

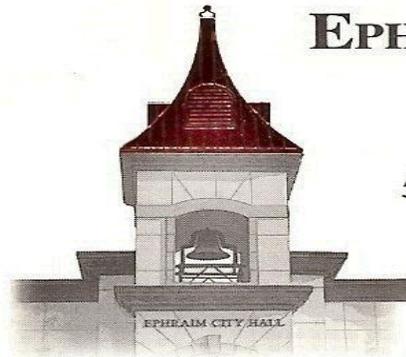
# **CITY OF EPHRAIM**



## **CANDIDATES GUIDE**

Mayor & City Council

2011



# EPHRAIM CITY CORPORATION

David Parrish, Mayor

5 South Main • Ephraim, Utah 84627  
435-283-4631

July 2011

Dear Candidate:

Congratulations on your decision to run for elected office in our wonderful community.

I hope the attached guide is helpful to you. It has been designed to present some basic information which you might wish to review. In particular, the ethics and financial disclosure information should be closely studied.

When you are ready to file a Declaration of Candidacy, come see me in my office between July 1 and July 15, and you will receive a packet containing a Declaration of Candidacy Form and everything else you will need. Sample copies of forms needed throughout the election process are located at the back of this guide.

If you have specific questions, please feel free to contact me at your convenience.

Sincerely,

Leigh Ann Warnock, CMC  
City Recorder  
283-4631  
[leighann.warnock@ephraincity.org](mailto:leighann.warnock@ephraincity.org)

## **DATES TO REMEMBER**

### **July 1 - July 15**

**Candidacy Filing Period** - Declaration of Candidacy Forms may be filed with the City Recorder during regular business hours. (Monday – Friday 8:00 a.m. - 5:00 p.m.) There will be a \$25 filing fee.

### **August 30 – September 6**

**First Campaign Financial Statement** - A first Campaign Financial Statement must be filed with the City Recorder. Instructions and a sample form are included in this Guide.

### **August 30 – September 9**

**Early Voting When a Primary is Held** – Early voting will take place at Ephraim City Hall during regular business hours. (Monday - Friday 8:00 a.m. to 5:00 p.m.)

### **September 13**

**Primary Election** - Ephraim Senior Citizens Center. Polls open at 7:00 a.m. and close at 8:00 p.m.

### **September 21**

**Election Canvass** – provisional and absentee ballots will be counted before election results are final.

### **October 13, 2011.**

**Final Financial Statement for Candidates *eliminated* at the Primary Election** - final Campaign Financial Statement must be filed with the City Recorder by 5:00 p.m..

### **October 16**

**Last Day to Withdraw** – no fewer than 23 days before the General Election. Must be in writing.

### **October 20 (Tentative)**

**Meet the Candidates Night** – hosted by the Lion’s Club. Time and Place to be announced.

### **October 25 - November 1**

**Second Financial Statement** - Candidates *not* eliminated at the Primary Election must file a second Campaign Financial Statement with the City Recorder.

### **October 25 – November 4**

**Early Voting** – Early voting for the General Election will take place at Ephraim City Hall during regular business hours. (Monday - Friday 8:00 a.m. to 5:00 p.m.)

### **November 8**

**General Election** - Ephraim Senior Citizens Center. Polls open at 7:00 a.m. and close at 8:00 p.m.

### **November 16**

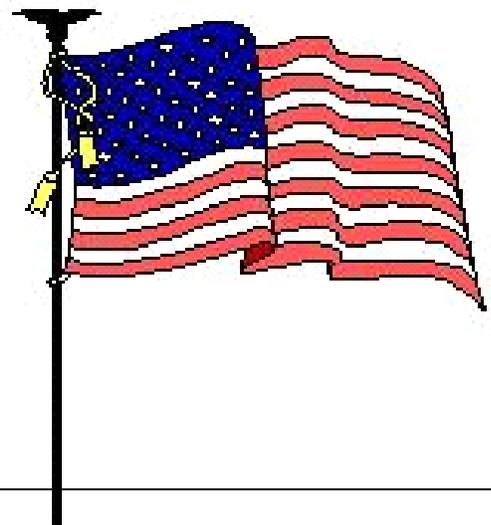
**Election Canvass** – provisional and absentee ballots will be counted before election results are final.

