RESOLUTION NO. 26-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SPRING LAKE, UTAH, ADOPTING FRAUD RISK ASSESSMENT POLICIES AND INTERNAL CONTROL PROCEDURES

WHEREAS, the Town of Spring Lake is committed to maintaining the highest standards of accountability, integrity, transparency, and stewardship of public resources; and

WHEREAS, the Town Council recognizes the importance of establishing and maintaining effective internal controls and fraud prevention measures to safeguard public funds and assets; and

WHEREAS, the Town Council finds that adopting formal Fraud Risk Assessment Policies and Internal Control Procedures will assist the Town in identifying, mitigating, and preventing fraud risks while promoting sound financial management and compliance with applicable laws and auditing standards; and

WHEREAS, the Town Council has reviewed proposed Fraud Risk Assessment Policies and finds that adoption of such policies is in the best interest of the Town and its residents.

NOW THEREFORE, the Town Council of the Town of Spring Lake, Utah, hereby ordains as follows:

1. – Adoption

The Town Council hereby adopts Fraud Risk Assessment Policies and Internal Control Procedures. The following policies are incorporated as the official policies of the Town of Spring Lake and are attached as **Exhibit A**.

- Conflict of Interest Policy
- Procurement Policy
- Ethical Behavior Policy
- Reporting Fraud and Abuse Policy
- Travel Policy
- Credit/Purchasing Card Policy
- Personal Use of Entity Assets Policy
- IT and Computer Security Policies
- Cash Receipting and Deposit Policies

2. – Administration

The Mayor, Town Recorder, Town Treasurer, and other Town officers and employees are authorized and directed to implement and administer these policies in the performance of their official duties.

3. – Periodic Review

The Town Council directs that the Fraud Risk Assessment Policies be reviewed periodically and updated as necessary to reflect changes in operations, applicable laws, accounting standards, or best practices.

4. – Severability

If any provision of this Resolution is determined to be invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

5. – Effective Date

This Resolution shall take effect immediately upon its adoption.

ADOPTED AND PASSED by the Town Council of the Town of Spring Lake, Utah, this __ of ____________, 20__.

Signed: ___________________________

Wade Menlove, Mayor

Attest: ____________________________

Rebecca Batty, Town Recorder (or Brenda Warner, Deputy Town Recorder)

TOWN COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Wade Menlove	_____	_____	_____	_____
Sharon Bascom	_____	_____	_____	_____
Robert Judd	_____	_____	_____	_____
Robert Marsh	_____	_____	_____	_____
David Charles	_____	_____	_____	_____

Conflict of Interest Policy

Overview

Officers of the Town of Spring Lake individually commit themselves in their official capacity to ethical, businesslike, and lawful conduct, including appropriate use of their authority and decorum at all times. Officers must avoid even the appearance of impropriety to ensure and maintain public confidence in the Town. Officers owe a fiduciary duty to the Town and must not act in a manner that is contrary to that duty or to the interests of the Town. Officers must place the interests of the Town over their own personal interests with respect to the governance, policy, strategic direction, and operations of the Town of Spring Lake.

Policy

It is the intent of the Town of Spring Lake to meet and exceed those protections against conflicts of interest contained in State law. Under this policy, a conflict of interest arises when an officer has a personal interest in a matter that is or may be in conflict with or contrary to the Town's interests and objectives to such an extent that the officer is or may not be able to exercise independent and objective judgment within the context of the best interest of the Town. For the purposes of this policy, an officer's "personal interest" includes those of his or her relatives, business associates, or other persons or organizations with whom he or she is closely associated.

- The following provisions shall serve as a guide to officers with respect to the affairs of the Town:

  a. Town officers shall not receive, accept, take, or solicit, directly or indirectly, anything of economic value as a gift, gratuity, or favor from a person or entity if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment, or be considered as part of a reward for action or inaction. Officers are required to submit a report to the Town Treasurer and the Town's Internal Auditor of the actual or estimated value of any gifts or casual entertainment received as an officer that exceeds $50.00.

  b. The complete confidentiality of proprietary business information must be respected at all times. Officers are prohibited from knowingly disclosing such information, or in any way using such information for personal gain or advancement, or to the detriment of the Town, or to individually conduct negotiations or make contacts or inquiries on behalf of the Town unless officially designated by the Town Council.

  c. Officers are prohibited from acquiring or having a financial interest in any property that the Town acquires, or a direct or indirect financial interest in a supplier, contractor, consultant, or other entity with which the Town does business. This does not prohibit the ownership of securities in any publicly owned company except where such ownership places the officer in a position to materially influence or affect the business relationship between the Town and such publicly owned company. Any other interest in or relationship with an outside organization or individual having business dealings with the Town is prohibited if this interest or relationship might tend to impair the ability of the officer(s) to be independent and objective in his or her service to the Town.

d. If members of the immediate family of an officer have a financial interest as specified above, such interest shall be fully disclosed to the Town Council, which shall decide if such interest should prevent the Town from entering into a particular transaction, purchase, or engagement of services. The term "immediate family" means the officer's spouse, parent, dependent children, and other dependent relatives.

e. When a conflict of interest exists, the officer shall publicly declare the nature of the conflict and may recuse himself or herself from any official action involving the conflict.

f. Officers may not realize, seek, or acquire a personal interest in a business that does business with the Town.

g. Officers shall complete a Conflict of Interest Disclosure Form annually by the end of January. This Form shall be signed and notarized. Completed Forms shall be submitted to the Town Recorder and made available to the public upon request.

h. The Town Recorder shall provide copies of all completed Forms to the Town Council Chair at the end of January each year.

i. The Town Council Chair shall review all completed forms and consider the disclosures. The Town Council Chair should make changes to assignments, duties, or contracts deemed appropriate to eliminate or mitigate conflicts of interest within the Town.

Procurement Policy

A Policy of Spring Lake prescribing the manner in which Spring Lake shall procure goods and services.

General Provisions

1. Purchasing Agent Designated. The Town Treasurer is hereby appointed and designated as the Spring Lake purchasing agent. The Purchasing Agent may, from time to time, appoint another person to undertake all or some of the duties of the Purchasing Agent set forth herein or appointed to him.
2. Authority to Enter into and Execute Contracts. All contracts are to be approved by the Town Council. No department, office, advisory or policy board, or other organization of Spring Lake, nor any officer or employee thereof, shall be empowered to execute any purchase order or contract except as specifically authorized in this policy or by other applicable law. All contracts in violation of this provision are considered void and may result in the personal obligation and liability of persons at fault for such violations.
3. Conflict of Interests Prohibited. No officer, employee, agent, representative, or member of any committee of the Town shall have a financial interest in any contract, bid, or proposal; receive any compensation or gift from any bidder or proposer; or have any other conflict of interest (See Utah Code 67-16 and 17-16a).
4. Competitive Procurement. Unless exempted by this policy, all purchases and contracts shall be awarded on a competitive basis, as required by this policy and applicable State and Federal law.
5. Participation in State Procurement Unit Agreement and Contracts. Pursuant to Utah Code 63G-6a-2105, Spring Lake may make purchases from or participate in state public procurement unit agreements and contracts, pursuant to the terms of said agreements and contracts, without soliciting additional procurement options.
6. Unethical Purchasing Practices. Failure of any agent, officer, or employee to comply with ethical purchasing requirements may result in suspension, termination, being personally liable for the purchase, and/or criminal prosecution. All agents, officers, and employees engaged in the procurement process for Spring Lake will maintain high ethical behavior in agreement with Utah Code 67-16, Utah Public Officers' and Employees' Ethics Act, and avoid the following practices:
    a. Dividing a procurement to avoid following policy (see Utah Code 63G-6a-2404.3)
    b. Kickbacks and Gratuities (see Utah Code 63G-6a-2404, 67-16-5 through 67-16-6)
    c. Failure to Disclose conflicts (see Utah Code 63G-6a-1205 & 67-16-9)
    d. Cost-plus-a-percentage-of-cost contracts (see Utah Code 63G-6a-1205)
7. Spring Lake purchases are not subject to sales tax. For vendors requiring documentation of tax-exempt status, a TC-712G Exemption Certificate for

Governments and Schools may be obtained from the Treasurer at treasurer@springlakeutah.gov.

