overvalued. For equity and value purposes value recommended is \$520,000
5	0400816	FS-III-J-1	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models. Letter and Comps for market appeal	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
6	0400824	FS-III-J-2	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
7	0400832	FS-III-J-3	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
8	0400840	FS-III-J-4	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
9	0400857	FS-III-J-5	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for Market appeal . reach out to Auditors for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
10	0400865	FS-III-J-6	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
11	0400873	FS-III-K-1	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for Market appeal. Reach out to Auditors for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
12	0400881	FS-III-K-2	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
13	0400899	FS-III-K-3	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for market appeal. Reach out to Auditors for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
14	0400907	FS-III-K-4	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comp for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
15	0400915	FS-III-K-5	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	primary scanned into models Letter and comps for market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
16	0400923	FS-III-K-6	\$ 686,400	\$ 540,000	\$ (146,400)	2/27/2024	Letter and comps. reach out to auditor for evidence	Primary denied. After review of sales in the district, we find an adjusted price per square foot of \$715 is in order.
17	0400931	FS-III-L-1	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models Letter and comps for market appeal. Reach out to Auditors for evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
18	0400949	FS-III-L-2	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models Letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
19	0400956	FS-III-L-3	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	Letter and comps. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
20	0400964	FS-III-L-4	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models Letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
21	0400972	FS-III-L-5	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models Letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
22	0400980	FS-III-L-6	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models letter and comps for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
23	0400998	FS-III-M-1	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models Letter and comp for Market Appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.

#	Account #	Parcel ID	Old Market Value	New Market Value	MV Difference	BOE Hearing Date	Appellant Reason/Provided Documentation	Assessor's Written Response
24	0401004	FS-III-M-2	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models Letter and comp for Market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
25	0401012	FS-III-M-3	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	Letter and comps. Reach out to Auditor for Evidence	Primary denied. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
26	0401020	FS-III-M-4	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	Letter and comp. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
27	0401038	FS-III-M-5	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models Letter and comp for Market appeal. Reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
28	0401046	FS-III-M-6	\$ 533,600	\$ 440,000	\$ (93,600)	2/27/2024	primary scanned into models letter and comp for market appeal. reach out to Auditor for Evidence	Primary approved. After review of sales in the district, we find an adjusted price per square foot of \$725 is in order.
29	0054696	PP-87-10	\$ 8,281,912	\$ 8,250,000	\$ (31,912)	3/13/2024	Comp sales	Adjusted to account for removal of basement. The value is supported by sales in the area and equalized with other similar quality homes in the Old Ranch Rd. area.
30	0069751	SU-M-2-88	\$ 325,000	\$ 295,000	\$ (30,000)	3/20/2024	CMA	Sales in 2023 are indicative of the 2024 valuation for property taxes. The sales from 2022 are used to develop the County's opinion of value. See sales at 100 Matterhorn Ter, 290 St Moritz, 460 Matterhorn, 475 Matterhorn, 665 Parkview, 101 Crestview, and 360 Parkview.
<b>TOTAL</b>					<b>\$ (3,538,812)</b>			



**Memorandum:**

Date: April 3, 2024

To: Council Members

From: Amy Jones

Re: Summit County Restaurant Tax Advisory Committee

Appoint one member to serve the unexpired term of Jodie Rogers on the Summit County Restaurant Tax Advisory Committee. The term of service to expire July 31, 2025.

Council interviewed the following applicant on April 3, 2024: Peter Tomai



## **STAFF REPORT**

**To:** Summit County Council  
**From:** Emily Quinton, Sustainability Program Manager  
Tim Loveday, Solid Waste Superintendent  
**Date of meeting:** April 3, 2024  
**Subject:** Presentation and Possible Adoption of a Zero Food Waste Compact  
Proclamation 2024-02

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## **RECOMMENDED COUNCIL ACTION**

Consider adopting proclamation 2024-02 in support of the Zero Food Waste Compact.

## **BACKGROUND**

The Summit County Council has long named environmental stewardship as a strategic priority, recognizing the opportunity to work towards a sustainable future for the community at large and within the County government’s day to day operations. This commitment is demonstrated through the adoption of ambitious climate change action and sustainability goals and can be seen in action through several programs and initiatives around renewable energy, transportation electrification, green building practices, and more. Collaboration is key to this work, including with municipalities in Summit County and throughout the state, nonprofits, community-based organizations, and with individual community members. Current examples of collaboration, such as with Park City, the Chamber of Commerce, Recycle Utah, and the Park City Community Foundation on the Green Business Program show the strength in working together towards shared goals and values.

