

**RESOLUTION NO. 2024-04**

**A RESOLUTION OF THE SUMMIT COUNTY SERVICE AREA # 3 BOARD OF TRUSTEES APPOINTING NEW TRUSTEES TO FILL RECENT MIDTERM VACANCIES AND WELCOMING NEW TRUSTEES APPOINTED BY THE SUMMIT COUNTY COUNCIL TO FILL LONGSTANDING MIDTERM VACANCIES**

WHEREAS, Summit County created Summit County Service Area #3 (“SCSA3”) to provide roads, trails, and water services to the residents of Silver Creek Estates; and

WHEREAS, Vince Pao-Borjigin was elected to the SCSA3 Board of Trustees (“**Board**”) to represent plats D, E, F, H, and I (“**Lower Silver Creek**”) and resigned on December 22, 2022; and

WHEREAS, Henry Adams was elected to the Board to represent Lower Silver Creek Estates and resigned on July 7, 2023; and

WHEREAS, Lori Daniells was elected to the Board to represent Plats A, B, and C (“**Upper Silver Creek**”) and her term ended without a successor Trustee on December 31, 2023; and

WHEREAS, Paul Kraus, the past Chair, was elected to the Board to represent Lower Silver Creek and resigned on July 19, 2024; and

WHEREAS, Suzanne Carpenter was elected to the SCSA3 Board of Trustees to represent Upper Silver Creek and resigned on July 22, 2024, but opted to remain on the Board until the Board could appoint her successor pursuant to Utah Code § 17B-1-304; and

WHEREAS, Larry Elbert was elected to the SCSA3 Board of Trustees to represent Upper Silver Creek, and resigned on July 17, 2024, but opted to remain on the Board until the Board could appoint his successor pursuant to Utah Code § 17B-1-304; and

WHEREAS, Utah Code § 20A-1-512(1)(a) states that “[w]hen a vacancy occurs on any special district board for any reason, the following shall appoint a replacement to serve out the unexpired term in accordance with this section...the special district board, if the person vacating the position was elected;” and

WHEREAS, Utah Code § 20A-1-512(2) states that if “90 days after a vacancy occurs, the special district board has failed to appoint an individual to complete an elected board member’s term, the vacancy shall be filled...in accordance with the procedure for a special district...and...by...the legislative body of the county...that created the special district;” and

WHEREAS, the Board was unable to fill the vacancies created by the departures of Trustees Adams, Daniells, and Pao-Borjigin within 90 days of their departures, and the Summit County Council appointed: (1) Karri Taix to represent Upper Silver Creek and to serve out the remainder of Trustee Daniells’s term; and (2) Otto Blum to represent Lower Silver Creek and to serve out the remainder of Trustee Pao-Borjigin’s term; and

WHEREAS, on August 23, 2024, the Board provided public notice of the new midterm vacancies created by the resignations of Trustees Carpenter, Elbert, and Kraus in accordance with Utah Code § 20A-1-512; and

WHEREAS, the Board held a duly noticed public meeting on September 17, 2024, to interview candidates and to appoint successor Trustees to replace Trustees Carpenter, Elbert, and Kraus; and

WHEREAS, pursuant to Utah Code § 20A-1-512, after interviewing the candidates, the Board desires to appoint new Trustees to replace Trustees Elbert and Kraus.

**NOW, THEREFORE, be it RESOLVED** by the Summit County Service Area #3 Board of Trustees that effective immediately:

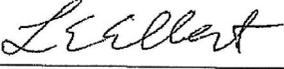
1. The Board appoints Scott Witkin to represent Upper Silver creek and to serve out the remainder of Trustee Elbert's term, which will expire on December 31, 2027.
2. The Board appoints Richard Parisi to represent Lower Silver Creek and to serve out the remainder of Trustee Kraus's term, which will expire on December 31, 2025.
3. The newly appointed Trustees will take their oaths of office at the Board's next regular meeting, October 15, 2024.
4. The Board expresses its sincere appreciation for Trustees Adams, Daniells, Elbert, Kraus, and Pao-Borjigin for their service to SCSA3 and wishes them the best in their future endeavors.
5. The Board welcomes Trustees Taix and Blum, who will serve out the remainder of the terms for Trustees Daniells and Pao-Borjigin, which will both expire on December 31, 2027.
6. Pursuant to Utah Code § 17B-1-303(7), the newly appointed Trustees will give bonds for the faithful performance of their duties in an amount prescribed by the Board, provided that SCSA3 will pay the cost of such bond.
7. The new Trustees are instructed to complete all trainings required by Utah law within one (1) year of the date of this resolution, including the special district board member training required under Utah Code § 17B-1-312 and the annual Open and Public Meetings Act training required under Utah Code § 52-4-104.
8. SCSA3 staff are instructed to post the names, phone numbers, and email addresses for the new Trustees on the Utah Public Notice Website pursuant to Utah Code § 17B-1-303(9) within thirty (30) days of the date the new Trustees take the required oath of office.
9. SCSA3 staff are instructed to provide all other notices regarding these appointments as required by law.

ADOPTED AND PASSED this 17<sup>th</sup> day of September 2024.

**SUMMIT COUNTY SERVICE AREA #3**

By:   
Suzanne Carpenter, Vice Chair  
Board of Trustees

ATTEST:

  
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Larry Elbert  
Board Clerk

VOTING

Trustee Blum voting	Yea
Trustee Carpenter voting	Yea
Trustee Elbert voting	Yea
Trustee Sharp voting	Yea
Trustee Taix voting	Yea
Vacant	n/a
Vacant	n/a