8. When a procurement involves the expenditure of State or Federal funds, [Entity Name] shall comply with the applicable State and Federal laws and regulations.

Authorization Requirements for Purchases

1. Purchases up to $1,000. All procurements of services and goods in an amount less than $1,000 may be approved by the Town Treasurer, provided such procurements have been budgeted for within the department and are in line with the budgeted purposes and responsibilities of said department.
2. Purchases over $1,000. All procurements of services and goods in an amount over $1,000 must have a purchase order approved by the Treasurer or Purchasing Agent and Town Council prior to initiating the purchase. Descriptions of items or services will use sufficient and descriptive terminology to allow the reviewer to understand what is being purchased and why; part numbers by themselves are not sufficient.
3. Purchases over $5,000. All procurements of services and goods in an amount over $5,000 must have a purchase order approved by the Treasurer or Purchasing Agent and the Town Council. Documentation of the solicitation of three quotes or a reference to the exemption of those requirements must be attached. (See telephone quote sheet at the end of this policy).
4. Purchases over $15,000. All procurements of services and goods in an amount over $15,000 must be put out for competitive bid to be prepared and approved by the Treasurer or Purchasing Agent and the Town Council (See section on Competitive Bids for requirements). Purchases over $15,000 require a written contract to be approved in an open meeting.
5. Avoidance of approval and written contract requirements. Purchases shall not be divided into smaller purchases for the purpose of evading the approval process required by this policy, or for the purpose of avoiding the need to obtain a written contract.
6. Competitive Sealed Bids – When Required
    a. The Town Council may also require competitive sealed bidding for the procurement of goods and services for any amount.
    b. In the event that bids exceed available funds and the lowest responsive and responsible bid does not exceed funds available by more than five percent, the Town Council may, where time or economic considerations preclude re-solicitation of work of a reduced scope, negotiate an adjustment of the bid price, including changes in the bid requirements, with the lowest responsive and responsible bidder, in order to bring the bid within the amount of available funds.
    c. Content of Invitation for Bids. An invitation for bids shall:
        i. State that Spring Lake is seeking bids for a procurement;
        ii. Contain information on how to contact the person with the most knowledge about the procurement;
        iii. State the period of time during which bids will be accepted;
        iv. Describe the manner in which a bid shall be submitted;

v. State the address at which a bid may be submitted, and the person to whom the bid should be submitted;
vi. Describe the goods or services sought to be procured;
vii. List or refer to the objective criteria that will be used to evaluate the bids.
viii. To the extent possible, include or reference significant contractual terms and conditions.
ix. State the date, time, and place for the public opening of all bids.
x. An invitation to bid may require attendance at a pre-bid meeting for the purpose of obtaining additional information relevant to the bid. The invitation shall list the time, date, and place of any pre-bid meeting that will take place.
xi. An invitation to bid may require that a bidder obtain additional specifications and objective criteria too lengthy to publish in the invitation for bids. The invitation to bid shall indicate where such information may be obtained.

d. All invitations for sealed bids shall be published on the Town website at least 14 days prior to the deadline for submission of a bid.
e. All bids shall be opened by the Treasurer or designated representative in an open public meeting, before one or more witnesses, at the time and place indicated in the invitation for bids. The name of the bidder and the amount of each bid shall be recorded and made available to the public. Bids shall not be accepted after the time for submission of a bid has expired.
f. The Town Council shall reject bids from further evaluation that are: incomplete, illegible, conditional, modify bid requirements, contain additional terms or conditions, divide bid into parts, failed to attend required pre-bid meetings, fail to confirm requirements or specifications, the bidder has a pending dispute with Spring Lake on a previous project or where the Town Council reasonably concludes that the bidder is unable to satisfactorily fulfill the bid requirements or has engaged in unlawful or unethical conduct in attempting to secure the bid. Any bidder whose bid has been rejected may obtain from the Town Council a written finding stating the specific reason the bid was rejected.
g. The Town Council shall award the bid/contract to the lowest qualified bidder or the bidder who best satisfies the objective criteria described in the invitation for bids, which may include: Experience, performance ratings, inspection of workmanship, suitability, quality, likely compatibility with existing assets or practices, availability, warrantee, references, licensure, proximity or other criteria reasonably specified in the invitation to bid.
h. Tied bids may be resolved using any reasonable criteria and at the sole discretion of the Town Council.
i. Spring Lake may cancel the bid process or reject all bids in whole or in part if it determines that no bids met bid requirements, there are insufficient funds, the item is no longer needed, or the specifications or timing do not meet Spring Lake’s current needs or long-term plans. In the event of a bid cancelation the Town Council shall publicly state the reason for the cancellation and make that information available for public inspection.

j. Exemptions from competitive bid requirements may include the following: Sole source providers, service contracts with professionals or specialists, and emergency purchases. The Treasurer shall sufficiently document the reason for not competitively bidding the procurement and have it approved by the Town Council.
k. Protests to the bidding process shall be submitted to the Treasurer in writing within 5 days. The Treasurer will respond to the protest within 10 days of receiving the complaint. The Treasurer's decision may be appealed to the Town Council in writing within 5 days. The Town Council may address the appeal at its next regularly scheduled meeting or hold a special meeting to evaluate the merits of the protest appeal.

QUOTE SHEET

Product or Service Requested: (Include specific project requirements such as required completion date, etc.)

____
____
____
____
____

Vendor #1:

Company Name: ____

Person Contacted: ______________________________ Date Contacted: ______________________

Method of Contact: □ Phone □ E-mail □ In-person □ Other:

Contact Information: Phone: _______________ Address: ___________________________

Amount Quoted: (Or attach vendor's written proposal or bid) _______________________

Vendor #2:

Company Name: ____

Person Contacted: ______________________________ Date Contacted: ______________

Method of Contact: □ Phone □ E-mail □ In-person □ Other:

Contact Information: Phone: _______________ Address: ___________________________

Amount Quoted: (Or attach vendor's written proposal or bid) _______________________

Vendor #3:

Company Name: ____

Person Contacted: ______________________________ Date Contacted: ______________

Method of Contact: □ Phone □ E-mail □ In-person □ Other:

Contact Information: Phone: _______________ Address: ___________________________

Amount Quoted: (Or attach vendor's written proposal or bid) ______________________

Other Items to be considered that may be found in purchasing policies:

- Requirement for W-9's to be submitted for all new vendors
- Exempting Payroll and Utilities from purchase order requirements
- Allowing the Purchasing Agent authority to modify PO's up to a percentage for freight or other unforeseeable items.
- Allowance for preference of local vendors (this is not allowed when expending Federal Funds.
- Requirement for contracts to be reviewed and approved by the County Attorney
- Disposition of Surplus Property
- Records retention for bid documentation
- Anti-collusive bidding

Ethical Behavior Policy

Employee Code of Ethics

Prohibited Conduct

No current employee or officer, as specified, shall:

