

# Summit County Service Area #3

MONDAY, MAY 13, 2013

7:00 PM

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**MOUNTAIN LIFE CHURCH**  
**7375 NORTH SILVER CREEK ROAD**  
**PUBLIC MEETING AGENDA**

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**CLOSED SESSION- Discussion of Litigation Issues** 6:30-7:00PM

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**PUBLIC HEARING FOR THE AMENDING AND ADOPTING OF ROAD SERVICE FEES AND SECURITY DEPOSITS** 7:00-7:30 PM

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**PUBLIC INPUT** 7:30-8:00 PM  
(Members of the Public are Invited to comment on any topic and the Board welcomes written and oral comments. Speakers will be limited to a three minute time period)

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**MAIN MEETING AGENDA** 8:00-8:45 PM

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**1. FINANCIAL**

- a. CONSIDERATION AND APPROVAL OF PERSONNEL AND POLICY MANUAL
- b. APPROVAL OF ACCOUNTS PAYABLE & FUND TRANSFER & FINANCIAL STATEMENTS AND ACCOUNTS RECEIVABLE REPORT

**2. ROADS**

- a. CONSIDERATION AND APPROVAL OF ROAD ORDINANCES 2013-3 and 2013-4
- b. CONSIDERATION AND APPROVAL OF 2013 ROAD IMPROVEMENT BUDGET ITEMS AND PROPOSED PROJECTS
- c. UPDATE FROM ROAD COMMITTEE MEETING AND REVIEW OF MEETING MINUTES WITH RECOMMENDED PRIORITIES.

**3. WATER**

- a. UPDATE ON PROPOSED WATER SYSTEM RULES AND REGULATIONS ORDINANCE 2013-2
- b. CONSIDERATION AND APPROVAL OF WATER ADVISORY COMMITTEE APPLICANT RECOMMENDATIONS
- c. WATER ADVISORY COMMITTEE MEETING REVIEW AND MINUTES

**4. TRAILS AND PARKS**

- a. REVIEW AND CONSIDERATION OF RIGHT OF WAY TRAILS ON WESTWOOD AND REDDEN ROAD
- b. DISCUSSION OF FUNDING AND VOLUNTEER PROJECTS FOR TRAIL CONSTRUCTION.
- c. SILVER CREEK ROAD TRAIL PROJECT UPDATE

**5. MINUTES**

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**6. CONSENT AGENDA** 8:45-9:00 PM

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- a. ROADS
  - 1. ROAD REPORT MARCH UPDATE
- b. WATER
  - 1. WATER OPERATOR REPORT

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**7. OLD/NEW BUSINESS** 9:00-9:15PM

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- a. UPDATE ON UNIT I REZONING AND SERVICE PROVIDER IMPACTS
- b. STATUS OF SERVICE AREA # 3 WEBSITE [www.scsa3.org](http://www.scsa3.org)
- c. CONSIDERATION & APPROVAL OF WEED CONTROL SPRAYING SCHEDULE AND PROPOSAL
- d. REVIEW AND APPROVAL OF ELECTRONIC MEETING POLICY

**8. AGENDA ITEMS FOR JUNE 10<sup>TH</sup> MEETING**

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**ADJOURN MEETING** 9:30 PM

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Agenda published in Park Record, posted at Service Area postal/bus-stop building, on the Utah Public Notice Website. [www.pnh.utah.gov](http://www.pnh.utah.gov) & Service Area # 3 website: [www.scsa3.org](http://www.scsa3.org)

## ORDINANCE #2013-3

### AN ORDINANCE ENACTING A ROAD SERVICE FEE AND SECURITY DEPOSIT FOR NEW CONSTRUCTION

(REPEALING ORDINANCE 97-1)

The Board of Trustees of Summit County Service Area # 3 (SCSA#3), a special district of the State of Utah, existing under and by virtue of the provisions of Title 17B, Chapter 1, Utah Code Annotated (as amended, 2011), hereby ordains as follows:

WHEREAS, whenever construction occurs on any property within the boundaries of the Service Area, such construction causes an additional traffic load and subsequent damage impact on the roads within the Service Area because of the increased size of vehicles and the volume of vehicle travel used to support the construction.

WHEREAS, the Board of Trustees finds that consistent with its general duty to protect the health, safety, and welfare of the residents of SCSA # 3, and consistent with its duty to service and maintain the roads within the Service Area, it is reasonable and necessary that a specific road service fee and security deposit should be charged to property owners for impacts related to new construction.

WHEREAS, the Service Area Board of Trustees conducted a public hearing in compliance with law on May 13, 2013 at 7:00 p.m.

1. **ROAD SERVICE FEE AND SECURITY DEPOSIT.** A road service fee shall be collected by SCSA#3 in advance of the start of construction from each lot owner engaging in construction activity requiring a building permit (as per Summit County requirements) and having a construction value in excess of Fifty Thousand Dollars (\$50,000) to compensate the Service Area for impacts and necessary repairs to the roads of the Service Area caused by construction activities.
  - a. The amount of the road service fee is \$1,500.00 which shall be paid together with a refundable security deposit in the amount of \$3,500.00. The security deposit shall be held by the Service Area to ensure the compliance of the lot owner with the provisions of Paragraph 4 below. In the event construction is commenced and completed and construction traffic is terminated and does not resume to the construction site, SCSA#3 may approve, reduce or deny a request for refund of the road security deposit in accordance with Paragraph 4 herein. The lot owner is responsible to notify SCSA #3 when construction is completed. All refunds of the construction security deposit shall be considered by the SCSA #3 Board of Trustees based on a written request from the lot owner. The request for refund shall set forth the name of the lot owner, the reasons supporting the request for refund, the date construction started and ended and any other pertinent information the lot owner wants the Board to consider. The refund request must be submitted within 180 calendar days of the building permit end date.
  - b. No water service provider letter or well drilling start card shall be furnished to a contractor or lot owner proposing to engage in construction until the requirements

of this Ordinance are completed and the required fee and security deposit have been paid to SCSA#3.

**2. CONSTRUCTION APPLICATION.** Every person, firm or entity who is a record owner of a lot or property within SCSA#3 and who initiates construction activity having a construction value in excess of Fifty Thousand Dollars (\$50,000) shall deliver to SCSA#3 an application letter with the following information:

- a. The name of the lot owner and the person responsible for the construction activity;
- b. The address or lot number of the lot upon which improvements are to be constructed;
- c. The projected starting date and construction completion date of the project;
- d. The estimated value of the construction activity; and
- e. A copy of the Summit County building permit.

**3. BUDGET ALLOCATION.** All construction service road fees collected pursuant to this Ordinance shall be remitted to the SCSA#3 General Road Maintenance Budget.