Committed to implementing local climate solutions, the Park City Community Foundation (“Community Foundation”) announced the Zero Food Waste 2030 goal in April 2023. Working closely with former Congressman Ben McAdams and other sustainability leaders over the past year, the Community Foundation has released a comprehensive strategic plan which serves as a roadmap for reaching the ambitious Zero Food Waste 2030 goal. The plan focuses on three main objectives and outlines steps to engage businesses, local governments, nonprofits, residents, and visitors in efforts to reduce food waste and divert what food waste is produced from Summit County’s Three Mile Landfill. Throughout the development of this strategic plan and identification of core activities for 2024, the Community Foundation has engaged with Summit County and Park City Municipal staff from the Sustainability and Solid Waste divisions.

## **FOCUS ON FOOD WASTE**

The Community Foundation recognizes that by focusing on food waste, the community will be empowered to make a big impact through relatively small behavior changes. These changes will lead to significantly less waste being sent to the Summit County landfill which will save money and



contribute to expanding the life of the landfill. As measured through prior waste characterization studies conducted by Summit County and Park City Municipal, most waste being sent to the landfill could be diverted, with up to 60% of the waste entering the landfill in any given year being food waste. Another reason the Community Foundation is focusing on food waste is because food waste breaks down and produces methane when landfilled, a potent greenhouse gas. Getting food waste out of the landfill will reduce greenhouse gas emissions associated with solid waste practices while inviting the community to see the resource that food waste can be when it is diverted to uses like composting.

### **THE ZERO FOOD WASTE COMPACT**

With its ambitious Zero Food Waste 2030 goal, the Community Foundation is seeking collective support, input, and commitment from local government, businesses, nonprofits, and residents in the form of a Compact. The Zero Food Waste Compact is designed to find common ground and alignment around core principles for reducing and diverting food waste from the landfill:

- *Minimize food waste, acknowledging that food production is costly and uses critical resources like water, energy, and land.*
- *Divert food waste through composting to reduce a key source of methane in our community.*
- *Collaborate to achieve our goal, knowing that lasting change is only possible when our residents, local government, nonprofits, businesses, and tourists work together.*
- *Support systematic changes in our community that will ultimately provide more effective, sustainable, and economical waste management practices and tools.*
- *Educate ourselves on composting and the importance of food waste diversion.*
- *Share our progress and learnings along the way.*

The Zero Food Waste Compact is attached and was presented to the Summit County and Park City Councils at the last joint meeting held on March 22, 2024. The Summit County Council signaled interest in this effort and the Community Foundation's request to the Council to consider formally supporting the Compact through a Proclamation.

### **NEXT STEPS**

Staff from the Community Foundation and Summit County Sustainability and Solid Waste divisions ask that the Council review the Compact and consider supporting it through the adoption of Summit County Proclamation 2024-02.



## Zero Food Waste 2030 Compact: United for a Sustainable Future

We, local governments, nonprofits, businesses, and residents, are joining together to eliminate food waste from the Summit County, Utah landfill by 2030. Recognizing that food waste is a major source of potent greenhouse gases, accounts for more than half the waste in our landfill, and creates a financial burden for our community, this compact calls on community members to make a united commitment to reduce, divert, and eliminate food waste from entering our landfill.

Park City and Summit County are already leaders in addressing climate change, each having committed to ambitious environmental goals. We share a passion for building a healthier world for the next generation. Reducing and diverting food waste is an immediate and impactful step to improve air and water quality, slow climate change, allocate public funds more wisely, and create a more sustainable future.

### In support of the Zero Food Waste 2030 goal, we pledge to:

- Minimize food waste, acknowledging that food production is costly and uses critical resources like water, energy, and land.
- Divert food waste through composting to reduce a key source of methane in our community.
- Collaborate to achieve our goal, knowing that lasting change is only possible when our residents, local government, nonprofits, businesses, and tourists work together.
- Support systematic changes in our community that will ultimately provide more effective, sustainable, and economical waste management practices and tools.
- Educate ourselves on composting and the importance of food waste diversion.
- Share our progress and learnings along the way.