1. Disqualification from Acting on Spring Lake Town Business.
    a. Engage in any transaction or activity, which is, or would to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties, or which impairs, or would to a reasonable person appear to impair, the employee's independence of judgment or action in the performance of official duties and fail to disqualify him or herself from official action in those instances where conflict occurs;
    b. Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any matter upon which the employee is required to act in the discharge of his or her official duties, and fail to disqualify himself or herself from acting or participating;
    c. Fail to disqualify themselves from acting on any transaction which involves Spring Lake and any person who is, or at any time within the preceding twelve (12) month period has been a private client of his or hers, or of his or her firm or partnership;
    d. Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any contract or transaction to which Spring Lake or any Town agency may be a party, and fails to disclose such interest to the appropriate authority prior to the formation of the contract or the time Spring Lake or any Town agency enters into the transaction; provided, that this paragraph shall not apply to any contract awarded through the public bid process in accordance with applicable law.
2. Improper Use of Official Position.
    a. Use his or her official position for a purpose that is, or would to a reasonable person appear to be primarily for the private benefit of the employee, rather than primarily for the benefit of Spring Lake; or to achieve a private gain or an exemption from duty or responsibility for the employee or any other person;
    b. Use or permit the use of any person, funds, or property under his or her official control, direction, or custody, or of any Town funds or property, for a purpose which is, or to a reasonable person would appear to be, for something other than a legitimate purpose.
    c. Except in the course of official duties, assist any person in any transaction where the employee's assistance is, or to a reasonable person would appear to be, enhanced by that employee's position with the Town;

provided that this subsection shall not apply to: any employee appearing on his or her own behalf or representing himself or herself as to any matter in which he or she has a proprietary interest, if not otherwise prohibited by ordinance;

   d. Regardless of prior disclosure thereof, has a financial interest, direct or indirect, personally or through a member of his or her immediate family, in a business entity doing or seeking to do business with Spring Lake, and influence or attempt to influence the selection of, or the conduct of business with that business or entity.

3. Accept Gifts or Loans.
   a. Ask for or receive, directly or indirectly, any compensation, gift, gratuity, or thing of value, or promise thereof, for performing or for omitting or deferring the performance of any official duty; except that the following shall be allowed:
      i. Unsolicited flowers, plants, and floral arrangements;
      ii. Unsolicited advertising or promotional items of nominal value, such as pens and notepads;
      iii. Unsolicited token or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
      iv. Unsolicited food items given to a department when the contents are shared among employees and the public;
      v. Unsolicited items received for the purpose of evaluation or review, provided the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the Town;
      vi. Information material, publications, or subscriptions related to the recipient's performance of official duties;
      vii. Food and beverages consumed at hosted receptions where attendance is related to official duties;
      viii. Meals, beverages, and lodging associated with retreats or other meetings where the official serves as a representative, designee, or is otherwise assigned to another organization or entity from the Town;
      ix. Travel costs, lodging, and tuition costs associated with Town-sanctioned training or education when not provided by a private entity under contract with the Town;
      x. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization, and other officials or employees of similar agencies are in attendance;
      xi. Unsolicited gifts from dignitaries from another entity or other jurisdiction that are intended to be personal in nature;
      xii. Campaign contributions; and
      xiii. Unsolicited gifts with an aggregate economic value of $50.00 or less from a single source in a calendar year received either directly or indirectly by the official or employee.
4. Disclose Privileged Information.

    a. Disclose or use any privileged or proprietary information gained by reason of his or her official position for the immediate or anticipated personal gain or benefit of the employee or any other person or entity; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.
5. Financial or Beneficial Interest in Transactions.
    a. Regardless of prior disclosure, an employee or officer may not participate in or benefit from (personally or through his or her family) a contract or agreement where that employee or officer acted as an agent of Spring Lake. This includes receiving compensation, gratuity, or other benefits from an interested party of an agreement or contract with Spring Lake.
6. Nepotism.
    a. Violate *Utah Code* § 52-3, which prohibits employment of relatives, with few exceptions.
7. Misuse of Public Resources or Property.
    a. Violate *Utah Code* § 76-8-4, which delineates the unlawful use of public funds and destruction of property, including records.
8. Outside Employment.
    a. Retain secondary employment outside of Spring Lake employment, which, as determined by the Town Council, and according to Utah Administrative Code R477-9-2:
        i. Interferes with an employee's performance.
        ii. Conflicts with the interests of Spring Lake or the State of Utah.
        iii. Gives reason for criticism or suspicion of conflicting interests or duties.
9. Political Activity.
    a. Except as otherwise provided by law:
        i. The partisan political activity, political opinion, or political affiliation of an applicant for a position with Spring Lake may not provide a basis for denying employment to the applicant.
        ii. A Spring Lake officer's or employee’s partisan political activity, political opinion, or political affiliation may not provide the basis for the officer or employee's employment, promotion, disciplinary action, demotion, or dismissal.
        iii. A Spring Lake employee may not engage in political campaigning or solicit political contributions during hours of employment.
        iv. A Spring Lake officer or employee may not use Town equipment while engaged in campaigning or other political activity.
        v. A Spring Lake officer or employee may not directly or indirectly coerce, command, or advise another Town officer or employee to pay, lend, or contribute part of the officer's or employee's salary or compensation, or anything else of value to a political party, committee, organization, agency, or person for political purposes.
        vi. A Spring Lake officer or employee may not attempt to make another officer or employee's employment status dependent on the officer's or employee's support or lack of support of a political party,

affiliation, opinion, committee, organization, agency, or person engaged in political activity.

b. A Spring Lake employee who has filed a declaration of candidacy may:
    i. be given a leave of absence for the period between the primary election and the general election; and
    ii. Use any vacation or other leave available to engage in campaign activities.
c. Neither the filing of a declaration of candidacy nor a leave of absence under this section may be used as the basis for an adverse employment action, including discipline and termination, against the employee.
d. Nothing in this chapter shall be construed to:
    i. prohibit a Spring Lake officer or employee's voluntary contribution to a party or candidate of the officer or employee's choice; or
    ii. Permit a Spring Lake officer or employee to engage in partisan political activity that is prohibited under federal law.
e. No Spring Lake officer or employee shall solicit or participate in soliciting any assessment, subscription, or contribution to any political party during working hours on the premises of any Spring Lake property.
f. No Spring Lake officer or employee shall promise any appointment to any position with Spring Lake as a reward for any political activity.
g. A Spring Lake employee who is elected to an office with Spring Lake shall terminate Town employment prior to being sworn into the elected office.

10. Fair and Equal Treatment.
    a. No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any appointive public office because of such person's race, color, age, religion, sex, national origin, or functional limitation as defined by applicable state or federal laws, if otherwise qualified for the position or office.
    b. No Spring Lake officer or employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
11. Prohibited Conduct After Leaving Spring Lake:
    a. No former employee shall, during the period of one (1) year after leaving office or employment by the Town of Spring Lake:
        i. Disclose or use any privileged or proprietary information gained by reason of his/her Town employment for his/her gain or anticipated gain, or for the gain or anticipated gain of any person, unless the information is a matter of public knowledge or is available to the public on request;
        ii. Assist any person in proceedings involving an agency of Spring Lake with which he/she was previously employed, involving a matter in which he or she was officially involved, participated, or acted in the course of duty;
        iii. Represent any person as an advocate in any matter in which the former employee was officially involved while a Spring Lake employee;

iv. Participate as a competitor in any competitive selection process for a Town contract in which he or she assisted the Town in determining the project or work to be done or the process to be used.

Reporting Fraud or Abuse Policy

Definition

"Improper governmental action" means any action by a Spring Lake employee:

1) That is undertaken in the performance of the employee's official duties, whether or not the action is within the scope of the employee's employment; and

2) That is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety or is a gross waste of public funds.

Reporting Fraud or Abuse

Employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the Town Mayor or such other person as may be designated by the Mayor to receive reports of improper governmental action.

In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate department with responsibility for investigating the improper action.

The supervisor or the Mayor's designee shall take prompt action to assist Spring Lake in properly investigating the report of improper governmental action. Spring Lake officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

Spring Lake employees may report information about improper governmental action directly to the Town Recorder if the employee reasonably believes that an adequate investigation was not undertaken to determine whether an improper governmental action occurred, or that insufficient action has been taken to address the improper governmental action or that, for other reasons, the improper governmental action is likely to recur.