**4. LIABILITY TO REPAIR ROAD DAMAGE.** Each lot owner shall facilitate repair of all damage to the road and/or drainage system adjacent to the construction site or along the route used by vehicles engaged in the construction project as soon as possible after the damage occurs and within three (3) days following the completion of construction on the owners' lot. All repairs must be performed by a contractor approved by SCSA #3. If the lot owner does not repair the damage caused by the construction activity within three (3) days following completion of construction, SCSA #3 shall immediately notify the lot owner in writing concerning the requirement to complete the repairs. Thereafter, if the repairs have not been completed within seven (7) days after delivery of written notice, SCSA#3 shall repair the damage, deduct the cost thereof from the security deposit on file with SCSA#3 and charge the lot owner for the actual cost of repairs in excess of the security deposit. The lot owner agrees to pay all costs and fees incurred by SCSA#3 in enforcement of this Ordinance, including reasonable attorney's fees incurred in collecting the amount due.

**5. REPEAL OF ORDINANCE 97-1.** Ordinance 97-1 is hereby repealed and replaced.

**6. EFFECTIVE DATE.** This ordinance shall take effect upon its adoption by the Board of Trustees.

Adopted by the SCSA#3 Board of Trustees this 13<sup>th</sup> day of May, 2013.

**ATTEST:**

**BOARD OF TRUSTEES  
SUMMIT COUNTY SERVICE AREA #3**

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**Clerk, SCSA#3**

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**BY: Ken Naylor, Chairman**

**Summit County Service Area # 3  
ORDINANCE NO. 2013-4**

**DRIVEWAY SPECIFICATION AND  
ROAD SERVICE FEE AND SECURITY DEPOSIT ORDINANCE  
(Repealing 99-1)**

**WHEREAS, the Board of Trustees of Summit County Service Area # 3 (SCSA#3) finds that in order to provide for adequate drainage of roads, provide for construction related damage repairs and meet the requirements of SCSA#3 with regard to road construction and maintenance, it is necessary for every property owner in SCSA#3 to comply with certain requirements for drainage and for the construction of driveways to public roadways and for properties under construction to provide for road repairs.**

**THEREFORE, the Board of Trustees of SCSA#3, hereby ordains as follows:**

- 1. "Driveway" as used herein means any private roadway connecting with a public road within SCSA#3.**
- 2. Every lot owner within Summit County Service Area #3 shall construct all Driveways in accordance with the standards and specifications of this Ordinance.**
- 3. The minimum Driveway width shall be twelve (12) feet. All Driveways shall be constructed in compliance with the standards and specifications which are depicted in the drawing which is exhibit A to this Ordinance.**
- 4. All Driveways shall be constructed using a culvert at each surface drainage feature which shall extend two feet (2') on either side of the Driveway. Each culvert shall have a diameter of not less than eighteen inches (18"), unless written authorization for either a smaller culvert or no culvert is obtained from SCSA#3. Each culvert shall be aligned in the drainage feature to receive and discharge flows at the appropriate location so as not to block drainage. Each Driveway shall have a gutter depression parallel to the road drainage not less than two inches (2") above and not more than six inches (6") below the road shoulder elevation to provide drainage from the Driveway to the drainage feature.**
- 5. All lot owners engaging in construction activities on a lot within SCSA#3 are required to repair all damage to the road and drainage system adjacent to the lot where construction occurs which is attributed to the construction activities.**
- 6. Every lot owner constructing a Driveway shall, prior to commencement of construction, apply in writing to SCSA#3 for permission to construct a Driveway, with the following information:**
  - a. The name of the lot owner and the person responsible for the construction activity;**

- b. **The address or lot number of the lot upon which the Driveway is to be constructed;**
  - c. **The projected starting date and construction completion date of the project;**
  - d. **The estimated value of the construction activity; and**
  - e. **A copy of the Summit County building permit.**
7. **In compliance with Ordinance 2013-3, a road service fee of Fifteen Hundred Dollars (\$1,500.00) shall be paid with a refundable security deposit of Three Thousand Five-Hundred Dollars (\$3,500.00) prior to the start of construction. The security deposit may be refunded upon written request if the proposed Driveway is completed in compliance with the standards and specifications of this Ordinance, and all applicable conditions of Ordinance 2013-3 are satisfied.**
- 7.1 **For each Driveway and/or Driveway culvert that is constructed after the first Driveway, SCSA #3 shall collect an additional security deposit of Five-Hundred Dollars (\$500.00) to ensure compliance with the requirements of this Ordinance.**
- 7.2. **Any security deposit collected by SCSA#3 under the provisions of this Ordinance may be refunded after satisfactory completion of construction and all required repairs, under the following procedure:**
- 7.2.1. **A lot owner shall submit a written request for refund to SCSA #3 identifying the lot number and owner name and address.**
  - 7.2.2. **After receipt of the written request for refund, SCSA#3 shall inspect the Driveway, culvert and related road and drainage system and shall act to approve, reduce or deny the refund.**
  - 7.2.3. **A refund of a security deposit under the terms of this Ordinance shall be approved if the Driveway and Driveway culvert is fully completed in compliance with the requirements of this Ordinance, if all construction related damage to the roads and drainage systems, have been adequately repaired and all applicable conditions of Ordinance 2013-3 are satisfied.**
8. **Any lot owner who constructs a Driveway which is not in compliance with this Ordinance shall be responsible to bring said construction into compliance with this Ordinance. Any lot owner who fails to comply with this Ordinance shall be deemed to have granted authority to SCSA#3 to take whatever action is appropriate, including legal action, to repair the road(s) and drainage system(s) and to bring the Driveway construction into compliance with this Ordinance; The lot owner agrees to pay all costs and fees incurred by SCSA#3 in enforcement of this Ordinance, including reasonable attorney's fees incurred in collecting the amount due.**
9. **This Ordinance shall apply to all Driveways within SCSA#3; however existing Driveways which are not in compliance with the standards and specifications of this Ordinance as of January 31, 2013, shall not be required to comply with the standards and**

specifications of this Ordinance until the SCSA#3 Board of Trustees, in its sole discretion, chooses to upgrade the road and drainage system adjacent to the lot and Driveway. Upon notice by SCSA#3 to the property owner that such road and drainage system improvement will be completed by a specific date and that compliance shall be required, the property owner shall improve or modify the Driveway to comply with this Ordinance no later than sixty (60) days from the date of written notice.

10. This Ordinance shall become effective upon its adoption by the Board.

Dated this 13th day of May, 2013.

