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Deputy County Attorney

TO: Summit County Council
FROM: Helen Strachan, Deputy County Attorney
Jessica Wilde, Senior Program Director
Janna Young, County Manager
DATE: October 5, 2022
RE: Amendments to Title, 2, Chapter 1 “Summit County Senior Citizen Services”

Please find attached a proposed ordinance amending Title 2, Chapter 1 of the Summit County Code related to our Summit County Senior Citizen Services. This section was adopted in 2010 and no changes have been made since that time. These amendments stem from meetings between County staff (the Attorney’s Office, Manager’s Office and the Senior Director) and members of each of the three Senior Centers. Below is a summary of the changes:

- Clarifying who makes up the board of each Senior Center (Section 2-1-3(A))
- Adding language regarding how Board member elections are handled and how Board positions are filled due to vacancies (Section 2-1-3(B))
- Changing the participation age of Senior Center members from 55 to 60 (Section 2-1-5)
- Clarifying the duties of the Senior Program Director and adding that the Director has final authority on all decision involving taxpayer funded employees, programs, equipment, buildings, or other public funds (Section 2-1-7)
- Clarifying that the President of each of the Senior Centers is responsible for and manages non-taxpayer funds (i.e. donations made directly to the Center and Senior dues) and the Senior Program Director, who is a County employee, manages all taxpayer funds (funds derived directly from the County or grants received by the County for the Senior Centers) (Section 2-1-4)
- Adding a new section related to use of County vehicles and setting forth the circumstances when the County will provide and pay for transportation and fuel (Section 2-1-9).

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SUMMIT COUNTY, UTAH

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 2, CHAPTER 1 OF THE SUMMIT COUNTY
CODE: “SUMMIT COUNTY SENIOR CITIZEN SERVICES”**

WHEREAS, Summit County Senior Citizen Services was codified as Title 2, Chapter 1 of the Summit County Code as part of Ordinance 749-A on December 15, 2010; and

WHEREAS, there have been no changes to that chapter since that time; and

WHEREAS, the Summit County Manager’s Office, Summit County Senior Director and the three Summit County Senior Boards are recommending some edits to Title 2, Chapter 1; and

WHEREAS, these edits include but are not limited to clarification on the election process, clarification of the roles of the Senior Director and the Senior Boards, clarification of participation status, and the addition of a vehicle use policy.

NOW THEREFORE, the County Legislative Body of the County of Summit, State of Utah, hereby ordains as follows:

Section 1. The Council hereby adopts the attached amended Title 2, Chapter 1, “Summit County Senior Citizen Services.”

Section 2. This Ordinance shall take effect after 15 days of the date below and upon publication in a newspaper published and having general circulation in Summit County.

APPROVED, ADOPTED, AND PASSED and ordered published by the Summit County Council, this ___ day of _____, 2022.

SUMMIT COUNTY COUNCIL, SUMMIT COUNTY, UTAH

By Council Chair

Wright voted____
Armstrong voted____
Clyde voted ____

Stevens voted ____

Robinson voted ____

APPROVED AS TO FORM

Deputy County Attorney

ATTEST:

SUMMIT COUNTY CLERK

Date of Publication _____, 2022.

2-1-1: CREATED:

A. There is hereby created an organization known as the "Summit County ~~S~~senior ~~S~~services" and shall be comprised of the now existing senior centers in Coalville, Kamas, and Park City (individually referred to as a "Senior Center," collectively referred to as "~~S~~senior ~~C~~centers") as well as the senior program director ("Director") and staff.

B. The county manager shall appoint ~~a senior program director ("director"),~~the Director, who shall act on behalf of the county as the supervisor, facilitator, financial manager and liaison for the Summit County ~~S~~senior ~~s~~Services.

2-1-2: PURPOSE:

A. It is the purpose and mission of the Summit County ~~S~~senior ~~S~~services to act as designated beneficiary for all federally and state funded senior programs, and to facilitate member participation in programs and activities that senior citizens enjoy, and to create an environment which is open and easily accessible to aged persons.