Spring Lake employees who fail to make a good-faith attempt to follow procedures in reporting improper governmental action shall not receive the protections provided by Spring Lake in these procedures.

Complaints, Investigations, Review and Enforcement

A. Any person may file a complaint alleging a violation of this policy.

B. The complaint shall be in writing and shall, except as described in section C below, be signed by the complainant. The written complaint should state the nature of the alleged violation(s), the date(s), time and place of each occurrence, and the name of the person(s) charged with the violation(s). The complaint shall be filed with the Town Recorder, who shall provide a copy to the person charged with a violation. The complainant shall provide the Recorder with all available documentation or other evidence to demonstrate a reason for believing that a violation has occurred.

C. This policy is intended to protect employees who choose to come forward in good faith with complaints about governmental actions and the conduct of Spring Lake employees. Anonymous complaints have the potential to subject the person who is the subject of the complaint to an investigation that may, at the least, cause stress and embarrassment, and may, at most, result in discipline or termination of employment. Spring Lake is reluctant to begin an investigation based on an anonymous complaint due to the fact that evidence will be difficult to obtain and verify, and it will be impossible to assess the complainant's credibility. Complainants and whistleblowers have protection from retaliation under Spring Lake policy. A thorough investigation of complaints is Spring Lake’s goal. It may not be possible to conduct a thorough investigation when a complainant remains anonymous. Therefore, Spring Lake reserves the right to decline to investigate any complaint that is provided anonymously.

   If a complaint is received anonymously, it shall be directed to the Mayor for a recommendation on the processing of the complaint. Upon review of the complaint, the Mayor will recommend to the Town Council either that the complaint has no merit or that it should be investigated. Such a recommendation will be made within ten (10) days of receipt of the complaint, if possible. Upon receipt of the Mayor’s recommendation, the Town Council shall make the final determination on whether or not to continue the investigation, end the investigation, or refer the matter to an outside entity.

D. Within thirty (30) days after receipt of a complaint, the Recorder or another person appointed by the Town Council shall conduct a preliminary investigation. If the Recorder or the Mayor is implicated in the complaint, the Town Council will determine an independent person who will conduct the investigation. Criminal allegations will be referred to the proper law enforcement agency.

E. If the Recorder determines, after preliminary investigation, that there are no reasonable grounds to believe that a violation has occurred, the Recorder shall advise the Town Council to dismiss the complaint. If the Town Council does dismiss the complaint, it shall do so in writing, setting forth the facts and provisions of law upon which the dismissal is based, and shall provide a copy of the written dismissal to the complainant, to the person charged with the violation and to the governing board.

Whistleblower Protection

Utah Code § 67-21-3 prohibits public employers from taking adverse action against their employees for reporting in good faith government waste or violations of law to the appropriate authorities. A public entity employee, public body employee, legislative employee, or judicial employee is presumed to have communicated in good faith if they have given written notice or otherwise formally communicated the conduct to the person in authority over the person alleged to have engaged in the illegal conduct.

Travel Policy

1. General Policy - All travel expenses incurred while conducting Spring Lake business outside a 50-mile radius of the administrative office shall be paid by Spring Lake.

2. Pre-Approval - Approval from the Town Treasurer is required prior to incurring travel-related expenses.

3. Documentation - After travel expenses have been incurred, the employee must submit a Travel Reimbursement Form (see attached template form), which details the reason for the trip and the specific travel expenses. Travel Reimbursement Forms must be signed by the employee and approved by the Treasurer.

4. Travel-related expenses include:

   a. Costs to travel to and from the business destination.
   b. Transportation costs while at the business destination.
   c. Lodging, meals, and incidental expenses.

5. Transportation

   a. Spring Lake Vehicles – Spring Lake vehicles may be used for travel associated with official business.
   b. Personal Vehicle Use - An employee who uses his or her personal vehicle for Spring Lake business will be reimbursed for mileage in accordance with the Town Council or rate currently authorized by the IRS or State of Utah.
   c. Alternative Travel Arrangements - Employees may structure alternative travel and lodging to reduce costs or to accommodate personal preferences if the alternatives provide a documented cost savings to Spring Lake or if the employee pays the increased costs. If an employee chooses to drive rather than fly for out-of-state travel, Spring Lake will reimburse the employee based on the least expensive method of travel, rather than actual mileage.
   d. Rental Cars - Employees may obtain a rental car with prior approval or in cases of documented need. Groups of employees at the same location shall share rental vehicles where practical. When a rental car is used, rental agency liability and collision/loss damage coverage is required, at the Town's expense.

6. Travel Related Meals

   a. Meal Per Diems - Employees shall be paid for meals (including tax, tips, and other meal-related expenses) at the current State of Utah meal per diem rate (Utah Administrative Code R25-7), including all rules contained therein. Per diem may be paid to employees prior to leaving for the travel destination.

b. Direct charge on Spring Lake credit/purchase card – Employees who have been issued a Spring Lake credit/purchase card may use it to pay for approved travel-related meals. Employees must retain all receipts related to such purchases. In the event that the daily total expense for meals is greater than the allowable per diem amount, the difference will be repaid by the traveling employee or reported as taxable wages on the employee's W-2.
c. Direct charge on employee’s personal credit card – Employees may use personal credit cards to pay for approved travel-related meals. Employees must retain all receipts related to such purchases and submit them with the Travel Reimbursement Form. In the event that the daily total expense for meals is greater than the allowable per diem amount, the employee will only be reimbursed up to the allowable per diem amount.

7. Incidental Expenses - Incidental expenses are not considered part of a meal per diem reimbursement and, therefore, substantiation is required. Incidental expenses include ground transportation, parking, and related tips; fax, telephone, internet, or copy charges; and other business-related expenses. Other tips are not reimbursable.

8. Lodging - Travel that requires an overnight stay must be pre-approved by the Town Council. Spring Lake will pay for lodging up to a per-trip, predetermined amount per night with applicable taxes. Detailed receipts are required to be submitted to the Treasurer in order to claim refunds for taxes paid.

9. Personal Expenses - Personal expenses, including entertainment or alcohol, are the responsibility of the employee and will not be reimbursed by Spring Lake.

10. Employee expenses paid by other entities – Spring Lake employees who provide services to other entities, either formally or informally, may represent the interests of those entities as well as Spring Lake while traveling on official Spring Lake business. Where possible, the shared benefit of the employee activities while traveling should be determined, and the costs of that travel should be proportionally split between the benefiting entities.

    If any employee travel-related expenses are paid directly by another entity, those payments must be documented and disclosed to Spring Lake. Any travel-related expenses that are paid by another entity must not be submitted to Spring Lake for reimbursement to the employee. In such circumstances, Spring Lake will reimburse the employees for travel-related costs and then bill the other entity the proportional share of those travel-related costs, or the other entity will bill Spring Lake for its proportional share of the travel-related costs paid by the other entity.

11. In the event that an employee receives a per diem allowance prior to traveling and is not able to travel, the employee will return those funds to Spring Lake. If, upon review of travel expenses, inappropriate or fraudulent expenses have been incurred, the employee may be subject to disciplinary action, including, but not limited to, recovery of funds, inability to travel, suspension, or termination.

Credit Card Policy

Credit Card Procedures

By requesting an Entity Credit Card, each applicant acknowledges that they have read and understand the Entity's Policy and Procedures, in its entirety. These procedures provide information about the process, the types of purchases that can and cannot be made, records that must be maintained and reconciled monthly and miscellaneous information about the program.

1.10- To Obtain a Card:

Complete an Entity Credit Card Acceptance Agreement (Appendix A). All requests will be processed through the Entity Accountant with final approval by the Entity Council. The cardholder's signature on the Acceptance Agreement (Appendix A) indicates that the cardholder understands the intent of the program and agrees to adhere to the guidelines established for Credit Card Policy and Procedures.