ATTEST:

SUMMIT COUNTY SERVICE AREA #3  
BOARD OF TRUSTEES

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Clerk, SCSA#3

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By: Ken Naylor, Chairman

**SUMMIT COUNTY SERVICE AREA NO. 3**  
**7215 North Silver Creek Road**  
**Board of Trustees**  
**Chairman – Ken Naylor 435-655-7015**  
**Betty Bauwens 435-649-5551**  
**Sean Luebbbers 435-658-5244**  
**Bob Olson 435-645-9479**  
**Greg Holbrook 435-647-5871**  
**Dawn Bowes 818-209-2343**  
**Brad Iverson 224-622-1633**  
**Secretary – Kathy Handsaker**

Meeting Minutes for April 8th, 2013 at the Mountain Life Church

Meeting is being conducted in accordance with the Utah Public Meeting Act

Meeting Called to Order at 7:05 pm with a quorum present and is being recorded

**Board members in attendance:** Ken Naylor, Bob Olson, Brad Iverson, Sean Luebbbers and Betty Bauwens

**Not In Attendance:** Dawn Bowes- attending telephonically

**Board Consultant:** Legal Counsel: Catherine Brabson

**Board Consultant” Auditor:** HMBE-Aaron Hixson

**Staff Present:** Sue White and Kathy Handsaker

***Meeting Attendees:***

*Mikan Cabrera (153)*

*Michael & Regina Montgomery (52)*

*Leonard & Luanne Lukenbach (195)*

*Neal & Michelle Bowlen ((46)*

*Len Bowes (309)*

*Kris Hansen (116)*

*Julia Reynolds (148)*

*Wayne Bowers (323)*

*Richard Lock (126)*

*Gary Vargo (511)*

*Reggie Hyde (332)*

*Mike Cloutier (154)*

*Julia Cain (124)*

*Peter Keblish (341)*

*Bob & Kim Carson (53)*

*Sue Lipke/Mark Harmon (328-40)*

*Fred Allsop (495)*

Betty Bauwens moved to go in to Closed Session. Sean Luebbbers seconded the motion. All in favor, none opposed. Vote 5/0 motion carried.

Brad Iverson moved to adjourn Closed Session, Bob Olson seconded the motion. All in favor none opposed. Vote 5/0. Motion carried.

**PRESENTATION OF 2011 AUDIT**

Ken Naylor welcomed the residents attending and introduced Aaron Hixson from Hansen, Malmrose, Bradshaw and Erickson who are the auditors that completed the 2011 Service Area audit. Aaron handed out draft copies to all Board members and reviewed the main section of the audit going over receivables and accounts payable and assets of the Service Area. He reviewed the Report of the independent public accountants and stated that in their opinion the financial statements referred to, in all material respects the position and activities of each fund of the Service Area and changes and cash flows and respective budgetary comparison for the General Fund for the year ended in conformity with accounting principles and a clean opinion was given.

The auditor did find control deficiencies and a material weakness that were discovered and are being handled by the Board with the creation and adoption of a Policies and Procedures Manual. This manual and monthly auditing and accounting procedures will be handled through a contract with D/S Accounting firm that will be implemented by the Board at this meeting. A procedure will be implemented involving a three person system for receipt, verification, posting and banking of all funds per the legislation requirements passed at the recent Utah legislature.

Sean Luebbbers requested the date that the 2012 audit should be filed with the State. The date required for this filing is June 30, 2013, which the auditing firm assured the Board would be met and the draft of the 2012 audit is scheduled to be presented to the Board in the June 10<sup>th</sup> meeting.

Ken Naylor requested a motion to accept the audit as presented. Brad Iverson moved to approve the 2011 audit as presented. Betty Bauwens seconded the motion. All in favor, none opposed. Vote 6/0. Motion carried.

Ken Naylor asked for a motion to approve the contract with Dave Sanderson and D/S Accounting. Greg Holbrook moved to accept the contract. Sean Luebbers seconded. No further discussion. Vote 5/1, Five in favor, Betty Bauwens abstained. Motion carried.

## **PUBLIC INPUT**

A comment was received from Regina Montgomery on the rotomilling of Westwood Road and asked if there were going to be trails done in the right of ways on Redden and Westwood. Dawn responded that there were no trails proposed along Redden and Westwood as of yet. The Service Area applied for the grant which gave \$100,000 for the first phase of the trails from the post office boxes to the top of Silver Creek Road. It is the intent of the Board to have these trails link together, and have trails running east and west and across Silver Creek and into adjoining areas. In order to proceed with these plans the Board needs to acquire funding.

The question was asked about the where the funds were coming from for the rotomill. Ken Naylor explained that the State had contacted the Board about road improvements in the area and asked if the Service Area would take the rotomill produced by this project which is free. The Board feels comfortable accepting this free material, where the only charge is site preparation, road compaction and crowning, amount to be laid and the oil application for binding the material to a reconstituted asphalt type surface

Julia Cain asked about a four foot wide shoulder on the edges of these roads that could be used for a trail and asking the Board to define a trail. Julia said that people would like to know there are provisions so that they can go back and forth on a trail area that is graded and leveled to allow for getting off the roadways safely.

Michael Montgomery said that it was important to note that they are looking at all non-motorized vehicles having access to the shoulder. Pedestrians, those walking dogs, and cyclists are included in this. He was concerned about upper Silver Creek Road which has been very difficult to walk especially in the winter due to a deep ditch on each side and the lack of area for a trail area.

Len Bowes repeated what he had heard discussed at the road committee meeting about having a place for kids and walking. Len said there are concerns about speed if the roads are paved making trails more important for safety.

Luann Lukenbach felt very strongly about her support of trails for pedestrians and equestrian traffic, particularly on upper Silver Creek Road. Luann said when upper Silver Creek was paved, material was brought in and the road became higher and narrower and the ditches deeper, making it very difficult for pedestrians. Luann also said she really likes the Silver Creek Crier for information on the neighborhood, and supports the rezoning of east side Unit I to represent what is already there.

Fred Allsop asked about funding trails out of the road budget as an option for use of the Class B road funds. Ken Naylor discussed maintenance costs associated with soft surface roads and upgrades to hold down these costs. Hard surface roads allow the Service Area to receive a higher amount of Class B Road Funds which is motivation to pave more of the roads. The Committee also was told to consider a pathway for off road pedestrian and equestrian traffic. The Board has been very cautious in the past as to what funds they will commit to trails development, and try and fund 99% of the trails development by grant applications and successful acquisitions of other funds. The Board is limited each year on what they can do in repairing and improving the roads by how much money there is available. In the past the Board has only been willing to allocate road funds to trails in the past for engineering, studies and grant applications. The total road budget assigned to Trails/Parks in 2012 was \$10,000. Ken congratulated the Trails Committee for acquiring the RAP tax recreation grant for \$100,000 which is funding the trail on Silver Creek Road. If the Board hears from a majority of the community at large that they want trails development increasingly funded by the road monies, then this will be considered. The Service Area attorney has told the Board that the Class B road funds can be used for this purpose, as the trails are a traveling network within our community and are classified as a pedestrian facility.