B. Each ~~S~~senior ~~C~~center's publicly funded functions ~~may shall~~ be carried out by the Director. The Senior Boards shall provide input and recommendations to the Director. through its president, under the guidance, direction and/or approval of the director. Activities not involving public funds do not need director approval.

2-1-3: OFFICERS; ELECTION; TERM; POWERS:

A. ~~Senior Boards~~Election: Each ~~S~~senior ~~C~~center shall be comprised of a duly elect a president, vice president, and treasurer and up to six additional (6) board members, collectively referred to as the "Board." secretary who shall manage, plan and facilitate the day to day functions and activities of the center (together the "board"). However, the director shall be advised of those functions/activities by each senior center. Each Senior Board and the Director shall manage, plan and facilitate the day-to-day functions and activities of each Senior Center.

B. Elections and Terms Of Office: Any eligible Senior Center participant (see Section 2-1-5) may be considered for the positions of president, vice president, and treasurer of the Senior Board or as an at-large Senior Board member. Those wishing to run for a Board position may file for office in the December preceding the election the following January. The filing window shall close on December 31st and in January, each Senior Center shall have ballot boxes for any open Senior Board positions where eligible Senior Center participants may cast their votes. Votes will then be tallied by the Director and the election shall be ratified at the next available Board meeting with the . The president, vice president, and secretary shall be elected at the first meeting held in January of every other year. The elected officers shall take taking office at the first meeting held in February of each year after the election. In order to stagger terms, the first election shall be for the president to serve a two (2) year term and the vice president to serve a one-year term. The term of office for the elected officers-Board members shall be for two (2) years and shall terminate at the election of new officers at the first meeting held in January. If the president leaves the Senior Board during his/her term, the vice president shall succeed to the office of president for the remainder of the term. If the vice president leaves the Senior board or succeeds to the office of president, the Senior Board, at its next regularly scheduled meeting, the

Senior Board shall hold an election, by motion to fill the vacancy of vice chair. If any other Senior Board member leaves the Senior Board during his/her term, the Board, by motion, shall appoint a member of the Senior Center to fill the Senior Board position.

The president shall preside over and conduct all meetings. In the absence of the president, the vice president shall preside and conduct.

C. Annual Meeting: The annual meeting of each Senior Center's general membership shall be the first meeting in January. A majority of the general membership in attendance for each Senior Center shall constitute a quorum for the transaction of business and election of the officers at the annual meeting. A written roll call shall be taken to determine the attendance at the meeting.

~~C. Compensation: The president, vice president, and secretary may receive a stipend.~~

D. Open To The Public: All regular, special work session and field trip meetings of each Board ~~the board~~ shall be ~~are~~ open to the public. Each Board ~~The board~~ shall conduct its business in compliance with the Utah open meetings law, including public notification of meeting places, times, and agenda items. Written minutes of each open Bboard meeting shall be prepared, preserved and made available for public inspection.

2-1-4: MANAGEMENT OF FUNDS;~~;~~ CONTRACTS:

A. The president of each Board shall have the authority to manage any non-taxpayer funds collected or received independent from a governmental entity such as Summit County or another governmental agency. The ,but the dDirector shall maintain management of all taxpayer or governmental funds, equipment or services -and governmentally funded programs.

~~B. The president may recommend to the director that a contract for custodial, food preparation, driving or any other services deemed necessary to senior center operations be pursued. All contractors which are to be paid by or through Summit County, shall be solicited in a manner consistent with county policies and approved by the director and the county manager before the contract shall be in effect. Contractors shall be deemed "independent contractors" and not employees of the senior centers or of Summit County or any other governmental agency who may participate in funding.~~

2-1-5: MEMBERSHIP PARTICIPATION:

Membership Participation with the Summit County Ssenior Sservices or with any Summit County Ssenior eCenter requires that each member-participant be at least ~~fifty five (55)~~ sixty (60) years of age. A spouse younger than ~~fifty five (55)~~ sixty (60) years of age may ~~become a member~~ participate if their spouse meets the age requirements. ~~No membership fee shall be required.~~ Participants are required to pay an annual membership fee. Only members that have paid their annual membership fee are eligible to be a Board member or to vote for Board positions.