By signing this compact, we pledge our support of the Zero Food Waste 2030 goal and to uphold the principles listed above.

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Malena Stevens, Chair  
On behalf of Summit County Council

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Date



**Proclamation No. 2024-02**

PROCLAMATION ADOPTING

Park City Community Foundation's Zero Food Waste Compact

**WHEREAS**, Summit County and Park City are at the forefront of sustainability efforts, demonstrated by our shared goals and the dedicated work of individuals at the County and City, community groups, and individuals.

**WHEREAS**, Summit County and Park City are part of a tight-knit community deeply rooted in our natural environment.

**WHEREAS**, Park City Community Foundation announced the Zero Food Waste 2030 goal in 2023 aimed at diverting all food waste from the Summit County landfill by 2030.

**WHEREAS**, when disposed in a landfill, food waste breaks down and releases methane, a greenhouse gas that is 84 times more potent than carbon dioxide.

**WHEREAS**, Summit County and Park City have both set ambitious greenhouse gas emissions reduction targets and recognize waste as a contributor to communitywide emissions.

**WHEREAS**, roughly 80% of the solid waste that reaches Summit County's Three Mile Landfill could be diverted, and according to waste characterization studies conducted by Summit County in 2019, up to 60% is food waste.

**WHEREAS**, reducing, and by 2030 eliminating the food waste reaching Summit County's landfill will help to extend the life of the landfill, saving taxpayer dollars.

**WHEREAS**, we care for one another and the place we call home and work to create a sustainable future for our community.

**WHEREAS**, the Zero Food Waste Compact offers an opportunity for local government, business leaders, and all those that live, work, and play in Summit County to express a shared commitment to reducing food waste overall and diverting food waste away from the landfill to other uses like composting.

**NOW, THEREFORE, BE IT RESOLVED** that the Summit County Council supports the Zero Food Waste 2030 goal by signing the Zero Food Waste Compact, committing to upholding the principles outlined in Compact, and encouraging all local governments, businesses, organizations, and residents to do the same.



APPROVED AND ADOPTED this 3<sup>rd</sup> day of April 2024 by the SUMMIT COUNTY COUNCIL

\_\_\_\_\_  
Malena Stevens, Chair

\_\_\_\_\_  
Tonja B. Hanson, Vice-Chair

\_\_\_\_\_  
Canice Harte

\_\_\_\_\_  
Roger Armstrong

\_\_\_\_\_  
Christopher F. Robinson

\_\_\_\_\_  
Evelyn Furse, Clerk



## STAFF REPORT

**To:** Summit County Council  
**From:** Ray Milliner, County Planner  
**Date of Meeting:** April 3, 2024  
**Type of Item:** Proclamation

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**RECOMMENDATION:** Staff recommend that the County Council adopt the attached proclamation declaring April 2 – 8, 2024 International Dark Sky Week in Summit County.

### Background

Organized by the International Dark Sky Association April 2 -8, international dark sky week aims to raise awareness about the negative impacts of light pollution and the solutions that exist to correct the problem. Light pollution is increasing globally at an average rate of 2.2% per year, threatening wildlife ecosystems and human health. Excess light wastes money and energy while blocking our view of the stars.

On March 13, 2019, the County Council adopted two ordinances, creating lighting regulations for both planning districts in Summit County. The requirements mandate that all bulbs and fixtures on the Basin side be compliant 5 years after the adoption of the ordinance, and 7 years after adoption on the Eastern side. Compliance means that all outdoor lighting must have bulbs that are 3,000 degrees kelvin or less, and fixtures that are “full cutoff” meaning they must be shielded and down directed.

Park City Municipal adopted a comparable ordinance in 2021 with a mandate that all fixtures be compliant by the end of 2024. With similar compliance deadlines, the City and County have partnered to educate the community about the importance of dark-sky friendly lighting and how to ensure that all structures comply with the Code, including:

- Creation of a page on the County Web site with information, FAQs, contacts etc.
- Working with local nonprofit organizations to educate, participate in activities etc.
- Providing public receptacles for used fixtures.
- Creating a brochure (example attached as exhibit A).

## **Recommendation**

Staff recommend that the County Council adopt the attached proclamation declaring April 2 – 8, 2024 International Dark Sky Week in Summit County.

