

Daniel Town Council Work Meeting
Wednesday, December 21, 2022, at 5:30 PM
Wasatch County Services Building, Conference B
55 South 500 East, Heber City, UT

Work Session Meeting Minutes

Quorum Present: Mayor Scott Kohler, Council members Jon Blotter, Robyn Pearson, Merry Duggin, Barry Dixon, Planner Eric Bunker, and Clerk/Recorder Kim Crittenden to take minutes.

Members of the Public: No members of the public attended

Mayor Kohler called the meeting to order at 5:40 pm and turned over the time to Council Member Duggin.

1) Town of Daniel Policies and Procedures Discussion

Council Members were referred to handouts that had been adapted from the Fraud Risk Assessment handouts provided in earlier Town Council Meetings.

Council Member Duggin briefly explained the reasoning behind adopting the policies because the State of Utah had requested this annual exercise as part of the Fraud Risk Analysis. She stated that while she did not think that any fraud had concluded in the Town, the State considers small Towns vulnerable.

The first policy considered was the Procurement Policy. Council Member Blotter was asked to present. There was significant debate about wording including but not limited to who would be the “designated purchasing agent”, how a “designated agent” would be defined, and what “time to time” meant. Council Member Pearson pointed out that all of the policies are already covered in the Utah Code. Concerns about the length and weightiness of the document were beyond the needs of a small town like the Town of Daniel and more applicable to a city the size of Salt Lake. Several times, it was also pointed out that all Council Members had signed documents including requiring all conflicts of interest after taking the Oath of Office and that all employees and Council Members are required by law to disclose any possible conflicts of interest. The language about “Conflict of Interests” was decided to be redundant.

It was mentioned that all contracts should be approved by the Town Council and the Mayor. Discussions about purchasing practices ensued. Purchasing procedures and the amount required for approval from the Mayor and then the Town Council were debated. It was noted that the language about purchasing policies requiring ethical purchasing policies in the document was extraneous and should be eliminated and then simply refer to the State Code.

Authorization amounts for purchases and the language about “department heads” was discussed. It was decided that positions rather than individuals should be listed to keep the document consistent. It was noted that purchases up to \$1,000 did not require approval. Planner Bunker stated that the limit for all Town purchases was \$1,500 per month on the Town Credit Card. It was noted that the policy discussed purchase orders that required authorization from the “purchasing agent” or the Mayor, despite the fact the Town does not use purchase orders

when acquiring goods or services. It was discussed that purchases from \$1,000-5,000 will require prior approval from the “purchasing agent” and/or Mayor. It was noted that any purchase from \$5,000-\$15,000 requires Town Council approval and must be on the meeting agenda. Purchases over \$15,000 will require competitive bids, but it was noted that acceptance of the lowest possible bid was not required. The difference between competitive sealed bids and competitive bids was discussed and it was noted that the Town had used competitive sealed bids in the past on larger road projects and was determined by the scope of the project rather than by the amount of the project.

Council Member Blotter agreed to modify the document, per discussion, and resubmit it to the Council for approval.

The meeting moved on to consider the Ethical Behavior Policy. The policy template provided was discussed and several members of the Council felt that the Ethical Behavior Policy was covered under the oath of office. Council Member Dixon noted that the only exception was perhaps just technology which should simply require that all Town IT services, software, and technology should only be used for Town business purposes.

2) Possible closed session as permitted by UCA 52-4-205 – No closed session.

3) Adjourn

Council Member Blotter moved to adjourn. Council Member Duggin seconded the motion. The roll call vote was Duggin yes, Blotter yes, Kohler yes, Pearson yes, and Dixon yes. The motion passed.

The meeting was adjourned at 6:50 pm

Kim Crittenden
Clerk/Recorder