### **December 8**

**Third Financial Statement Filed** - A third Campaign Financial Statement must be filed with the City Recorder.

### **January 4, 2012**

Official Swearing In Ceremony to be held at 7:00 pm.  
at City Council Meeting.



## **ELECTED OFFICIAL SEATS OPEN FOR ELECTION:**

City Councilmember – 4 year term (There are three seats available); January 2012 – January 2016

### **ELECTION DATES**

Primary Election:	September 13, 2011	General Election:	November 8, 2011
Election Canvass	September 21, 2011	Election Canvass	November 16, 2011

If two or fewer candidates have filed for each open seat, there will be no primary election. If more than two candidates have filed for each open seat, a primary election will be held.

A canvass will be held no earlier than 7 days and no later than 14 days following each election to count absentee and provisional ballots. Election results are not final until these votes have been counted.

### **QUALIFICATIONS FOR ELECTED OFFICE:**

1. Be a United States citizen at time of filing.
2. Be a registered voter of Ephraim City.
3. Be a resident of Ephraim City or a resident of the recently annexed area for 12 consecutive months immediately preceding the date of the election.
4. Not be a convicted felon, unless the right to hold elective office has been restored.

### **ELECTED OFFICIALS COMPENSATION**

Mayor and Councilmembers currently receive compensation. The current City Council compensation is as follows:

Mayor:	\$ 711.48 per month (paid first pay period of every month)
Councilmembers:	\$ 598.81 per month (paid first pay period of every month)

### **OATH OF OFFICE**

After being elected, Mayor and Councilmembers are required to take the following oath of office during the Swearing in Ceremony held during the first Council Meeting in January following the first Monday:

"I do solemnly swear that I will support, obey and defend the Constitution of the United States, and the Constitution of the State of Utah, and that I will discharge the duties of my office in the City of Ephraim with fidelity."

### **CITY COUNCIL MEETINGS**

Regularly scheduled City Council meetings are held on the first and third Wednesdays of each month at 7:00 p.m. There is usually a work meeting at 6:15 p.m. prior to Council Meeting to discuss agenda items.

## **DECLARATION OF CANDIDACY**

1. Candidate must file a “Declaration of Candidacy” in person with the City Recorder by 5:00 p.m. between July 1 and July 15, 2011.
2. Before a Declaration of Candidacy may be filed, the City Recorder shall read/ask if you meet the following qualifications:
  - Are you a United States Citizen?
  - Are you a registered voter of the municipality?
  - Have you been a resident of the municipality for at least 12 months preceding the November 8, 2011 General Election?
  - Have you been convicted of a felony, treason, or a crime against the elective franchise?
3. Upon qualification, the City Recorder will issue the Candidacy Packet with the following Contents:
  - Declaration of Candidacy Form
  - Campaign Financial Disclosure Report Forms (4)
  - State of Utah Pledge of Fair Campaign Practices  
*(This form is voluntary, but it is recommended that it be signed and returned with your first Financial Report)*
  - Utah Statewide Electronic voter Information Website Form
  - Voting Districts Map
  - List of current Mayor and City Councilmembers contact information
  - State Code 20A-7-801 outlining Voter Information Website Program
  - State Code 10-3-208 outlining Campaign Financial Reporting
4. The Declaration of Candidacy form should be filled out and signed in front of the City Recorder.
5. Verify the name listed is exactly the way you want it to appear on the ballot.
6. A \$25 filing fee will be collected at this time.

## **CAMPAIGN FINANCIAL REPORTING**

Candidates for elected municipal office must file signed Campaign Financial Statements with the City Recorder. Financial Statements must be filed even if no contributions or expenditures were made; enter “Zero” on the report. Financial Reports contain itemized and total campaign contributions and expenditures as outlined below:

1. For each contribution of more than \$50.00, the name of the donor of the contribution and the amount of the contribution. If no contributions were received, the word “none” should appear on the report.
2. An aggregate total of all contributions of \$50.00 or less received by the candidate.
3. For each expenditure, the name of the recipient and the amount of the expenditure. If there were no expenditures, the word “none” should appear on the report.

