

**TOOELE COUNTY  
RESOLUTION 2019-12**

**A RESOLUTION AMENDING SUBSECTION 17.B, RECEIPT OF GIFTS,  
OF SECTION 17, ETHICS, OF THE PERSONNEL POLICIES AND  
PROCEDURES MANUAL**

**WHEREAS**, in an effort to ensure consistency with statewide ethics policies, the Tooele County Commission finds it necessary to update the Personnel Policies and Procedures of Tooele County.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE COUNTY COMMISSION** that Personnel Policies and Procedures Subsection 17.B, Receipt of Gifts, of Section 17, Ethics, is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

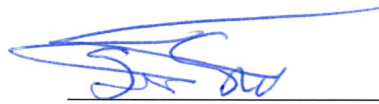
**EFFECTIVE DATE:** This resolution shall take effect immediately upon passage.

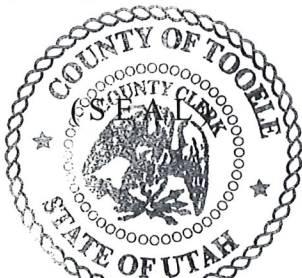
**DATED** this 1<sup>st</sup> day of Oct 2019.

**ATTEST:**


**TOOELE COUNTY COMMISSION:**

  
MARILYN K. GILLETTE, Clerk

  
TOM TRIPP, Chairman



**APPROVED AS TO FORM:**

  
SCOTT A. BROADHEAD  
Tooele County Attorney

Commissioner Milne voted	<u>aye</u>
Commissioner Thomas voted	<u>aye</u>
Commissioner Tripp voted	<u>aye</u>

**SECTION 17**  
**ETHICS**

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**B. RECEIPT OF GIFTS:**

1. Elected officials and employees shall comply with the requirements of Utah Code Ann. § 67-16-5, Accepting gift, compensation, or loan -- When prohibited. Elected officials and employees shall not knowingly receive, accept, take, seek, or solicit, directly or indirectly for himself or another a gift of substantial value or a substantial economic benefit tantamount to a gift:
  - a. that would tend improperly to influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties;
  - b. that the public officer or public employee knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the public officer or public employee for official action taken; or
  - c. if the public officer or public employee recently has been, is now, or in the near future may be involved in any governmental action directly affecting the donor or lender, unless a disclosure of the gift, compensation, or loan and other relevant information has been made in the manner provided in Utah Code Ann. § 67-16-6.
2. As used in this section, "economic benefit tantamount to a gift" includes:
  - a. a loan at an interest rate that is substantially lower than the commercial rate then currently prevalent for similar loans; and
  - b. compensation received for private services rendered at a rate substantially exceeding the fair market value of the services.
3. This subsection does not apply to:
  - a. an occasional nonpecuniary gift, having a value of not in excess of \$50;
  - b. an award publicly presented in recognition of public services;
  - c. any bona fide loan made in the ordinary course of business; or
  - d. a political campaign contribution.

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## SECTION 17

### ETHICS

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**B. RECEIPT OF GIFTS:** ~~Employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan, or any item of monetary value from any person within or outside county employment whose interests may be affected by the employee's performance or a nonperformance of official duties. Employees shall not receive outside compensation for their performance of county duties except in cases of:~~

- ~~1. awards for meritorious public contribution given publicly;~~
- ~~2. receipt of honoraria or expenses paid for papers, talks, demonstrations, or appearances made by employees with the approval of the department head, or on their own time for which they are not compensated by the county and which are not prohibited by these rules; and~~
- ~~3. receipt of usual social amenities, ceremonial gifts or insubstantial advertising gifts.~~

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- a. that would tend improperly to influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties;
- b. that the public officer or public employee knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the public officer or public employee for official action taken; or
- c. if the public officer or public employee recently has been, is now, or in the near future may be involved in any governmental action directly affecting the donor or lender, unless a disclosure of the gift, compensation, or loan and other relevant information has been made in the manner provided in Utah Code Ann. § 67-16-6.

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- a. an occasional nonpecuniary gift, having a value of not in excess of \$50;
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