## **Exhibits**

Exhibit A.      Sample Brochure  
Exhibit B.      Draft Resolution

## Benefits of the new lighting standards

Lighting that gives just enough brightness for safety and is used only when it's needed is best for being able to see well and enjoy dark and restful nights.

### Ways the code can benefit you:

- ✔ More courtesy between neighbors
- ✔ Lower electric bills
- ✔ Maintain the rural quality of Grand County
- ✔ Health benefits and improved sleep
- ✔ Reduction of "sky glow"
- ✔ Views of the stars, planets, and Milky Way right from your home

Get to know your neighbors and enjoy the night skies. Together we can reduce overlighting and overlit areas while maintaining safety for all.

## Be neighbor friendly

Avoid light overflow that falls beyond your property boundary and onto a neighbor's property or home.



**X** Non-compliant

**✔** Compliant



125 East Center Street, Moab UT 84532

For more information, lighting assistance, or for lighting and retrofitting resources:

**Grand County Community & Economic Development Department – 435-259-1343**

**Moab City Planning Department – 435-259-5129**

Read the Grand County Code: <https://tinyurl.com/YXZ72DPK>

Read the Moab City Code: <https://tinyurl.com/R3TVQDL>

Additional resources:

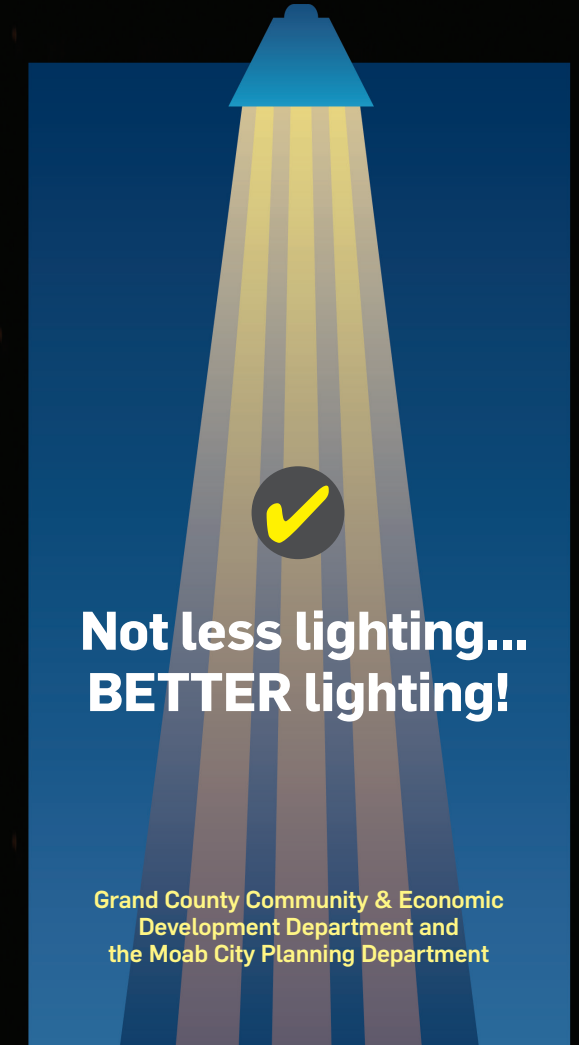
**Moab Dark Skies on Facebook**

**International Dark Sky Association – [darksky.org](https://darksky.org)**

# Understanding the Moab City and Grand County Lighting Codes

*Learn about how the new outdoor lighting ordinances will affect you, and steps you can take to comply with the codes.*

Photo courtesy of Bettymaya Foott



**Not less lighting...  
BETTER lighting!**

Grand County Community & Economic Development Department and the Moab City Planning Department

## Why did the City and County update their lighting standards?

The dark skies of Moab and the surrounding region are a valuable and rare resource that millions of people throughout the world never get to see. To protect our dark skies and support a high quality of life for residents, the City of Moab and Grand County have updated outdoor lighting standards for residences and businesses in order to encourage responsible lighting that protects our health and safety, and brings the beauty of night skies closer to home and accessible to visitors.