**Candidates in the Municipal Primary** shall file:

- a. A first Campaign Financial Statement at least 7 days, but not more than 14 days before the Municipal Primary. The first statement shall include contributions received and expenditures made up through and including 15 days before the Municipal Primary Election. The filing period for the first filing is August 30 through September 6, 2011. **The names of candidates who fail to comply with this deadline will be removed from the ballot for the Municipal Primary.**
- b. **Candidates eliminated at the Municipal Primary Election** must file a final Campaign Financial Statement within 30 days after the Municipal Primary Election. The deadline for this filing is October 13, 2011.

*Note: If no primary election is held, the above Financial Statements will not be required.*

**Candidates not eliminated in the Primary, and participating in the Municipal General Election** shall file:

- a. A second Campaign Financial Statement at least 7 days, but not more than 14 days before the Municipal General Election. This statement shall include contributions received and expenditures made up through and including 15 days before the Municipal General Election. The filing period for the second statement is October 25 through November 1, 2011. **The names of candidates who have not filed a Campaign Financial Statement by this date shall be removed from the ballot.**
- b. A third Campaign Financial Statement within 30 days after the Municipal General Election. The third statement shall include contributions received and expenditures made from 14 days before the Municipal General Election until the date of the third filing. The deadline for this filing is December 8, 2011.
- c. If a candidate receives contributions or makes expenditures after the date of the last filing, an additional campaign financial statement(s) shall be filed within 30 days of receiving the contribution or making the expenditure.

Signed campaign financial statements received by the City Recorder are classified as a public record, and will appear on the Ephraim City website as well as the Utah State Lt. Governor’s website.

Any person who fails to comply with this requirement is guilty of an infraction. Each and every failure to file the required campaign financial statement constitutes a separate offense.

## **ETHICS AND FINANCIAL DISCLOSURE STATEMENT**

The State has enacted the "Municipal Officers and Employees Disclosure Act" which establishes standards of conduct for elected and appointed officials. According to this act, elected or appointed officers or municipal employees may not:

1. Disclose or improperly use private, controlled, or protected information acquired by reason of their positions or in the course of official duties in order to further substantiate their personal economic interests or to secure special privileges or exemptions for themselves or others.
2. Use or attempt to use their positions to further substantiate their personal economic interests, or secure privileges for themselves or others.
3. Knowingly receive, accept, take, seek, or solicit, directly or indirectly for themselves or others a gift of substantial value or a substantial economic benefit tantamount to a gift (which is defined as a loan received at an interest rate that is substantially lower than the commercial rate, or compensation received for private services rendered at a rate substantially exceeding the fair market value of the services) that would tend to improperly influence a reasonable person to depart from the faithful and impartial discharge of the person's public duties; or the person knows or a reasonable person in the office should know that under the circumstances the gift is primarily for the purpose of rewarding the person for official action taken. This does not apply to:
  - a. An occasional non-pecuniary gift under \$50 in value.
  - b. An award presented publicly in recognition for public service.
  - c. A bona fide loan in ordinary course of business.
  - d. Political campaign contributions.
4. Fail to disclose in public meeting any personal interests or investments by any elected or appointed officials of a municipality, which creates a conflict between officials' personal interests and their public duties.

Also according to the Act, a Disclosure Statement must be filed with the Mayor and proper notification must be given if any of the following situations exist:

1. City official or employee receives compensation for assisting any person or entity in a transaction involving the City. (Must be filed ten days before compensation is received or agreement is entered into.)
2. City official or employee is an officer, director, agent, employee, or owner of substantial interest (over \$2,000) in business regulated by the City.
3. City official or employee is an officer, director, agent, employee, or owner of substantial interest in business, which does or anticipates doing business with the City.

Besides filing a disclosure statement, elected and appointed officials must also disclose their positions verbally in open meeting to the other members of the body to which they belong as well as immediately prior

to any discussion involving the business or interest.

