

**HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Heber City Council Meeting**

August 26, 2025

**4:00 p.m. SPECIAL CITY COUNCIL MEETING
2025 PRIMARY MUNICIPAL ELECTION CANVASS**

TIME AND ORDER OF ITEMS ARE APPROXIMATE AND MAY BE CHANGED AS TIME PERMITS

- I. SPECIAL MEETING - 4:00 P.M.**
 - 1. Call to Order
- II. 2025 PRIMARY MUNICIPAL ELECTION CANVASS**
 - 1. Certification of Election Report by the Municipal Legislative Body Acting as the Board of Canvassers (Trina Cooke, City Recorder)
- III. ADJOURNMENT:**

Ordinance 2006-05 allows Heber City Council Members to participate in meetings via telecommunications media. In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Trina Cooke at the Heber City Offices 435.657.7886 at least eight hours prior to the meeting.

Posted on August 21, 2025, in the Heber City Municipal Building located at 75 North Main, the Heber City Website at www.heberut.gov, and on the Utah Public Notice Website at <http://pmn.utah.gov>. Notice provided to the Wasatch Wave.



Heber City Council Staff Report

MEETING DATE: 8/26/2025
SUBJECT: Certification of Election Report by the Municipal Legislative Body Acting as the Board of Canvassers
RESPONSIBLE: Trina Cooke
DEPARTMENT: Administrative
STRATEGIC RELEVANCE: Administrative

SUMMARY

The act of canvassing an election is simply the formal approval of the election results. In accordance with UCA 20A-4-301, as the Municipal Legislative Body for Heber City, the Mayor and Heber City Council acts as the Board of Canvassers.

RECOMMENDATION

Certification of the Primary Election Results as presented.
UCA 20A-4-304(3)
The election officer and the board of canvassers shall:
(a) review the report to ensure that the report is correct; and
(b) sign the report.

BACKGROUND

The 2025 Primary Municipal Election was conducted by mail-in ballot and concluded at 8:00 p.m. on Tuesday, August 12, 2025. Pursuant to 20A-4-304: Declaration of results - Canvassers' Report; The election officer shall submit a report to the board of canvassers. Election Canvass can be held no sooner than 7 days following the election date and no later than 14 days following.

DISCUSSION

As needed.

FISCAL IMPACT

CONCLUSION

ALTERNATIVES

1. Approve as proposed
 2. Approve as amended
 3. Continue
 4. Deny
-

POTENTIAL MOTIONS

Alternative 1 - Approval - Staff Recommended Option

I move to certify the 2025 Municipal Primary Election Results as presented in the Canvass Report

Alternative 2 - Approve as Amended

I move to **approve** the **item** as amended, as follows.

Alternative 3 - Continue

I move to **continue** the **item** to another meeting on [DATE], with direction to the applicant and/or Staff on information and / or changes needed to render a decision, as follows:

Alternative 4 - Denial

I move to **deny** the **item** with the following findings.

ACCOUNTABILITY

Department: Administrative
Staff member: Trina Cooke, City Recorder

EXHIBITS

1. UCA 20A-4-302 Duties of the Board of Canvassers
2. UCA 20A-4-303 Canvassing the Returns
3. UCA 20A-4-301(2) Board of Canvassers

Effective 5/7/2025

20A-4-302 Duties of the board of canvassers -- Receiving returns.

- (1) If the election returns from each voting precinct in which polls were opened have been received at the time the board of canvassers convenes, the board of canvassers shall canvass the election returns as provided in this part.
- (2) If all of the election returns have not been received, the board shall postpone the canvass from day to day, Sundays and legal holidays excepted, until:
 - (a) all of the election returns are received; or
 - (b) the board has postponed the canvass seven times.
- (3)
 - (a) If the election officer has not received the election returns from any voting precinct within seven calendar days after the election, the election officer shall send a messenger to the judges to obtain the missing election returns.
 - (b) The messenger shall obtain the election returns from the judges and return the election returns to the election officer.
 - (c) The election officer shall pay the messenger 10 cents per mile for the distance necessarily traveled.
- (4) If the board determines that election returns were not received from a voting precinct because the polls did not open in that precinct, the board shall:
 - (a) sign a certificate attesting to that fact; and
 - (b) file the certificate with the election officer.

Amended by Chapter 448, 2025 General Session

Effective 5/12/2020

20A-4-303 Duties of the board of canvassers -- Canvassing the returns.