The lighting code was researched and rewritten to encourage lighting practices that will minimize light pollution, glare, light overflow, and sky glow in Moab and the region **without compromising your safety and the safety of others.**

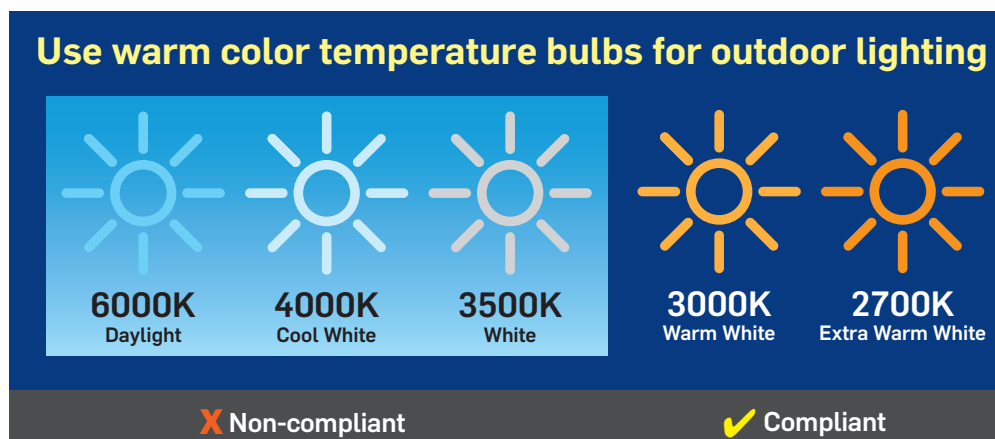
### To minimize the effects of light pollution:

- ✓ Turn lights on only **WHEN** needed and install them only **WHERE** needed.
- ✓ Illuminate areas with no more light than necessary.
- ✓ Dim or turn off the lights during late-night hours.

More and brighter lighting does not make us safer. In fact, glare from unshielded and bright lights can compromise our vision and affects our ability to see potential hazards in our surroundings.

Better lighting will help Moab maintain its rural character, and be an even safer and more enjoyable place to live.

*Thanks to: International Dark Sky Association; City of Fort Collins, Colorado, Craig Powell, and Ginny Sawyer; photographer Bettymaya Foott. Illustrations courtesy of City of Fort Collins. Graphic design Linn DeNesti*



## Commit to better lighting

By making adjustments to your home and property's outdoor lighting, you are contributing to a better quality of life in Moab and Grand County.

Switching to compliant, shielded lighting is good for all of us.

- ✓ Select outdoor lighting fixtures that are fully shielded and pointing downward.
- ✓ Use dimmers, timers, or motion sensors on fixtures and program them for efficiency.
- ✓ Replace yard lighting with shielded fixtures and bulbs within brightness limits, and use only when needed to eliminate extreme glare and light spillage over a wide area.
- ✓ Install warm white or extra warm white bulbs (3,000K maximum) instead of daylight, cool white, or white, non-compliant bulbs.

*This is a simplified explanation of the new outdoor lighting codes. Please direct your questions to the agencies listed on the back panel of this brochure. We are committed to helping you with your lighting solutions.*





Proclamation No. 2024-03

PROCLAMATION DECLARING APRIL 2 – 8 2024

“INTERNATIONAL DARK SKY WEEK”

SUMMIT COUNTY, UTAH

Whereas, International Dark Sky Week April 2-8, 2024, is a worldwide celebration to build awareness about light pollution and the importance of the nighttime environment; and

Whereas, light pollution is the human-made alteration of outdoor light levels from those occurring naturally and can negatively affect migratory birds, pollinators, and mammals, including humans; and

Whereas, the Snyderville Basin General Plan Policy 2.24 states that Summit County will work to reduce the impact of artificial lighting in new developments, and Goal 5.1.F of the Eastern Summit County General Plan suggests that the County create a night sky ordinance; and

Whereas, the Snyderville Basin and Eastern Summit County Development Codes implement the goals and policies of the General Plan; and

Whereas, on March 13, 2019, the County Council adopted Ordinance Nos. 895 and 896 updating the County’s Dark Sky regulations, to implement best dark sky practices for outdoor lighting; and

Whereas, the County’s Dark Sky Ordinances are codified in the Snyderville Basin Development Code Section 10-4-21 and Eastern Summit County Development Code Section 11-6-20 and outdoor lighting must now be fully shielded, down-directed, with bulbs 3,000 degrees Kelvin or less to protect the night sky; and

Whereas, Snyderville Basin Development Code Section 10-4-21 and Eastern Summit County Development Code Section 11-6-20 requires all outdoor lighting comply with the regulations in the Development Code by the end of 2024 and 2026 respectively;

Now, therefore, be it resolved that the County Council, Summit County, Utah does hereby proclaim April 2 – 8, 2024 International Dark Sky Week, and encourage community members to learn about opportunities to protect the night sky.