Upon receipt of an approved credit card, it is the responsibility of the cardholder to sign the back of the issued card. Applicants are responsible for the security of the card issued and the transactions made with the card. The credit card is issued in the name of the applicant and it will be assumed that any purchases made with the card will have been made by the applicant. **The cardholder is the only person entitled to use the card issued.** Failure to comply with the guidelines established for the program may result in severe consequences, up to and including termination of employment.

1.20 – Card Holder Responsibilities: It is the responsibility of the cardholder to:

- Read and understand the Entity Credit Card Policies and Procedures
- Sign the Entity Credit Card Acceptance Agreement. (See Appendix A)
- Make only authorized purchases as prescribed by the Entity Purchasing Policy and approved departmental budget
- Retain receipts for all transactions. In the absence of a receipt, a Missing Receipt Form must be completed and signed by the cardholder **and** a Member of the Entity Council. (See Appendix B)
- Reconcile the credit card statement upon its arrival. All reconciliations, statements, and receipts, with an attached Warrant request for each transaction, are due to the Entity Accountant by the 1st of the following month
- Keep the credit card and the corresponding account information secure. Immediately report any lost or stolen credit card and/or account information to the Entity Accountant
- Report fraudulent charges or any discrepancies in the credit card statement in a timely manner to the Entity Accountant

Roduc 1.30 – Accountant Responsibilities

It is the responsibility of the Accountant to:

- Request and oversee the issuance of new cards, through the Treasurer's Office, and the Entity Council. The credit limit will be determined at the discretion of the Entity Council
- Inform the Entity Council when limit changes or cancellations are needed due to personnel changes
- Payment on Credit Cards is to be done immediately upon receipt
- Credit Card reconciliations are to be completed within 15 days of payment due date
- Review the cardholder's reconciliation and transactions for completeness, accuracy, and compliance with Entity policies and procedures
- Address the cardholder about questionable transactions for clarification purposes
- Report any misuses of credit cards immediately to the Entity Council.
- Sign the Warrant form for each cardholder after review
- Insure that the Treasurer's Office receives copies of receipts, if sales tax has been paid, in order for reimbursement from the State of Utah

1.40 – Approved Credit Card Purchases:

- Business related uses, subscriptions, seminars, dues, books
- Office supplies, furniture
- Small tools (purchase/rental), electrical, safety and building maintenance supplies
- Vehicle maintenance supplies
- Certain allowable travel expenditures:
- o Conference registrations or seminar rooms
- o Entity sponsored group gatherings
- o Hotel rooms

1.50 – Prohibited Credit Card Purchases:

The following purchases are strictly prohibited from being purchased by using an Entity credit card:

- Any merchant, product, or service normally considered to be inappropriate use of Entity funds
- Purchase of items for personal use or consumption
- Purchasing in violation of the Entity Purchasing Policy
- Capital equipment purchases/repair
- Gift cards/certificates
- Alcohol
- Fuel for fleet vehicles unless traveling outside of Utah. The state gas card should be used for fuel purchases.
- Splitting a purchase to remain under purchasing policy limits
- Consultants:
  - Architects
  - Engineers
  - Attorneys and Attorney's fees
  - Medical, including hospital/doctor visits

1.60 – Built-In Restrictions:

Each card is assigned Monthly and Single-Purchase credit limits. If you find over time that these limits are too low to accommodate your monthly requirements, please contact a member of the Entity Council to review the limit given. Entity has the ability to block, if necessary, certain supplier's Merchant Category Codes. If the Entity chooses to block a Merchant the card will be declined. Please refer to the Accountant regarding issues with a possible blocked card.

1.70 – Reconciliation and Payment:

The Entity Credit Card Program carries Entity, not individual, liability. Credit Card Invoices will be paid by the Entity Accountant as outlined in Section 1.30. The cardholder will not be required to pay the Monthly Statement using personal funds. The program does not impact the cardholder's personal credit rating in any way.

The cardholder is required to obtain and retain all receipts for goods and services purchased when using the credit card. If purchases are made via phone, mail, e-mail or other electronic means, ask the supplier to include and itemized receipt with the goods when the product is shipped to you. This itemized receipt is the only original documentation specifying whether or not sales tax has been paid against the purchase.

Each cardholder will receive a statement identifying all transactions made against the card during the previous billing cycle. The statement must be reconciled against the receipts for accuracy. The reconciled statement is to be sent to the Entity Accountant for review, and approval. The cardholder's activity may be audited at any time.

1.80 – Disputed Transactions:

Disputes on credit cards must be identified in writing to the issuing credit card company within 60 days of the monthly statement date. If a dispute is not identified in writing within 60 days of the Monthly Statement date the issue must then be resolved between the Entity and the supplier.

The cardholder is responsible to identify possible disputed or fraudulent transactions on the monthly statement provided to them for reconciliation. If an audit is conducted on the cardholder's account, the cardholder must be able to produce receipts and/or proof that the transaction occurred. If an error is discovered, the cardholder is responsible for showing that the error or dispute resolution process was completed.

It is the cardholder's responsibility to notify immediately the Entity Accountant if there is a possible dispute on an issued credit card.

1.90 – Employee Termination:

Upon notice of a cardholder terminating their current employment, the cardholder's supervisor is responsible to take possession of the card and any outstanding original receipts. The supervisor should immediately notify the Accountant so they can notify the card issuer and close the account.

Appendix A

CREDIT CARD HOLDER ACCEPTANCE AGREEMENT

The following Credit Card Acceptance Agreement must be signed by all authorized employees of Entity with access to a credit card.

I understand that Entity has authorized my use of an Entity credit card for authorized Entity expenditures on its behalf. In accepting and/or using the card, I agree to be bound by the terms and conditions which follow.

- I will use the card issued to me for the payment of authorized expenses consistent with my organizational responsibilities and to satisfy the needs of my department and the Entity
- I will not use the card to obtain cash advances
- I understand that **I am the only authorized card user** and accept the responsibility and accountability for the protection and proper use of the card
- I will not use the card for personal use or for any other non-Entity purposes
- I understand that all purchases shall be made in accordance with applicable purchasing and credit card policy and procedures approved by the Entity Council
- I understand that I will be responsible for the timely reconciliation of all credit card transactions charged to my assigned card
- I understand that I am responsible to provide appropriate documentation/receipts for credit card transactions charged to my assigned card
- I will surrender my assigned card to the Entity Accountant (Administrator) in the event of my separation from the Entity
- I understand that any charges against my assigned card that are not properly identified or not allowed by the Entity shall be paid by me by check, United States currency or salary deduction. I further understand that any employee who has been issued a card shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the Administrator or Member of the Entity Council
- I will immediately report any stolen or lost card to the Administrator

I understand that any variance and/or violation of the above conditions will result in cancellation of my assigned credit card. Misuse of the card could result in disciplinary action and/or personal liability for unapproved charges. All Entity credit cards are subject to examination by external and internal auditors.

I HAVE READ AND I UNDERSTAND THE ABOVE CONDITIONS.

Name: ________________________ Department: _______________________

Signature: _____________________ Credit Card #: ______________________

Appendix B

ENTITY CREDIT CARD
MISSING RECEIPT FORM

This form is to be used as documentation only if the actual receipt, invoice, packing list, or internet order screen print is unavailable for a transaction made on a Entity Credit Card. It will be allowed only as a rare circumstance. **It must be filled out COMPLETELY and signed by a Council Member.**

*Cardholder Information

Cardholder Name:		Account #:	
Department:		Extension:	

*Why is the original receipt, packing list, invoice, or other appropriate substitute missing?