- (1)
 - (a) Before the board of canvassers convenes, the election officer shall:
 - (i) count the ballots;
 - (ii) prepare a certified summary of:
 - (A) all ballots counted; and
 - (B) all ballots not counted, with an explanation regarding the reason the ballots were not counted; and
 - (iii) make available to the board of canvassers for inspection, all ballots, registers, books, and forms related to the election.
 - (b) The board of canvassers shall canvass the election returns by publicly:
 - (i) reviewing the summary reports prepared by the election officer and any ballots, registers, books, or forms requested by the board of canvassers; and
 - (ii) certifying the votes cast:
 - (A) each person voted for; and
 - (B) for and against each ballot proposition voted upon at the election.
 - (c) The board of canvassers shall, once having begun the canvass, continue until it is completed.
- (2) In canvassing returns, the board of canvassers may not:
 - (a) reject any election returns if the board can determine the number of votes cast for each person from it;
 - (b) reject any election returns if the election returns:
 - (i) do not show who administered the oath to the judges of election;
 - (ii) show that the election judges failed to fill out all the certificates in the pollbooks; or
 - (iii) show that the election judges failed to do or perform any other act in preparing the returns that is not essential to determine for whom the votes were cast; or
 - (c) reject any returns from any voting precinct that do not conform with the requirements for making, certifying, and returning the returns if those returns are sufficiently explicit to enable the board of canvassers to determine the number of votes cast for each person and for and against each ballot proposition.
- (3)
 - (a) If it clearly appears to the election officer and board of canvassers that certain matters are omitted or that clerical mistakes exist in election returns received, the election officer shall correct the omissions and mistakes.
 - (b) The clerk and the board of canvassers may adjourn from day to day to await receipt of corrected election material.
- (4) If a recount is conducted as authorized by Section 20A-4-401, the board of canvassers shall canvass the results of that recount as provided in this section and Section 20A-4-401.

Amended by Chapter 31, 2020 General Session

Effective 5/7/2025

20A-4-301 Board of canvassers.

- (1)
 - (a) Each county legislative body is the board of county canvassers for:
 - (i) the county; and
 - (ii) each special district whose election is conducted by the county if:
 - (A) the election relates to the creation of the special district;
 - (B) the county legislative body serves as the governing body of the special district; or
 - (C) there is no duly constituted governing body of the special district.
 - (b) The board of county canvassers shall meet to canvass the returns at the usual place of meeting of the county legislative body, at a date and time determined by the county clerk that is no sooner than seven calendar days after the day of the election and no later than 14 calendar days after the day of the election.
 - (c) If one or more of the county legislative body fails to attend the meeting of the board of county canvassers, the remaining members shall replace the absent member by appointing in the order named:
 - (i) the county treasurer;
 - (ii) the county assessor; or
 - (iii) the county sheriff.
 - (d) Attendance of the number of persons equal to a simple majority of the county legislative body, but not less than three persons, shall constitute a quorum for conducting the canvass.
 - (e) The county clerk is the clerk of the board of county canvassers.
- (2)
 - (a) The mayor and the municipal legislative body are the board of municipal canvassers for the municipality.
 - (b) The board of municipal canvassers shall meet to canvass the returns at the usual place of meeting of the municipal legislative body:
 - (i) for canvassing of returns from a municipal general election, no sooner than seven calendar days after the day of the election and no later than 14 calendar days after the day of the election; or
 - (ii) for canvassing of returns from a municipal primary election, no sooner than seven calendar days after the day of the election and no later than 14 calendar days after the election.
 - (c) Attendance of a simple majority of the municipal legislative body shall constitute a quorum for conducting the canvass.
- (3)
 - (a) The legislative body of the entity authorizing a bond election is the board of canvassers for each bond election.
 - (b) The board of canvassers for the bond election shall comply with the canvassing procedures and requirements of Section 11-14-207.
 - (c) Attendance of a simple majority of the legislative body of the entity authorizing a bond election shall constitute a quorum for conducting the canvass.
- (4)
 - (a) If a board of trustees or an administrative control board is the governing body of a special district, the board of trustees or the administrative control board is the board of special district canvassers for the special district.
 - (b) The board of special district canvassers shall meet to canvass the returns at the usual place of meeting for the board of trustees or the administrative control board, as applicable, at a date and time determined by the special district clerk that is no sooner than seven calendar

days after the day of the election and no later than 14 calendar days after the day of the election.

- (c) Attendance of a simple majority of the board of trustees or the administrative control board is a quorum for conducting the canvass.
- (5) In relation to an election for the creation of a new school district under Section 53G-3-301.1, 53G-3-301.3, or 53G-3-301.4, or in relation to an election of members of a local school board for a new school district or a reorganized new school district under Section 53G-3-302, the board of canvassers is:
 - (a) if the voters permitted to vote in the election are all residents of the same municipality, the mayor and the municipal legislative body;
 - (b) if the voters permitted to vote in the election are not all residents of the same municipality, but are all residents of the same county, the county legislative body; or
 - (c) if the voters permitted to vote in the election are not all residents of the same municipality and are not all residents of the same county, the county legislative body of the county where the majority of the voters permitted to vote in the election are residents.

Amended by Chapter 448, 2025 General Session