APPROVED AND ADOPTED this 3<sup>rd</sup> day of April 2024.  
SUMMIT COUNTY COUNCIL

Malena Stevens, Chair

Tonja B. Hanson, Vice-Chair

Christopher F. Robinson

Roger Armstrong

Canice Harte

Evelyn Furse, Clerk



**MINUTES**

**SUMMIT COUNTY**

Summit County Council Special Session

SUMMIT COUNTY COURTHOUSE, COUNCIL CHAMBERS

60 NORTH MAIN STREET, COALVILLE, UT, 84017

TUESDAY, MARCH 19, 2024

Meeting also conducted via Zoom.

**DRAFT**

**Welcome/Attendance (4:06 PM)**

Roger Armstrong  
Canice Harte  
Stephanie Poll  
Malena Stevens

Ron Boyer  
Eve Furse  
Amy Price  
Jenn Fowler

**Convene as the Board of Canvassers (4:06 PM)**

**Roger Armstrong made a motion to convene as the Board of Canvassers. Canice Harte seconded, and all voted in favor, (4-0).**

1. **Certify the election results as true, accurate, and final, for the Presidential Primary Canvass; Eve Furse (4:07 PM)**

Eve Furse, *County Clerk*, presented to Council the results for the 2024 Presidential Primary Election.

Council Member Armstrong asked questions about the process to which Ms. Furse responded.

**Stephanie Poll made a motion to approve and certify the March 5, 2024 Democratic Presidential Primary Election for Summit County. Canice Harte seconded, and all voted in favor, (4-0).**

Attachment: 2024 Democratic Presidential Primary Canvass Packet.pdf

Attachment: 3 5 24 Summit County Canvass executed

**Adjournment (4:16 PM)**

**Canice Harte made a motion to adjourn. Stephanie Poll seconded, and all voted in favor, (4-0).**

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**MINUTES**

**SUMMIT COUNTY**

Summit County Council Meeting

SUMMIT COUNTY COURTHOUSE, COUNCIL CHAMBERS

60 NORTH MAIN STREET, COALVILLE, UT, 84017

WEDNESDAY, MARCH 20, 2024

Meeting also conducted via Zoom.

AMENDED

**DRAFT**

**Closed Session (2:09 P.M.)**

**Christopher Robinson made a motion to convene in closed session to discuss personnel. Roger Armstrong seconded, and all voted in favor, (3-0).**

County Council met in closed session at 2:09 p.m. to discuss personnel. The following people were present:

Chris Robinson  
Roger Armstrong  
Canice Harte  
Margaret Olson  
Dave Thomas  
Shayne Scott  
Janna Young  
Annette Singleton

**Roger Armstrong made a motion to convene in closed session to discuss litigation. Canice Harte seconded, and all voted in favor, (3-0).**

County Council met in closed session at 2:47 p.m. to discuss litigation. The following people were present:

Roger Armstrong  
Canice Harte  
Chris Robinson  
Margaret Olson  
Dave Thomas  
Shayne Scott  
Janna Young  
Jeff Jones  
Annette Singleton

**Christopher Robinson made a motion to convene in closed session to discuss property acquisition. Canice Harte seconded, and all voted in favor, (3-0).**

The Council met in closed session at 3:43 p.m. to discuss property acquisition. The following people were present:

Chris Robinson  
Canice Harte  
Roger Armstrong  
Margaret Olson  
Dave Thomas  
Shayne Scott  
Janna Young  
Annette Singleton

**Christopher Robinson made a motion to convene in open session. Canice Harte seconded, and all voted in favor, (3-0).**

**Move to Council Chambers (3:59 P.M.)**

**Welcome/Attendance**

Roger Armstrong  
Christopher Robinson  
Canice Harte

Chase Black  
Dana Jones  
Cade Pies  
Preston Wood  
Brian Craven  
Amy Price  
Tyann Mooney  
Matthew Nagie  
Susan Kutcher  
Stacey Keahon  
Shayne Scott  
Brad Rogers  
Margaret Olson  
Dave Thomas

