

RESOLUTION NO. 2023 – 06

**A RESOLUTION OF SUMMIT COUNTY SERVICE AREA NO. 3
CANCELLING A BOARD MEMBER ELECTION**

WHEREAS, Section 2-27-4 of the Summit County Code provides that the Board of Trustees (the “**Board**”) for Summit County Service Area #3 (the “**Service Area**”) consists of seven members elected by the registered voters of Silver Creek Estates; and

WHEREAS, Section 2-27- 4 of the Summit County Code provides that that three of the Trustees must reside in the Upper Division consisting of Silver Creek Plats A, B, and C and that four of the Trustees must reside in the Lower Division consisting of Silver Creek Plats D, E, F, H, and I; and

WHEREAS, the Service Area’s upcoming local election (the “**Election**”) is scheduled to be held on November 21, 2023; and

WHEREAS, there are three seats on the Service Area’s Board of Trustees that are up for election; and

WHEREAS, Trustees Larry Elbert and Scott Sharp filed timely write-in declarations of candidacy in accordance with Utah Code § 20A-9-601 for Upper or Lower Division, respectively, and are running unopposed; and

WHEREAS, Trustee Lori Daniells’ term will conclude on December 31, 2023, but no candidate has filed a declaration of candidacy and there is no write-in candidate for her seat; and

WHEREAS, pursuant to Utah Code § 20A-1-206(5) and Utah Code § 17B-1-306(5)(i), the Board desires to cancel the Election because the number of candidates does not exceed the number of open seats, and each of the candidates is unopposed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees for Summit County Service Area #3 that, effective immediately:

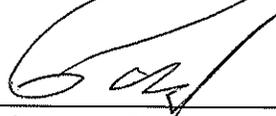
1. Cancels the Election pursuant to Utah Code § 20A-1-206(5) and Utah Code § 17B-1-306(5)(i); and
2. Authorizes an instructs the General Manager to publish the notice attached to this resolution announcing the cancellation of the Election pursuant to Utah Code § 20A-1-206(7); and
3. Certifies that the ballot for the election would not include any contested races or ballot propositions and the following candidates for a seat on the Board are unopposed and considered to be elected to office with four-year terms beginning at noon on January 1, 2023, pursuant to Utah Code § 20A-1-206(5) and Utah Code § 17B-1-306(10):
 - a. Larry Elbert, Upper Division, Plat C.

b. Scott Sharp, Lower Division, Plat D

4. Authorizes the General Manager to take any steps needed for the board to appoint a successor for Trustee Daniells as soon as reasonably practicable following the conclusion of her term pursuant to Utah Code § 20A-1-512 and Utah Code § 17B-1-306(5)(h).

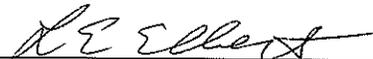
APPROVED and **PASSED** this 17th day of October 2023.

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

By: 

Paul Kraus, Chair

ATTEST:



Larry Elbert, Clerk

VOTING

Trustee Suzanne Carpenter voting	YEA
Trustee Lori Daniells voting	YEA
Trustee Larry Elbert voting	YEA
Trustee Paul Kraus voting	YEA
Trustee Scott Sharp voting	YEA

SUMMIT COUNTY SERVICE AREA NO. 3
NOTICE OF CANCELLATION OF ELECTION

Summit County Service Area #3's (the "**Service Area**") upcoming local election (the "**Election**") was scheduled to be held on November 21, 2023.

In accordance with Utah Code Ann. § 20A-1-206(5) and Utah Code Ann. § 17B-1-306(5)(i), the Board of Trustees of Summit County Service Area #3 adopted Resolution 2023-06 on October 17, 2023, cancelling the Election and certifying that each of the following candidates for a seat on the Board of Trustees is unopposed and is considered to be elected to office with four-year terms beginning at noon on January 1, 2024:

- a. Larry Elbert, Upper Division, Plat C.
- b. Scott Sharp, Lower Division, Plat D

Pursuant to Utah Code § 20A-1-206(7), this notice will be posted fifteen (15) days before the local election on November 21, 2023 on: (1) the Statewide Electronic Voter Information Website; (2) the Service Area's website; (3) the Utah Public Notice Website; and (4) at the Service Area's office.