Neal Bowlen and his wife wanted to know if there was a procedure where an assessment could be made of the roads in the area. Bob Olson responded that this is the work and purpose of the Roads Advisory Committee. They prioritize the

best way possible to use the money allocated to roads. Neal said that the roads in his areas had some bad areas and he asked if for the priorities of roads, and also said they support the Crier. Bob Olson said the minutes from the Roads Advisory Committee meeting discuss prioritization of projects.

Ken Naylor said that it the intent of all of the Advisory Committees, Roads, Trails and now Water, to give the Board a broad base community input that they use in making decisions. Ken encouraged attendees tonight to participate or attend Advisory Committee meetings or contact their representative in their area and add their input.

Julia Reynolds commented on the Crier and supports a community based interface but does not support that it is turning into a biased perspective. She doesn't feel that is what the people want it to be. Julia said she would like to separate the Crier from the information she wants to find on the Advisory Committees. Julia suggested that we use the Right of Way on Westwood for trails, and 'speed bumps' to slow traffic down.

Harriet Natter asked about the comments on the costs of upkeep on dirt roads versus paved roads and where to find the cost figures for this to prove there is less upkeep and where the money is being spent. Ken Naylor encouraged Harriet to go the next Road Advisory Committee meeting and Chris will have some breakdowns available to review. Harriet discussed traffic calming devices and roads with no shoulder for trails.

Gary Vargo said that the roads have improved immensely the last few years and he feels that the rotomill has a lot to do with that. It has cut expenses and it controls dust. He said that the drainage in the area needs addressing, provision should be added in for soft surface trails, speed control signage should be added and he does not think that speed calming devices are a good idea and there will be problems with them. He suggests a neighborhood effort to get everyone to slow down.

Peter Keblish agreed that speed and stop signs are needed, and that speed is a big issue on Wasatch Way from Redden to Silver Creek. Peter suggested a four way stop at Long Rifle and Wasatch Way. There are wide irrigation ditches on his portion of Redden and no room for a trail. Peter is concerned about liability and the possibility of fences being moved back onto properties to allow for trails, and stated if that is the case he is totally against any kind of trail.

Cate Brabson, Service Area legal counsel said that the trails are being placed in the road right of way, which means they are owned by Summit County and that they are constructed and maintained by this community. The Service Area has liability insurance with Utah Local Government Trust that covers the liability on the road right of way. Bob Olson said these things will be looked at on an individual basis.

Mike Cloutier said that the CCRs say the property owner owns to the middle of the road and he feels that the CCRs need to be changed. Cate stated that the CCRs go with the plat and they are for rules between private parties and do not apply to the Service Area # 3 or Summit County. Cate stated that there are two ways to measure the right of way; the first is from the original plats, the second is from the roads that have been here so long that they are County dedicated roads. There is an automatic right of way for maintenance, for drainage and ditching and for all of those purposes. The width of the right of way is determined by the placement of the road when they are outside the area of the original plat. Those that are located as they are shown on the plat have with the right of ways as listed on the plat. Most of the time the road is not in the center and that is the reason the Service Area had the entire area for the Silver Creek Trail surveyed to make sure the trail was located entirely within the right of way. Cate stated that if the trail is within the right of way then it is the Service Area's to maintain, it is not private property. If there is an accident on that property then the governmental entities, the Service Area # 3 and Summit County will have liability insurance for that.

Peter Keblish asked about the agenda item of 'termination of funding for the Crier'. Ken Naylor said under advice from our legal counsel we will not use the Crier as a means of disseminating information for our governmental entity and the Service Area #3 has not paid any funds to support the Crier to date. The Board is required to follow the guidelines set up by the State for posting and dissemination of agendas, minutes and other pertinent information. These include the use of the Utah Public Notice Website, the State Legal Notices website, the Park Record and a website that is set up by the Service Area (scsa3.org) for it's required postings. The Crier was set up privately for a neighborhood site and neighborhood communications and is very effective for that purpose. Due to the fact that not all property owners and

residents are members of the Crier, it becomes an inappropriate expense with public funds to support this private venture.

Ken Naylor said that our Public Input time has expired and asked for quick concise comments from those that would like to speak. Kim Carson said she would like to express support for the trails being placed on Westwood and Redden for safety reasons and to create the east-west trail connection. Kim also asked that the Board packet be published on the website. Cate Brabson said that the agenda is required to be published. The Board packet is made up of materials from different individuals, many of which have been circulated in draft form to the Board before the meeting and put together just prior to the meeting for the Board. It could be published after the meeting, since the majority of these items are in the 'draft form' for approval at the meeting. The items in draft form which are not public record or ready for public input until approved and finalized.

Reggie Hyde agreed with the Board not funding the Crier. Wayne Bowers asked about road work on Maple and Long Rifle where the rotomill was breaking up. Mike Cloutier expressed his areas of concern being speed control, ditching, signage and enforcement of the signage and proposed road work.

Ken Naylor and Bob Olson stressed the upcoming Road Advisory Committee meeting on May 8<sup>th</sup> as a venue for people to attend and have their opinion heard and questions answered.

## **1. FINANCIAL**

Ken Naylor asked the Board to review the financial statement and present any questions and a motion to approve. No questions were raised. Bob Olson moved to approve the financial statement as presented and transfer funds from savings to checking for payment of Accounts payable. Brad Iverson seconded the motion. No further discussion. Vote 5/1, Dawn abstained. Motion carried.

## **2. Roads**

### **a. UPDATE CONSIDERATION AND APPROVAL OF ROAD ORDINANCES 2013-03 AND 2013-04**

The Ordinances will be held until the next meeting to allow Board members time to review last revision. Ken Naylor asked the Board to review them during the coming month and forward any comments to Ken so they can be consolidated and forwarded to Cate to be addressed prior to the next Board meeting.

### **b. CONSIDERATION AND APPROVAL OF 2013 ROAD IMPROVEMENT BUDGET AND PROJECTS**

This item will be tabled due to the absence of Chris Bullock and will be addressed at the next meeting.

