

RESOLUTION NO. 2023 – 04

A RESOLUTION OF SUMMIT COUNTY SERVICE AREA NO. 3 AMENDING ITS PERSONNEL POLICY TO ADDRESS DISCRETIONARY BONUSES

WHEREAS, Summit County Service Area #3 (“SCSA#3”) is a form of local district and political subdivision of the State of Utah known as a service area, and is governed under the Service Area Act, Utah Code § 17B-2a-901, et seq.; and

WHEREAS, SCSA#3 is charged with providing water and roads services to Silver Creek Estates in Summit County, Utah; and

WHEREAS, pursuant to Utah Code § 17B-1-301(2)(d) and § 17B-2a-902(1)(b), SCSA#3’s Board of Trustees (“Board”) may “employ employees and agents, or delegate to district officers power to employ employees and agents, for the operation of the local district and its properties and prescribe or delegate to district officers the power to prescribe the duties, compensation, and terms and conditions of employment of those employees and agents;” and

WHEREAS, the Board desires to amend SCSA#3’s personnel policy (the “Policy”) to: (1) expressly recognize the General Manager as SCSA#3’s chief executive officer; (2) provide express authorization for the General Manager to award merit increases in employee compensation after consulting with the Board; (3) provide the General Manager with express authorization to award discretionary bonuses to employees and contractors after consulting with the Board; and (4) to provide express recognition of the Board’s authority to award discretionary bonuses and merit increases to the General Manager.

NOW, THEREFORE, be it **RESOLVED** by the Board, that, effective immediately:

1. Section 3 (“Definitions”) of Article I (“General”) of the Policy is revised to include the following definition and is renumbered accordingly:

“9. ‘General Manager’ means the person the Board appoints pursuant to Article XVI of the Policy to serve as SCSA#3’s chief executive officer.”

2. Section 4 (“Merit Increases”) of Article IX (“Job Classifications and Compensation”) of the Policy is amended as follows:

“Section 4 – Merit Increases: After consulting with the Board, the General Manager may in ~~its~~ their discretion award merit increases in an employee’s compensation based on increased proficiency, qualifications, changes in an employee’s position or job description, or other circumstances that it deems to warrant an increase. Merit increases are not automatic but are subject to the results of an evaluation of the employee’s performance and the availability of sufficient budgeted funds. Only the Board may approve merit increases in the General Manager’s compensation.”

3. Article IX (“Job Classifications and Compensation”) of the Policy is amended to include the following language as Section 9:

“Section 9 – Discretionary Bonuses: After consulting with the Board, the General Manager may give employees or contractors a discretionary bonus. Only the Board may approve a discretionary bonus for the General Manager. Any discretionary bonuses awarded under this section must be in recognition of outstanding service, for service beyond one’s normal duties, or for other such purposes as the General Manager or the Board, as applicable, deem appropriate. Neither the General Manager nor the Board may award a discretionary bonus if the discretionary bonus exceeds available funding or if the discretionary bonus exceeds allocated spending limits within the SCSA#3 budget.”

4. “Article XVI - General Manager” is adopted to state:

“The Board may, by a majority vote of its full membership, appoint a General Manager to serve as the chief executive officer of SCSA#3. After the Board appoints a General Manager, the administrative powers of SCSA#3 are vested in and exercised by the General Manager, who is responsible for managing SCSA#’s staff and contractors. The Board will oversee the General Manager and may by a majority vote give orders and direction to the General Manager. No Trustee shall simultaneously hold the position of Trustee and General Manager.”

ADOPTED AND PASSED this 21st day of April 2023.

BOARD OF TRUSTEES OF SUMMIT COUNTY SERVICE AREA NO. 3.

By: 
Paul Kraus, Chair

ATTEST:


Larry Elbert, Board Clerk

VOTING

Henry Adams voting	Absent
Suzanne Carpenter voting	Yea
Lori Daniells	Yea
Larry Elbert	Yea
Paul Kraus	Absent
Scott Sharp	Yea
Vacant	N/A