*Supplier Information

Supplier Name:		Phone #:	
City and State:			
Date of Purchase:			
Order placed with (name of supplier's representative):			

*Item Description	Quantity	Unit Price	Amount
		* Order Total	

The Entity is exempt from sales tax in most instances. Tax Exempt #: XXXXX

***Cardholder Signature:** ________________________________ **Date:** ________________

***County Council Member:** ________________________________ **Date:** ________________

* = *Required Information*

NOTE: Repeated loss of receipts may be grounds for discontinuing a Cardholder's use of the Credit Card or other disciplinary action may be taken.

Personal use of Entity Assets Policy

Personal use of entities computers

Personal use of Spring Lake computer software and applications must comply with the Spring Lake Acceptable Computer Use Policy, which prohibits the use of Town resources for personal for-profit business, religious, or political activities, or for personal financial benefit outside of employment. Offensive (i.e., pornographic), harassing, discriminatory, or illegal (i.e., gambling) activities are prohibited. Personal use of software and applications that disrupt or distract the conduct of Spring Lake business due to volume, timing, or frequency is considered an unacceptable use of Spring Lake resources.

Costs associated with applications downloaded to Spring Lake cell phones are the financial responsibility of the user assigned to the cell phone. Downloaded applications should not be offensive, harassing, discriminatory, or illegal (i.e., gambling) in content. Applications with security vulnerabilities should be uninstalled.

The personal use of social networking applications (e.g., Facebook, Twitter, Instagram, and LinkedIn) is not permitted during work time.

Office computers may be used at home by the employee since the use of authorized software increases the employee's knowledge of the software. Unauthorized software may not be installed or used on the computer. Personal use must comply with the Acceptable Computer Use Policy, which does not allow for personal for-profit business, religious, or political activities, or for personal financial benefit outside of employment. Town computers are to be used only by Spring Lake employees. Installation of employee personal printers must be pre-authorized.

Personal Use of Printers, Photocopy and Fax Machines

Photocopiers and printers are primarily reserved for Town use; however, personal copies and printed materials can be made at a cost set per page by the Town Council, paid to the Treasurer or other responsible employee. Long-distance charges incurred as a result of a personal fax transmission shall be the financial responsibility of the employee and reimbursed to Spring Lake.

Non-Entity use of equipment

Spring Lake equipment may only be used for official purposes except when rented for personal use. Certain equipment of Spring Lake may be rented after hours, on weekends and government holidays for personal use by employees and the public, based upon the fee schedule set by the Town Council. Equipment may not be rented for commercial uses. The availability of equipment is subject to the discretion of the department head, who is responsible for the equipment. Renters of Spring Lake equipment must abide by the terms of the rental agreement.

Use of Spring Lake Vehicles

Spring Lake vehicles are provided to enable employees to complete required tasks efficiently and effectively. As a general rule, vehicles should remain locked in a secure location when not in use. Town vehicles should not be used for non-Town purposes or to transport non-Town persons unless the reason is documented and approved by the Town Council. Personal use of vehicles, including commuting to and from work, will be treated as a taxable fringe benefit consistent with IRS Publication 15-B.

Entity-issued credit or purchasing card

An entity credit or purchasing card may be issued to certain employees to assist in handling Spring Lake purchases or travel costs. These cards are to be used for town-related purchases only. Personal use of these cards is not allowed. All charges made to an entity card must be paid upon receipt of the statement. See Town policy on credit/purchasing cards.

Administrative or staff time

Employees should not ask administrative or clerical staff to use Town time to work on assignments or perform tasks that are not Town-related or are for personal use or gain.

IT and Computer Security Policy

Statement

Spring Lake furnishes computers for employees' use in conducting Town business.

This includes access to e-mail and the Internet. The internet contains many useful features, including email to non-Town resources, access to research materials, and information exchange. The purpose of this policy is to establish basic rules for employees' use of the Town's computer system, including the Internet and email.

Computer System, Internet and E-mail Use Policies

The Internet can be misused in a variety of ways, including but not limited to:

1. Downloading files that contain viruses, thereby endangering Town information services;
2. Accessing objectionable material;
3. Wasting work time by performing unauthorized research or accessing non-business-related information and people, or playing computer games, or online games.

Individual Responsibilities:

Internet users are responsible for complying with this and all other Town policies when using the Town's resources for accessing the Internet. Violation of this policy is grounds for disciplinary action, up to and including termination.

General Policies for Use of the Town's Computer System, Including the Internet:

An employee does not have a right to privacy when using the Internet via Town resources, and employees should not expect or assume any privacy regarding the content of email communications. The Town reserves the express right to monitor and inspect the activities of the employee while accessing the Internet at any time, and to read, use, and disclose e-mail messages. In addition, all software, files, information, communications, and messages (including emails) downloaded or sent via the Internet using Town resources are the Town's records and property of the Town; such records are subject to potential review and disclosure under the public disclosure law of the State of Utah. Even after an email message has been "deleted," it may still be possible to retrieve it.

The Town Council has the right to restrict or prohibit any employee from accessing the Internet for violating the policy. Violations may also result in disciplinary action, up to and including termination.

Internet use via Town resources is for Town business. Except as outlined here, use of the Town computers, Internet, and email services is for Town business only. Some limited personal use is permitted, so long as it does not result in cost to the Town, does not interfere with the performance of duties, is brief in duration and frequency, does not distract from the conduct of Town business, and does not compromise the security or integrity of Town information or software. Such limited use shall not occur on “paid time,” but is permitted immediately before or after work hours and during an employee’s breaks. Examples of allowable personal use include accessing a weather report or news item on the Internet, or transmitting email to a family member to assure safe arrival at home. Any personal use of Spring Lake’s computers, Internet, and email services must comply with all applicable laws and Spring Lake policies, including anti-discrimination policies and Internet usage policy.

Internet use must comply with applicable laws and Town policies, including but not limited to all federal and state laws, and Town policies governing sexual harassment, discrimination, intellectual property protection, privacy, public disclosure, confidentiality, misuse of Town resources, information, and data security.

All Internet use must be consistent with the Town’s Personnel Policies Manual.

Spring Lake’s computer system permits employees to perform jobs, share files, and communicate internally and with selected outside individuals and entities in the performance and conduct of Town business. Employees are prohibited from gaining unauthorized access to another employee’s email messages or sending messages using another employee’s password.

In order to prevent potential Town liability, it is the responsibility of all Internet users to clearly communicate to the recipient when the opinions expressed do not represent those of the Town of Spring Lake.

Spring Lake has the capability and reserves the right to access, review, copy, modify, and delete any information transmitted through or stored in its computer system. The Town may disclose all such information to any party (inside or outside the Town) it deems appropriate and in accordance with applicable law. Accordingly, employees should not use the computer system to send, receive, or store any information they wish to keep private. Employees should treat the computer system like a shared file system–with the expectation that files sent, received, or stored anywhere in the system will be available for review by any authorized representative of the Town for any purpose, as well as the public if a proper request is made for public records.

Good judgment should always be employed in using the Town’s email and Internet systems. Employee email messages may be read by someone other than the person(s) to whom they were sent. Emails inconsistent with the Town’s policies must be avoided. For example, it is prohibited to make jokes or comments that could offend someone on the basis of gender, race, age, religion, national origin, disability, or sexual orientation. These comments would be in direct conflict with the Town’s policies prohibiting discrimination and harassment. Accordingly, employees should create and send only courteous, professional, and businesslike messages that do not contain objectionable, offensive, or potentially discriminatory material.

Caution should be taken in transmitting confidential information on the computer system. Employees should use due care in addressing email messages to ensure messages are not inadvertently sent to the wrong person inside or outside the Town. Email creates a written record subject to court rules of discovery and may be used as evidence in claims or legal proceedings. Once sent, an email cannot be retracted. Even after deletion at a workstation, email can be retrieved and read.