**Work Session (4:03 P.M.)**

- 1) **Pledge of Allegiance (4:04 P.M.)**
- 2) **Interview applicant for the vacancy on the Summit County Recreation Arts & Parks Advisory Committee-Cultural (RAP Tax Cultural Committee) (4:04 P.M.)**

Council Members interviewed Stacey Keahon to fill a vacancy on the Summit County Recreation Arts & Parks Advisory Committee-Cultural (RAP Tax Cultural Committee) at 4:05 p.m. Council Members thanked Stacey for her willingness to apply to the committee.

Attachment: Interview Schedule-RAP Tax Cultural Committee.pdf

- 3) **Interview applicants for vacancies on the Snyderville Basin Planning Commission (4:13 P.M.)**

Council Members interviewed Matthew Nagie to fill a vacancy on the Snyderville Basin Planning Commission at 4:13 p.m. Council Members thanked Mr. Nagie for applying for the position.

Attachment: M.Nagie Resume

Council Members interviewed Tyann Mooney to fill a vacant position on the Snyderville Basin Planning Commission at 4:25 p.m. Council members thanked Ms. Mooney for serving and for reapplying to the commission.

Council Members interviewed Susan Kutcher to fill a vacancy on the Snyderville Basin Planning Commission at 4:35 p.m. Council Members thanked Ms. Kutcher for her service on the Board of Adjustment and her willingness to apply to serve on the commission.

Attachment: Interview Schedule-SB Planning Commission.pdf

**Convene as the Board of Equalization (4:42 P.M.)**

- 1) **Discussion and possible approval of final recommendations and ratification of hearing officer decisions;** Chase Black (4:42 P.M.)

Council did not convene as the Board of Equalization as there was no quorum due to Council Member Harte's need to recuse himself.

Attachment: Staff Report-BOE Adjustments 032024.pdf

**Convene as the Governing Board of the Snyderville Basin Special Recreation District (4:43 P.M.)**

**Christopher Robinson made a motion to convene as the Governing Board of the Snyderville Basin Special Recreation District. Canice Harte seconded, and all voted in favor, (3-0).**

- 1) **Discussion and possible approval of amendments to Operations, Personnel and Governance Policies;** Dana Jones (4:44 P.M.)

Dana Jones, *District Director*, and Brad Rogers, *Business Manager*, addressed the Council and proposed for discussion and action the combining and amending of district policies.

Council members asked questions of Director Jones and Mr. Rogers, to which they and Dave Thomas, Civil Chief Deputy Attorney responded. Council Members asked to postpone action on the item in order to allow absent Council Members time to review the proposed amendments.

Director Jones asked for approval of the proposed changes to the summer camp deposit refund policy in the interim since camp registration begins on April 11th.

**Canice Harte made a motion to approve the cancellation policies found in Section 18 of the General District Policies from the Personnel and Operations Policy Manual with the changes suggested by acting Chair Armstrong. Christopher Robinson seconded, and all voted in favor, (3-0).**

Attachment: SBSRD Staff Report-Policy Amendments.pdf

Attachment: SBSRD Policy Edits-Redline.pdf

Attachment: SBSRD Policy Edits-Clean Copy.pdf

**Canice Harte made a motion to Dismiss as the Governing Board of the Snyderville Basin Special Recreation District and reconvene as the County Council. Christopher Robinson seconded, and all voted in favor, (3-0).**

**Consideration of Approval (5:23 P.M.)**

- 1) **Council Minutes dated April 25, 2023, May 3, 2023, January 31, 2024, February 7, 2024, February 8, 2024, February 13, 2024, and February 14, 2024 (5:23 P.M.)**

SCC Draft Minutes for January 31, 2024, February 7, 2024, and February 8, 2024 had already been approved during the Summit County Council meeting held on March 13, 2024 and therefore were not included in the motion to approve during the meeting.