Ken Naylor said with the comments the Board has received from the public tonight that the Board needs to think about the impact of rotomilling Redden and Westwood, and take a tour to see what areas are available for trails, and if this could be a volunteer effort to remove rocks and make access. Dawn Bowes asked where the funding will come from. Ken Naylor said that after consideration of the recommendations of the Road Advisory Committee there may be some room in the budget to commit funds to trail development to have an east-west access. The suggestion was made for the Trails and Roads Advisory Committees to work on this together.

### **c. Update from Road Committee Meeting 4/3/2013**

Ken Naylor and Bob Olson had discussed the need to send out a letter to the property owners and residents on Westwood and Redden and gather their comments and reactions on the rotomill road improvement project for those two roads. No response would be listed as a positive response. Dawn suggested having them look at trails combined in the project. Ken is concerned with giving the people that live on these two roads the time to comment and respond to

the project as listed, and if they do not feel that the road should be done with/without trails they can include this in their response.

Bob Olson moved to authorize Cate to draft this letter, the Board to review and approve and Bob to hand deliver to residents on these two roads. Betty Bauwens seconded the motion. Greg Holbrook asked about the May 8<sup>th</sup> meeting of the Road Advisory Committee having their budget on 2013 proposed road projects and costs. Greg said that he felt that walkways/trails should be part of these projects and reviewed and considered by the Board. Ken Naylor called for a vote. Vote 5/1, Dawn Bowes voted nay. Motion carried.

Bob Olson reviewed the items from the Road Advisory Committee meeting including; request to Mountain Life Church to restrict parking on the trail area, Board to consider different types of traffic calming devices (summer, portable speed bumps), and no parking on Silver Creek Road at any time. The majority of the signage ordered has been received and will begin being installed through to two Eagle Scout projects. Bob Olson will be taking comment on any additional signage that the Board or residents want considered.

Sean Luebbers reviewed with the Board prior installation of signage and stop signs that the County had ordered us to remove and wanted the public to know that these signs have been installed before and removed at County request. Bob Olson said that the County has proposed \$15,000 of signage to be installed in Silver Creek and the Road Advisory Committee and Board are using this as a guide for sign installation this year.

Bob Olson asked Cate if she has prepared something that defines the liability in the right of way. Cate said that Jerry Kinghorn had prepared a letter for the Board on the liability, and will be located and sent to the Board members.

Dawn requested a plan for traffic calming measures involving road/trail crossings for the Trails Advisory Committee prior to the May meeting. Bob Olson said there is not currently a plan involving the trail crossings and suggested that this be developed in a joint meeting of the Trails and Roads Advisory meetings, or TPAC provide this information to Bob for incorporation into the plan.

Bob Olson told the Board it was suggested to have a member of the County Sheriff's department to the next Board meeting to hear how we feel about speeding and what the Sheriff's Department can do to help alleviate the problem.

Bob brought up problems with the use of the Silver Bullet tank road. This will be addressed with the installation of poles and chain to block access. The second road that needs to block access is the end of Greenfield to Bitner Road. A plan for this will be reviewed with the Board.

### **3. WATER**

#### **a. UPDATE CONSIDERATION AND APPROVAL OF WATER ORDINANCES 2013-02**

Betty Bauwens said that the Ordinance will be held until the next meeting to allow Board members time to review last revision when it is completed.

#### **b. REVIEW AND CONSIDERATION OF APPLICATIONS FOR WATER ADVISORY COMMITTEE**

Betty Bauwens said that the following applications have been received. Gordon Cummins for Plat A, VJ Pettit for Plat C, Brandon Bertagnole for Plat D, Marcello Occon and Len Bowes for Plat E, Harriet Natter for Plat F, Fred Allsop for Plat H, John Graber for Plat I, Tina Dempsey for Greenfield and Annexed areas. Plat B is still not represented.

Betty reviewed the people with the Board and their comments regarding desire to serve on the Water Committee. Ken Naylor said to list the Plats with single applicants for approval by the Board and those with more than one applicant be held until the next meeting. Betty asked for a motion to approve the 5 applicants for A, C, D, H, I and Annexed area. The

two areas having (2) applicants will be approved by the Board at the next meeting after receiving a recommendation from the Water Advisory Committee on a single applicant.

Greg Holbrook moved to approve VJ Pettit, Brandon Bertagnole, Fred Allsop, John Graber and Tina Dempsey to the Water Advisory Committee. Sean Luebbers seconded the motion. The Vote 6/0. Motion carried.

### **c. AUTHORIZE LEGAL COUNSEL TO FILE EXTENSIONS OF TIME ON WATER RIGHT PROOF DUE DATES**

Cate reviewed the extension process and what is currently due and required.

Betty Bauwens moved to authorize legal counsel to proceed with filing the (5) required extensions for the water rights. Bob Olson seconded the motion. All in favor, none opposed. Vote 6/0 – Motion carried.

## **4 TRAILS AND PARKS**

### **a. RATIFICATION/APPROVAL OF PROPOSED REQUIREMENT FOR ALL FUTURE APPLICATIONS FOR GRANTS TO BE APPROVED BY THE BOARD OF TRUSTEES PRIOR TO SUBMISSION**

Ken Naylor said this was acted upon at the last meeting and asked for a motion to ratify this item. Sean Luebbers moved to ratify and approve proposed requirements for all future applications for grants to be approved by the Board prior to submission. Betty Bauwens seconded the motion. Vote 6/0. Motion carried.

### **b. Trail Head Signage Plan Review (No Update)**

## **5 MINUTES**

The minutes for March were reviewed by Ken, Betty and Bob and their changes have been incorporated in the draft. The Board discussed the length of the minutes and wanted them to be in a shorter more concise format in the future. Cate reviewed the requirements for minutes to cover agenda items and summary of presentation and motions. Public input to be included by the name of each person providing comments and the substance of comments. Information by any Board member requested to be in minutes should be included.

The Board authorized Kathy to purchase a digital recorder for taking minutes of the meetings.

Betty moved to approve the minutes as amended. Bob Olson seconded the minutes. The vote, all in favor, none opposed. Vote 4/0, Greg Holbrook and Dawn Bowes abstained as they were absent from the meeting. Motion carried.

## **4. CONSENT AGENDA**

Ken Naylor asked for any comments on the items in the Consent Agenda, there were none. Consent agenda passes by acclamation.

## **5. OLD/NEW NEWS**

### **a. DISCLOSURE OF DRAFTS/NON-PUBLIC AND PROTECTED RECORDS**

Cate reviewed the Utah Grama statute stating drafts are non-public records and classified as protected under this statute. One minor exception is draft Board minutes. When minutes have been prepared in draft form and circulated to Board members they become public record. This means the public has access to them by making a GRAMA request. Draft minutes can be published as long as they are noted and identified as a 'draft'. They are considered public records.