The safety and security of the Town's network and resources must be considered at all times when using the Internet. Any programs from a non-current source (i.e., software that is not purchased in original diskette or CD-ROM format) or which involve executable or binary files must not be downloaded or installed without prior permission from the [IT Director] and without being properly scanned for viruses. Employees are not to share or reveal individual passwords to anyone.

There is a wide variety of information on the Internet. Some individuals may find information on the Internet offensive or otherwise objectionable. Individual users must be aware that the Town has no control over available information on the Internet and cannot be responsible for the content of information.

<u>Prohibited Uses of the Internet</u>:

The following is a non-exclusive list of prohibited uses of the Internet and email:

- Commercial use – any form of commercial use of the Internet is prohibited;
- Solicitation – the purchase or sale of personal items or non-business items through advertising on the Internet is prohibited;
- Copyright violations – the unlawful reproduction or distribution of copyrighted information, regardless of the source, is prohibited;
- Discrimination / Harassment – the use of the Internet to send messages or other content that is harassing, derogatory, or unlawfully discriminatory to employees, citizens, vendors, or customers is prohibited;
- Political – the use of the Internet for political purposes is prohibited;
- Aliases / Anonymous messages/misrepresentation – the use of aliases or transmission of anonymous messages is prohibited. Also, the misrepresentation of an employee's job title, job description, or position with the Town is prohibited;
- Social networking sites – the accessing and/or creation of social networking sites, such as Facebook, Twitter, Instagram, Blogs, and similar sites, is prohibited for non-entity business purposes;
- Instant messaging;
- Misinformation / Confidential Information – the release of untrue, distorted, or confidential information regarding Town business is prohibited;
- Viewing or Downloading of Non-Business Related Information - the accessing, viewing, distribution, downloading, or any other method for retrieving non-Town related information is prohibited. This includes, but is not limited to, entertainment sites, pornographic sites, sexually explicit sites, chat rooms, and bulletin boards;

- Unauthorized attempts to access another’s network or e-mail account;
- Display or transmission of sensitive or proprietary information to unauthorized persons or organizations;
- Spamming email accounts from the Town’s email services or Town machines.

Nothing in this chapter prohibits the use and access of the described systems for bona fide law enforcement and investigation purposes.

Cash Receipting and Deposit Policy

Purpose

Establish a uniform control design for all departments of Spring Lake that receive cash. This policy has been developed by the Town Treasurer with input received from the Town Recorder, external auditors, and approved by the Town Council, who are ultimately responsible for the overall design and implementation of organizational controls. Over time, it is expected that this policy will be adjusted for changes in systems and organizational structure, at which time the Treasurer will propose changes to the Town Council for review and approval.

Cash Receipts at Separate Individual Locations

- All funds received are entered into the accounting system at the time of the transaction or if the transaction occurs at a location without access to the accounting system the funds will be logged into a pre-numbered receipt book with enough detail to determine where/who the funds came from, the purpose for receiving the funds, the method of payment; cash, check, credit card etc., and designate the appropriate account. Manual receipts should have three copies; Customer copy, a Treasurer copy, and a location copy.

- At the end of each day the person responsible for receiving cash will close out their cash drawer, reconcile the system generated report to the cash in the drawer, place cash, checks and credit card receipts received along with the report in a deposit bag and either deliver it to the Treasurer's office or place it in a secure (locked) place for deposit on the next business day.

- Void/adjusted transactions. If a transaction needs to be voided or adjusted, it should be done by someone who does not receive cash. If an office doesn't have enough employees to have adjustments made by a supervisor who doesn't receive cash, two employees will sign off on the adjustment or voided transaction, explaining the circumstances causing the adjustment. If the location is using a manual receipt book, all copies of the receipt should be present for any voided receipt. The system should be designed to generate a report of all adjusted/voided transactions to facilitate monitoring of this process.

- Every effort should be made to ensure large quantities of cash are not on hand at any location overnight. If a location has a large transaction or series of transactions leaving cash on hand over $1,000 (Treasurer/Governing body to set amount), the deposit should be made on the same day whenever possible.

- When deposits are made with the Treasurer's office, the employee making the deposit will turn over the funds and watch as it is counted, receive a receipt detailing the amount, date of receipt, and the signature of the Treasurer's office employee who took custody of the funds. This receipt will be returned to the location and kept with the receipt records.

Any discrepancy in the funds being deposited and the supporting documentation should occur when custody of the funds changes.

- The Treasurer’s office enters the deposit into the accounting system and takes funds to the bank.
- Mail will be opened in the presence of two or more employees, and any correspondence containing payments will be removed and processed prior to distributing mail to individual persons or departments.

Deposits with Treasurer

- Treasurer’s office employee will receive department/location funds, count the funds, compare the amount received to the supporting documentation provided, and give a receipt to the employee who turned over the funds with the amount received, date, and that employee's name and signature.
- An employee from the Treasurer’s office enters the information from the deposit into the Accounting system.
- At the end of each day, the Treasurer will compile all cash and checks received, match the total to the total receipts in the accounting system, and create a deposit slip (deposit information should be sufficiently detailed to allow a reviewer to trace individual transactions from satellite locations into the deposit and verify that the funds were received by the bank.
- Copies of deposit slips are maintained and used to reconcile bank statements to the accounting records.
- Department heads for departments that collect cash should review the revenue recorded in the accounting system with their copy of the deposits to ensure correct recording of cash. Where practicable, the system should be designed to only allow receipts for cash receipts to be recorded to accounts that pertain to that office or department.

Adaptation to individual organizations

The policies and procedures mentioned above are basic and will need to be adapted to the individual needs of entities in varying sizes and locations. A series of individual considerations that may require adaptation to the policy or processes is as follows:

1. Small organizations - If there are not enough employees to segregate duties, compensating controls should be considered, such as having a member of the Town Council review transactions and trace them back to the source documents.
2. Entities may choose to modify deposit procedures to allow a department to make its own deposit into a bank account. In such cases, the Treasurer should have access to the account and monitor the activity to ensure proper recording of transactions, including adjustments, credits, and withdrawals from the account.

TOWN OF SPRING LAKE, UTAH

FINANCIAL MANAGEMENT AND INTERNAL AUDIT POLICY

Policy No.:
Effective Date: ___________________
Adopted By: Spring Lake Town Council
Supersedes: New Policy

1. Purpose

This policy establishes sound financial management, internal controls, cash handling, deposit procedures, financial oversight, and audit practices to safeguard public funds and promote transparency and accountability.

2. Policy Statement

Public funds are held in trust for the citizens of Spring Lake. All financial activities shall comply with applicable Utah law, generally accepted accounting principles, and Town policies.

3. Responsibilities

3.1 Town Council

- Adopt the annual budget.
- Review monthly financial reports.
- Approve expenditures as required.
- Review annual audits.

3.2 Mayor

- Ensure compliance with this policy.
- Support implementation of internal controls.

3.3 Finance Council Member

The Town Council shall designate one Council Member to oversee financial oversight activities. The Finance Council Member is an independent reviewer and shall not perform accounting functions.

- Review monthly bank reconciliations.
- Review all monthly deposits.
- Verify deposits agree with accounting records and bank statements.
- Report findings during the next Town Council meeting.
- Recommend improvements to internal controls.

4. Segregation of Duties

Whenever practical, duties for receiving funds, preparing deposits, recording transactions, reconciling bank accounts, approving expenditures, and signing checks shall be separated among different individuals. Where staffing limitations exist, additional oversight by the Mayor and Finance Council Member shall be required.

5. Cash Receipts and Handling

- All monies received shall be recorded immediately.
- A receipt shall be issued for every cash payment.
- Checks shall be endorsed 'For Deposit Only – Town of Spring Lake.'
- Cash shall be secured at all times and never mixed with personal funds.
- Cash shortages or overages shall be documented immediately.
- Unexplained shortages over $25 shall be reported to the Mayor and Finance Council Member.