**Christopher Robinson made a motion to approve the minutes dated February 13, 2024, February 14, 2024, April 25, 2023, and May 3, 2023, as contained in the packet. Canice Harte seconded, and all voted in favor, (3-0).**

Attachment: SCC Draft Min 4-25-23.pdf

Attachment: SCC Draft Min 5-3-23.pdf

Attachment: SCC\_Draft\_Min\_1-31-24.pdf

Attachment: SCC\_Draft\_Min\_2-7-24.pdf

Attachment: SCC\_Draft\_Min\_2-8-24.pdf

Attachment: SCC Draft Min 2-13-24.pdf

Attachment: SCC Draft Min 2-14-24.pdf

- 2) **Advice and Consent of County Manager's recommendation to appoint a member to serve on the Summit County Board of Health (5:23 P.M.)**

Shayne Scott, *County Manager*, recommended Byron Ames be appointed to serve on the Summit County Board of Health.

**Christopher Robinson made a motion to consent to the appointment by the County Manager of Byron Ames to serve on the County Board of Health. Canice Harte seconded, and all voted in favor, (3-0).**

Attachment: Appointment to SC Board of Health.pdf

- 3) **Council comments (5:34 P.M.)**

Council Members provided an overview of events and meetings they had attended over the past week.

- 4) **Manager comments (5:48 P.M.)**

County Manager Shayne Scott addressed the Council and gave a brief overview of upcoming meetings and happenings at the County.

- 5) **Discussion and action regarding Utah State Parks request for an extension of time to use the Restaurant Tax Grant funds received in 2023; Cade Pies and Preston Wood (5:25 P.M.)**

Cade Pies, *Manager Echo State Park*, Preston Wood, *Assistant Manager Rockport State Park*, requested consideration for the 2023 Restaurant Tax Grant funds to be extended into the current year due to the need to cancel events in 2023 for safety concerns.

**Christopher Robinson made a motion to approve the Utah State Parks request for an extension of time to use the \$15,000 Restaurant Tax Grant funds received in 2023 and allow them to be used in the winter of 24-25. Canice Harte**

**seconded, and all voted in favor, (3-0).**

Attachment: Utah State Parks Extension Request re RES-46-23.pdf

**Work Session, Continued (5:28 P.M.)**

- 1) **Discussion regarding events and Rockport State Park operations;** Preston Wood, Assistant Manager of Rockport State Park (5:28 P.M.)

Preston Wood, *Assistant Manager of Rockport State Park*, addressed the Council and provided an overview of activities and events at the park.

Cade Pies, *Manager of Echo State Park*, outlined ongoing projects at the park as well as activities and events.

**Summit County Council went on a brief break until 6:00 P.M.**

**Public Input (6:03 P.M.)**

Council Member Armstrong opened the meeting for public comment at 6:03 p.m.

No public comment was offered.

Council Member Armstrong closed the meeting for public comment at 6:04 p.m.

**Adjournment (6:10 P.M.)**

**Canice Harte made a motion to adjourn. Christopher Robinson seconded, and all voted in favor, (3-0).**

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**MINUTES**

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**SUMMIT COUNTY**

Summit County Council Special Session

SHELDON RICHINS BUILDING

1885 WEST UTE BOULEVARD, PARK CITY, UT, 84098

THURSDAY, MARCH 21, 2024

Meeting also conducted via Zoom.

**DRAFT**

**Welcome/Attendance (3:33 P.M.)**

Roger Armstrong  
Christopher Robinson  
Canice Harte

Shayne Scott  
Brian Craven  
Amy Price

**Work Session (3:33 P.M.)**

- 1) **Appointment of Member to represent Summit County on the Multicounty Appraisal Trust Committee (MCAT) (3:33 P.M.)**

Council Member Robinson provided a brief overview of the purpose of the Multicounty Appraisal Trust Committee (MCAT).

Council Members discussed releasing Summit County Assessor, Stephanie Poll, from her duties as the current representative and appoint Council Member Robinson to represent Summit County on the Multicounty Appraisal Trust Committee.

**Canice Harte made a motion to remove Summit County Assessor, Stephanie Poll, from her current position of Summit County's representative to the Multicounty Appraisal Trust and to appoint Christopher Robinson, Council Member, as Summit County's representative to the MCAT. Christopher Robinson seconded, and all voted in favor, (3-0).**

Attachment: Designation of Board Representative Form.doc

Attachment: 032124 Summit County Appointment to MCAT.doc

Attachment: Designation of Board Representative Executed

**Adjournment (3:37 P.M.)**

**Christopher Robinson made a motion to adjourn. Canice Harte seconded, and all voted in favor, (3-0).**

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