The Board needs to understand when records are public records or private and protected records, so that no Board members or staff disclose protected records. Due to the disclosure of non-public records that were classified as protected, Cate has advised the Board to have a policy that no member or staff may give a disclosure of non-public material, without authorization from the Board. This protects the Board from the confusion created when multiple drafts of work in progress are being circulated. Cate recommends that the Board adopt a policy that there be 'No disclosure of non-public materials without authorization'.

Ken requested a motion. Betty Bauwens moved to adopt a "Non-Disclosure Policy". Sean Luebbers seconded the motion. Dawn felt that the agendas should be made public before 24 hours prior. For clarification, Cate stated the non-public records include all drafts agendas, resolutions, ordinances and contracts are all under protected records. Cate stated again that the only records that are not protected are draft minutes that have been circulated amongst the Board. Those are public records. No further discussion and call for vote. Vote 6/0. Motion Carried.

**c. UPDATE ON UNIT I REZONE- Topic covered in Closed Session**

**d. RATIFICATION/APPROVAL OF TERMINATION OF FUNDING TO SUPPORT THE "CRIER" AND DISCONTINUE USE OF THIS MEANS OF INFORMATION DISSEMINATION FOR ANY FUTURE COMMUNICATIONS ON BEHALF OF THE BOARD**

Ken Naylor reviewed agenda item and asked for a motion to ratify/approve this decision. Betty Bauwens moved to ratify the termination of funding to support the "Crier" and discontinue use of this means of communications by the Board. Bob Olson seconded the motion. Vote 5/1, Dawn Bowes voted nay.

**e. UPDATE ON IT ENHANCEMENTS/REVISIONS TO SCSA#3 WEBSITE**

Ken Naylor said that Kevin Burns has this project moving along. Kevin Burns said that the website is up and available and minutes for the past 8 months are on the site. He is making sure all bases for operation are working correctly. Kevin requested that all Board members give their questions and suggestions to Ken Naylor as a single point of contact.

Kevin went through the type of information that will be included in the website, and suggested the Board think about what they want posted on this website.

Bob Olson moved to adjourn the meeting. Motion seconded by Greg Holbrook. All in favor none opposed. Motion carried. Vote 4/0 Meeting Adjourned at 9:55 pm.

## **Fiscal Procedures Manual**

### **Summit County Service Area #3 STATE OF UTAH**

#### **Adopted Fiscal Procedures Manual ??/??/2013**

#### **INTRODUCTION**

Summit County Service Area #3 Fiscal Procedures Manual has been developed to serve as a central reference and handbook for all activities, which have a fiscal impact on the Area. The manual serves as the Area's authoritative source of fiscal procedures. The Finance Officer is ultimately responsible for all fiscal activity within the Area.

All of the procedures in this Manual are designed to best serve the Area's needs in regards to fiscal matters. The effectiveness of the Manual ultimately depends on the accounting procedures being followed.

#### **ORGANIZATION AND PURPOSE**

The Summit County Service Area #3 was organized on September 7, 1964 by the original developer of the Silver Creek Estates Subdivision. Its boundaries and services were expanded by resolution on November of 1982 and approved by the Summit County Commissioners. The Service Area operates under the direction of the Board of Trustees. The Service Area provided snow removal, road maintenance and culinary water services.

#### **ACCOUNTING POLICY**

The Service Area #3 will establish and maintain the accounting systems according to the State of Utah Fiscal Procedures Act.

An annual audit will be performed by an independent public accounting firm, which will issue an official opinion on the annual financial statements, with a management letter detailing areas that need improvement, if required.

Full disclosure will be provided in the financial statements and bond representations. Financial systems will be maintained to monitor revenues and expenditures on a monthly basis. All revenue collections will be consolidated under the Finance Officer and be audited at least annually.

## **BILLING POLICY**

Water customers will be billed on a monthly basis for services. Water meters will be read weather permitting.

Default on Obligations - If a customer fails to make payment of its water charges on the date due, interest shall be assessed on the delinquent balance at a rate of 1.5 percent per month, or 18 percent per annum

## **BUDGETING PROCESS**

### **1. Budget Adoption**

The Service Area #3 adopts its annual operating budget in accordance with the State of Utah Fiscal Procedures Act. The Finance officer must submit a tentative balanced budget, which stipulates that estimated revenues and appropriated fund balances equal expenditures. This tentative balanced budget must be submitted to the Board of Trustees in November of each year. A formal public hearing is required to obtain public comment before the Board of Trustees adopts the budget. The public hearing is held in December and the budget is adopted following the public hearing with any changes from the submitted tentative budget. By state law, the budget must be adopted prior to January 1, which is the beginning of a new Fiscal Year; fiscal years operate from January 1 to December 31<sup>st</sup>. The final budget must be submitted to the State Auditor within thirty days following the adoption of the final budget by the Board of Trustees.

### **2. Amending Current Budget**

The Service Area #3 can amend its current budget at any time during the fiscal year. The State of Utah Fiscal Procedures Act specifies that in order to amend your budget (Increase or decrease total revenues or expenditures) a public hearing must be held prior to amending the budget. The Finance Officer can make budget adjustments within Service Area #3s and the Board of Trustees makes amendments tot increase of decrease the overall budget.

### **3. Basis of Budgeting**

As required by the State of Utah Fiscal Procedures Act, the budget is prepared and adopted using the modified accrual basis of budgeting. Briefly, this means that the obligations of the Service Area #3 are budgeted as expenditures, but revenues are recognized only when they are measurable and available. The Service Area #3 considers all revenues available if they are collected within 60 days after year-end. Those revenues susceptible to accrual include: investment earnings, property taxes and water service charges.

During the year, the Service Area #3's accounting system is maintained on the same basis as the adopted budget. This enables cost Service Area #3 budgets to be easily monitored via monthly accounting system reports. At year-end, the Service Area #3's financial statements are prepared on a basis consistent with "generally accepted accounting principles" (GAAP).

### CHART OF ACCOUNTS

The Service Area #3 will use the suggested chart of accounts specified by the State of Utah,

### DAILY DEPOSITS

All monies collected or received by Service Area #3 Treasure shall be deposited in accordance with this section. Deposits are to be made at least every third day. In any event, a deposit shall be made on the last business day of the month. All deposits shall be made with the official depository. Deposits in an official depository shall be immediately reported to the finance officer by means of a duplicate deposit slip.

### DEBT

The objective of the Service Area #3 Debt Management Policy is to maintain the Service Area #3 ability to incur present and future debt at the most beneficial interest rate without adversely affecting the Service Area #3 ability to finance essential services.

Capital projects financed shall be financed for a period not to exceed the expected useful life of the project.