2-1-6: ANNUAL MEETING:

~~C. The annual meeting of each senior center's general membership shall be the first meeting in January. Election of the president and vice president by secret ballot every other year, will take place at the annual meeting.~~

~~—B. A majority of the general membership in attendance for each senior center shall constitute a quorum for the transaction of business and election of the officers at the annual meeting. A written roll call shall be taken to determine the attendance at the meeting. (Ord. 749 A, 12-15-2010)~~

2-1-7: SENIOR PROGRAM DIRECTOR; POWERS:

A. The ~~senior program director ("director")~~Director shall:

1. Have supervisory authority over the publicly funded employees, programs, funds, equipment and buildings ~~—~~and shall assist with the ~~day to day~~day-to-day operations of each Senior Center.

2. Collect, prepare and maintain all financial records of the individual Senior Centers and the Summit County Senior Services as a whole, including the collection, expenditure and reporting of all governmental funds.

3. Act as a liaison between the county manager and the Senior Centers.

4. Assist in the scheduling, coordination and transportation of county sponsored (taxpayer funded) funding of activities.

5. Search for and administer funding and services for the Summit County senior services, the Senior Centers and other senior citizens within Summit County.

6. Provide educational programs regarding nutrition, exercise, recreation and other programs which may be relevant to the senior population.

~~—7. Coordinate transportation assistance and special group outings.~~

87. Act as a liaison between the Summit County Senior Services and Mountainlands Association Of Governments with respect to other programs which they may fund and over which they may have jurisdiction.

B. The Director shall consider the recommendations of each Board, but shall in all cases have final authority on decisions involving taxpayer funded employees, programs, equipment, buildings or other public funds.~~The director shall have authority to override a vote or decision of any president or vice president of a senior center, when the director feels it to be in the best interest of Summit County.~~

~~In the event the director exercises this option, the affected officer may appeal the director's decision to the county manager, who shall render the final decision.~~

2-1-8: ANNUAL REPORT:

A. ~~The board~~Each Board shall make an annual presentation to the county manager of its goals, budget, and activities.

2-1-9: SENIOR SERVICES VEHICLE USE POLICY:

- A. County vehicles, including buses, are to be used only for, county sponsored, and approved functions which are considered part of the taxpayer funded County program. County employees or authorized volunteers are the only individuals allowed to drive the county vehicles. Any single vehicle with a gross vehicle weight rating of 26,001 pounds or more requires a CDL. The county buses weight range from a GVWR of 12,500 to 14,500.
- B. Any employee hired as a bus driver by the County will be considered on duty anytime they are driving a bus. Employees may not serve as a volunteer driver.
- C. All individuals interested in becoming an authorized volunteer must be approved through the Summit County Human Resources department and as outlined in the Count. To become an authorized volunteer an individual must have a valid Utah driver's license, submit a Motor Vehicle Report (MVR), and pass a drug test.
- D. Any Senior Center activity that is planned by the Board or designee may be eligible for County funded transportation and fuel, provided that there is adequate budgeted funding available as determined by the Director. Senior Center activities that are not taxpayer funded activities are still eligible for County funded transportation and fuel provided that the activity is a day trip within the state of Utah and has received budget approval as determined by the Director. Senior Center activities that are not taxpayer funded activities and are considered overnight trips are still eligible to use a County vehicle provided that the Senior Center pays for the associated fuel costs.
- E. The Director is to coordinate transportation assistance and special group outings including grocery and shopping trips, doctor appointments, and group activities that are made available to all county senior citizens.