6. Deposit Policy

Deposits shall be made at least weekly or whenever cash and checks total $500 or more, whichever occurs first. Funds shall never remain undeposited longer than seven (7) calendar days except during office closures or emergencies.

Each deposit shall include supporting documentation, deposit detail, and reconciliation to receipts. Whenever practical, a second individual shall verify each deposit before delivery to the financial institution.

7. Monthly Deposit Review

The Finance Council Member shall review all deposits each month to verify timely deposits, agreement between receipts, accounting records, and bank statements, and resolution of discrepancies. Completion of the review shall be reported during the next regular Town Council meeting.

8. Bank Reconciliations

Bank reconciliations shall be completed within 30 days of receipt of each bank statement and reviewed monthly by the Finance Council Member.

9. Expenditure Review

The Town Council shall review the monthly claims register, check register, electronic payments, and other financial reports during regular meetings.

10. Fraud Prevention

Any suspected fraud, theft, misuse of public funds, or financial misconduct shall be reported immediately to the Mayor, Finance Council Member, and Town Council. Matters may be referred to the Town Attorney and law enforcement when appropriate.

11. Annual Audit

The Town shall comply with all applicable Utah financial reporting and audit requirements. Audit results shall be presented in an open meeting, and corrective actions shall be tracked until completed.

12. Conflict of Interest

Town officials and employees shall disclose financial conflicts of interest and comply with the Town's Conflict of Interest Policy and applicable Utah law.

13. Annual Review

This policy shall be reviewed annually by the Town Council and revised as necessary.

Adoption

Adopted this ____ day of ____________________, 20____ by the Town Council of the Town of Spring Lake, Utah.

____
Mayor

____
Town Recorder

Attest:

____
Town Clerk/Recorder

TOWN OF SPRING LAKE, UTAH

TRAVEL AND BUSINESS EXPENSE REIMBURSEMENT POLICY

Resolution No. 2026-____

Official Policy Manual

Resolution Adopting Travel Policy

WHEREAS, the Town Council desires to ensure responsible stewardship of public funds and establish uniform procedures for official travel; and

WHEREAS, the Town Council finds it in the public interest to adopt a Travel and Business Expense Reimbursement Policy;

NOW, THEREFORE, BE IT RESOLVED that the attached Travel and Business Expense Reimbursement Policy is adopted as the official policy of the Town of Spring Lake, Utah, effective upon adoption. All prior conflicting travel policies are repealed.

PASSED AND ADOPTED this ____ day of __________, 2026.

Mayor	________________________
Council Member	________________________
Council Member	________________________
Attest: Town Clerk/Recorder	________________________

Table of Contents

Authority

Adopted pursuant to the Town Council's authority under Utah law.

Purpose

To establish uniform procedures for authorization, reimbursement, accountability, transparency, and stewardship of public funds used for official Town travel.

Policy Statement

Travel shall serve a legitimate public purpose and travelers shall exercise the same care as if spending personal funds.

Authorization

• Mayor may approve travel up to $500 per traveler when included in the adopted budget.
• Town Council approval is required for travel exceeding $500, travel outside the adopted budget, out-of-state travel (except emergency travel), and policy exceptions.
• Mileage begins and ends at the Town's principal place of business.

Transportation

Mileage is reimbursed at the current IRS rate. Mileage includes fuel, maintenance, insurance, and depreciation.

Lodging

Reasonable lodging is reimbursable. Luxury lodging and personal hotel charges are not reimbursable.

Meals

Actual reasonable meal costs or adopted GSA per diem. Alcohol is never reimbursable.

Documentation

Expense reports shall include dates, purpose, destination, receipts over $25, and conference agenda when applicable.

Travel Reports

Anyone traveling at Town expense shall report at the first regular Town Council meeting following travel regarding the purpose, benefits, and recommendations.

Conflict of Interest

No individual shall approve, authorize, or process payment of his or her own reimbursement.
Mayor and Town Council reimbursement requests require Town Council approval.
The Town Clerk/Recorder shall verify approvals, receipts, budget availability, and compliance before payment.
Officials shall abstain from participating in decisions where they have a direct financial interest unless otherwise required by law.

Internal Controls

- Advance approval required.
- Separation of authorization, review, approval, and payment whenever practicable.
- Maintain records per Utah retention schedules.
- Periodic compliance review.
- Encourage virtual attendance when appropriate.

Enforcement

Improper reimbursements may be recovered by the Town. Fraudulent claims may result in denial, repayment, discipline, or legal action.

Severability

If any provision is held invalid, remaining provisions remain in effect.

Repealer

This policy supersedes all prior conflicting travel reimbursement policies.

Policy Review

Review at least every three years.

Appendix A – Travel Authorization Form

Traveler	
Purpose	
Destination	
Estimated Cost	
Mayor Approval	
Council Approval (if required)	

Appendix B – Expense Reimbursement Form

Traveler	
Dates	
Mileage	
Meals	
Lodging	
Other	
Receipts Attached	
Clerk Verification	

Appendix C – Mileage Worksheet

Beginning Odometer	
Ending Odometer	
IRS Rate	
Amount	

Appendix D – Town Council Travel Report

Purpose	
Meetings Attended	
Benefit to Town	
Recommendations	
Traveler Signature	

Appendix E – Clerk Review Checklist

Budget Verified	
Approval Verified	
Receipts Verified	
Policy Compliance	
Payment Authorized	

Utah Fire Restrictions 2026

The Governor's Executive Order provides more options for cities around firework use than cities had prior to the order. You can continue with your current maps—so long as you submit them to the State Forester—or you can utilize one of the other options. You can read State Forester Barnes' memo outlining the process for you here. If you are utilizing the state ban, you do not need to notify the State Forester.

Documents Granting these Options:

- Governor Spencer Cox's Executive Order
- State Forester Jamie Barnes' Order

How to Submit Designated Areas for Fireworks

Before June 30th, 2026 at 5:00 p.m., a mayor jointly with their fire chief will need to determine the geographic areas where fireworks will be permitted within the municipality.
The mayor, or staff designated by the mayor, will need to submit these areas to the State Forester by creating:

1. an authorizing document (executive order or letter);
2. a description of the designated firework areas (including latitude and longitude);
3. a map of the designated area if practical; and

submitting these items through the Google Form created by the State Forester's Office.

Utah State Forester's Fire Restriction FAQ's:

Can residents still use sparklers and snappers under the statewide ban?
Yes. Utah Code 53-7-202 defines what the term "firework" means in code. Under this code sparklers under 12 inches and "snappers" are considered "exempt explosives."
The State Forester's order clarifies which fireworks are regulated.

Which fireworks are banned under the State Forester's Order?
The order bans "Division 1.4G common state approved explosive(s)" as defined in Utah Code 53-7-202(15). The ban does not include "exempt explosives" nor "trick noisemakers", such as snappers and sparklers (Utah Code 53-7-202(11) and (24)).

What empowers municipalities to enforce this order?
If a city decides to use the Forester's order, then a city would enforce Utah Code 65A-8-212(4) which states that the use of any area that violates the fireworks ban is a class B misdemeanor.

Can retailers still sell fireworks?
Yes. Codes governing the time frame in which retailers may sell state approved explosives has not been suspended.

I'm a council member, what decision-making roles does the council have to play?
Under the Governor's Executive Order, the determination is made by your mayor and fire chief jointly. This process is consistent with a mayor's duties during a declared state of emergency under Utah Code 53-2a (Emergency Management Act). You are not granted any decision-making roles by the Forester under her order. As such, you do not need to hold a special council meeting to determine if your mayor and fire chief should jointly maintain the statewide ban, submit your current firework map, or submit a new municipally designated firework discharge area(s). That said, we recommend that the mayor and fire chief coordinate with the council about the determination.