Interest, operating, and/or maintenance expenses will be capitalized only for facilities and will be strictly limited to those expenses incurred prior to actual operation of the facilities.

The Service Area #3 debt policy will not knowingly enter into any contracts creating significant unfounded liabilities.

Debt or bond financing will not be used to finance current expenditures.

## **GENERAL FIXED ASSETS**

A fixed asset will be recorded with a cost of more than \$5,000. The physical control of fixed assets is the responsibility of the Finance Officer. Responsibility for the ongoing administration, control and monitoring of fixed asset activities is that of the Finance Officer. The Finance Officer will monitor the fixed assets of the Service Area #3.

A fixed asset is any acquisition by the Service Area #3 through any means (purchase, donation, construction, etc.) that has a useful life of more than one year. Examples of fixed assets are land, buildings, vehicles, equipment, and major repairs.

Only property that has been declared surplus by the Board of Trustees on a public meeting agenda will be disposed of or released to other ownership through a public sale.

Notice of a public sale shall be posted at three public places at least 10 days but not earlier than 30 days prior to such public sale or opening of bids. If the surplus item is subjected to the highest bidder at a public sale and remains unsold, the Board of Trustees Chairperson may sell the surplus item to any person for such price as the Chairperson deems appropriate. Monetary proceeds for the sale shall be credited to the miscellaneous revenue account.

## **GRANTS**

The Service Area # 3 will pursue all applicable grants it deems financially viable.

Procedures for handling the grant, both fiscal and operational, must be established on a grant per grant basis.

## **PETTY CASH**

The Service Area #3 Treasurer or his/her designee will handle petty cash of \$200.00.

Each time an amount of petty cash is used, a receipt or other form of proof of the expenditure must be entered in its place. Therefore, at all times, the amount of cash plus the amount of documentation should equal \$200.00. Under no circumstances should personal funds or items be intermingled with petty cash funds.

A purchase order with receipts and a summary of expenditures by line item attached should be turned in for reimbursement when necessary to replenish the petty cash fund.

## **PURCHASING**

### **1. Purpose** The underlying purposes of this policy are:

- a. To ensure fair and equitable treatment of all persons who wish to, or do conduct business with the Service Area #3.
- b. To provide for the greatest possible economy in the Service Area #3s procurement activities.
- c. To foster effective broad-based competition within the free enterprise system to ensure that all parties are treated equally.

### **2. Compliance - Exemptions from this policy.**

- a. This policy shall not prevent the Service Area #3 from complying with terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
- b. When procurement involves the expenditure of federal assistance funds, the Service Area #3 shall comply with applicable federal law and regulations.

### **3. Definitions**

- a. Business means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
- b. Change order means a written order signed by the purchasing agent, directing the contractor to suspend work or make changes, which the appropriate clauses of the contract authorize the purchasing agent to order without the consent of the contractor or any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual action of the parties to the contract.
- c. Contract means any Service Area #3 agreement for the procurement or disposal of supplies, services, or construction.
- d. Invitation for bids means all documents, whether attached or incorporated by reference, used for soliciting bids.
- e. Person means any business, individual, union, committee, club, other organization, or group of individuals.
- f. Procurement means buying, purchasing, renting, leasing, leasing with an option to purchase, or otherwise acquiring any supplies, services, or construction.

- g. Purchasing agents means the persons duly authorized by the Board Chairperson of the Service Area #3 to enter into and administer contracts and make written determinations with respect thereto.**
- h. Purchase description means the words used in a solicitation to describe the supplies, services or construction to be purchased, and includes specifications attached to or made part of the solicitation.**
- i. Request proposals mean all documents, whether attached or incorporated by reference, used for soliciting purposes.**

#### **4. Purchasing Agents**

The Chairperson of the Service Area #3 shall authorize various board members or employees to have the authority to make purchases on behalf of the Service Area #3. All board members and employees are responsible to follow the provisions of the purchasing policy.

#### **5. Source Selections and Contract Formation**

- a. Purchases not requiring sealed bids.**
  - 1) Purchases costing less than \$5,000 in total shall not require bids of any type. (Purchases shall not be artificially divided so as to constitute a small purchase under this section.)**
  - 2) Purchases costing more than \$5,000 but less than \$50,000 in total shall require 2 to 3 telephone bids.**
  - 3) Purchases made through the cooperative purchasing contracts administered by the State Division of Purchasing.**
  - 4) Purchases made from a single-source provider.**
  - 5) Purchases or rentals required during an emergency, i.e., an eminent threat to public health, welfare or safety. However, as much competition as practical should be obtained and such purchases should be limited to amounts necessary to the resolution of the emergency. An emergency meeting of the Board of Trustees is required for appropriation of supplemental or emergency funds.**

**B. Purchases requiring sealed bids.**

- 1) **Contracts shall be awarded by competitive sealed bidding except as otherwise provided by this policy.**
- 2) **An invitation for bids shall be issued when a contract is to be awarded by competitive sealed bidding. The invitation shall include a purchase description and all contractual terms and conditions applicable to the procurement. Public notice of the invitation to bid shall be given at least 7 days prior to the date set forth therein for the opening of bids. The notice may include publication in a newspaper of general circulation.**
- 3) **Any procurement in excess of \$50,000 shall require a legal notice in a local newspaper of general circulation.**
- 4) **Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid and any other relevant information, together with the name of each bidder, shall be recorded. The record and each bid shall be open to public inspection.**
- 5) **Bids shall be unconditionally accepted without alteration or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the invitation for bids.**
- 6) **Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted. After bid opening, no change in bid prices or other provisions of bids prejudicial to the interest of the Service Area #3 or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids or to cancel awards or contracts based on bid mistakes shall be supported by a written determination made by the purchasing agent.**
- 7) **The contracts shall be awarded with reasonable promptness, by written notice, to the lowest responsible bidder whose bid meets the requirements and criteria set forth in the invitation for bids.**

**C. Cancellation and rejection of bids.**

**An invitation for bids, a request for proposals, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or in part, as may be specified in the solicitation, when it is in the best interests of the Service Area #3. The reasons shall be made part of the contract file.**

#### **D. Use of competitive sealed proposals in lieu of bids.**

When the purchasing agent determines in writing that the use of competitive sealed bidding is either not practical or not advantageous to the Service Area #3, a contract may be entered into by competitive sealed proposals. Competitive sealed proposals are most appropriately used for professional service-type contracts.

1. Proposals shall be solicited through a request for proposals. Public notice of the request for proposals shall be given at least 7 days prior to the advertised date of the opening of the proposals.
2. Proposals shall be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation. A register of proposals shall be prepared and shall be open for public inspection after contract award.
3. The request for proposals shall state the relative importance of price and other evaluating factors.
4. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revisions of proposals, and revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.
5. Award shall be made to the person whose proposal is determined in writing, to be the most advantageous to the Service Area #3, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

#### **E. Architect-Engineer Services**

Architect-Engineer services are qualification-based procurements. Requests for such services should be publicly announced. Contracts should be negotiated by the Service Area #3 based on demonstrated competence at fair and reasonable prices. See Utah Code Section 63-56-42 through 44.

#### **F. Determination of non-responsibility of bidder.**

Determination of non-responsibility of a bidder or offeror shall be made in writing. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to the bidder or offeror. Information furnished by a bidder or offeror pursuant to this section shall not be disclosed outside of the purchasing division without prior written consent by the bidder or offeror.

**G. Cost-plus-a-percentage-of-cost contracts prohibited.**

Subject to the limitations of this section, any type of contract, which will promote the best interest of the Service Area #3, may be used, provided that the use of cost-plus-percentage-of-cost contract is prohibited. A cost-reimbursement contract may be used only when a determination is made in writing that such a contract is likely to be less costly to the Service Area #3 than any other type or that it is impractical to obtain the supplies, services, or construction required under such a contract.

**H. Required contract clauses.**

1. The unilateral right of the Service Area #3 to order, in writing, changes in the work within the scope of the contract and changes in the time of performance of the contract that do not alter the scope of the contract work.

2. Variations occurring between estimated quantities of work in a contract and actual quantities.

1. Suspensions of work ordered by the Service Area #3.

**Specifications**

All specifications shall seek to promote overall economy and best use for the purpose intended and encourages competition in satisfying the Service Area #3s needs, and shall not be unduly restrictive. Where practical and reasonable, and within the scope of this article, Utah products shall be given preference.

**Appeals**

A. Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may appeal to the purchasing agent. An appeal shall be submitted in writing within 5 working days after the aggrieved person knows or should have known of the facts.

B. The purchasing agent shall promptly issue a written decision regarding any appeal, if it is not settled by a mutual agreement. The decision shall state the reasons for the action taken and inform the protestor, contractor, or prospective contractor of the right to appeal to governing board.

C. The Service Area #3's governing board shall be the final appeal on the Service Area #3s level.

D. All further appeals shall be handled as provided in the Utah Code Section 63-56-58 through 64.

## **Ethics in Public Contracting**

- A. No person involved in making procurement decisions may have personal investments in any business entity, which will create a substantial conflict between their private interests and their public duties.
- B. Any person involved in making procurement decisions is guilty of a felony if the person asks, receives, or offers to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the person's own use or the use or benefit of any other person or organization from any person or organization interested in selling to the Service Area #3.

## TRAVEL REINBURSEMENT

All travel requires the approval of the Chairperson.

2. All travel beyond ninety miles or including an overnight stay requires a "Request Authorization" form.
3. The Service Area #3 receives corporate rates on airline tickets from the State of Utah Travel Office. Please contact them at 538-3359 at least 30 days prior to your departure. If you're national organization can get a greater discount, or another travel agency; please feel free to purchase your airline ticket with the best possible savings in mind for the Service Area #3.
4. Travel for the Service Area #3 at its expense may be approved for the following reasons.
  - To conduct official Service Area #3 business.
  - An Official Service Area #3 representative on a board, committee or official body.
  - To attend a professional development or national conference.
  - To attend educational and training seminars.
5. Employees and board members are encouraged to be active in professional organizations and to seek leadership positions. Prior to committing to a leadership position involving travel, the employee shall obtain approval from the Chairperson.
6. Employees and board members are welcome to travel with a spouse or other guest. The Service Area #3 will only reimburse the costs of the employee traveling alone.
7. Employees exempt from overtime requirements of the Fair Labor Standards Act (FLSA) will not receive overtime or compensatory time off for travel time. Other employees shall be paid overtime or compensatory time for travel as required by FLSA.

8. Violations of this policy or making false statements on any travel forms shall constitute grounds for disciplinary action.

#### Definitions

1. "Travel" means any trip to a destination, which is more than 90 miles from the Service Area #3, which requires an overnight stay.

2. "Per Diem" means the amount provided to the employee who is traveling to cover the costs of meals and minor expenses without the necessity of supporting receipts.

3. "Local Travel" means the amount of reimbursement per mile by IRS rates, for attending meetings by employees or board members that do not receive a car allowance.

#### Reimbursable Expenses

1. Registration fees for conferences and seminars shall be paid directly with a Service Area #3 check whenever practical. Fees for social events and tours will not be paid by the Service Area #3.

2. The least costly mode of transportation shall be used for calculating the reimbursement for travel. If an employee chooses to drive their private vehicle rather than fly to a distant destination, they will be reimbursed for all travel expenses based upon flying to that destination.

3. Employees and board members will be reimbursed at the amount per mile allowed by the Internal Revenue Service for travel for the Service Area #3 in their private vehicle. Those employees and board members receiving car allowances, who meet the definition of travel, will be reimbursed at one half the Internal Revenue Service Rate.

4. Employees and board members may choose either an excursion class fare, which requires a Saturday night stay or a State of Utah contract rate. All airline tickets should be booked 60 days before the departure date, except in emergency travel.

5. Per Diem shall be the following fixed amounts, with no receipts required:

In state travel \$ 30.00 per day.

Out of state travel \$ 40.00 per day.

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6. Incidental costs such as ground transportation, business call, one personal phone call up to 10 minutes per day, and parking expenses at airports.

7. "Local Travel" will be calculated from the Service Area #3 to the meeting place and back to the Service Area #3. Meetings held at the Service Area #3 will not be reimbursed.

## Procedures

1. A request for Reimbursement of Expense/Travel Authorization must be completed and signed by the Chairperson, then forwarded to accounts payable for payment of authorized expenses. The employee and board members will make reconciliation at the end of the business trip and any advanced money or additional expenses will be reconciled and settled.

## TREASURER BOND

A designated board member will serve as the treasurer for the Service Area #3. The treasurer is responsible for depositing and transferring cash for the Service Area #3. All public treasurers are required to be bonded in accordance with Rule Number 4 of the Utah State Money Management Council. The Service Area #3 should bond the public treasurer for an amount of \$70,000.

A corporate surety licensed to do business in the State of Utah and rated XII or better must issue bonds by the latest issue of Best's Rating Guide.

Bonds should be effective as of the date the treasurer assumes the duties of the office.

## Resources

[www.sao.utah.gov](http://www.sao.utah.gov)

Master Chart of Accounts

Fiscal Procedures Act for Special Service Districts