Certain penalties may be imposed for violation of the above requirements. They include:

1. Potential Second Degree Felony action.
2. Mandatory removal from office.
3. Rescission of transaction.

The complete text of the applicable State law (UCC 10-3-13) is available for your reference at the City Recorder's Office. A sample of the disclosure statement form is included at the end of the Candidate's Guide.

### **POLITICAL CAMPAIGN SIGNS**

In order to avoid candidate confusion this explanation is given regarding political signs.

1. A political sign is any sign used in behalf of candidates for public office or measures on election ballots solely for the purpose of a local, regional, or national election.
2. No person shall erect any sign so as to interfere with or restrict access to windows, fire escapes, or required exits. No person shall erect any sign which constitutes a safety hazard to include the following:
  - i) obstruction to view in excess of three feet high or twelve inches wide on any corner lot within the clear view area.
  - ii) erected at the intersection of any street or driveway in such a manner as to obstruct free and clear vision. (ECU 3-2-M)
3. Political signs may *not* be located within 150 feet of the building which is serving as a polling location in the Municipal Election. Early voting will be held at the Ephraim City offices and the Primary and General Elections will be held at the Senior Citizens Center. **No signs may be located within 150 feet of either building.** After the early voting period for each election, City Hall is no longer a polling place and signs may be placed within 150 feet of that building after that time.
4. All signs shall be kept in good repair and maintained in safe and attractive condition by the owner.
5. No permit is required for a political sign.
6. Political signs may not be erected more than forty-five (45) days prior to the election with which it is associated, and shall be removed within ten (10) days following the election. Political signs shall not be placed on public property.
7. Political signs are permitted in all zones.
8. No person shall erect, construct or maintain any sign upon any property without the consent of the owner, or person entitled to possession of the property.

## **MEET THE CANDIDATES NIGHT**

You are invited to attend “Meet the Candidates Night” where you will be asked to respond to various questions that will be posed by those in attendance. These meetings are hosted by the Ephraim Lion’s Club. October 20, 2011 has been set as a tentative date; you will be notified as to the time and place.

## **PERSONAL COMMITMENT**

To perform effectively as a Mayor/Councilmember, you will need to budget your time wisely. You will be responsible for three very important roles: (1) your public position; (2) your spouse and family; and (3) your profession. You already know how much time is needed for your family and profession; however, few people realize how many hours are needed to conduct the official business of the City. Ten to twenty hours per week is a good estimate for the time Councilmembers give to their Council responsibilities. Twenty to thirty hours per week is a good estimate for the time a Mayor would give to his/her responsibilities.

In addition to the regularly scheduled Council meetings, numerous informal meetings and work sessions are required to address special issues or problems. Mayor and Councilmembers also serve as representatives to the City's advisory boards and commissions. It is important that you are able to attend the regularly scheduled Council meetings on the first and third Wednesdays of each month.

If an elected City officer is absent from the City any time during his term of office for a continuous period of more than sixty days without the consent of the City Council, the City office is automatically vacant. (ECU 1-5-2 (6))

## **BASIC GOOD SENSE ADVICE FOR CANDIDATES**

1. Run your campaign based on what you believe is important, to fairly represent all the citizens of Ephraim.
2. Don't attack other candidates.
3. Be honest and forthright in all you say and do.
4. Have a positive attitude.
5. Avoid campaign promises.
6. You will be elected on what you stand for, not on your opposition to what others may stand for.
7. Go out and meet the people you may be representing.

## **CITY MANAGER BY ORDINANCE FORM OF GOVERNMENT**

### Mayor:

1. Preside at all meetings of the Council and serves as chairman of the Council.
2. Has no vote in all Council proceedings except when a vote is tied.
3. Executes bonds, notes, contracts, and written obligations as required on behalf of the City.
4. Acts as the City's chief ceremonial officer and represents the City in its external affairs.
5. Makes appointments to Council advisory boards and commissions.
6. Acts as the Chairman of the Municipal Building Authority of the City of Ephraim.
8. Is the Chief Executive Officer of the City.
9. Has some statutory, legislative, judicial and ex officio powers.
10. Serves as a City Council liaison to City advisory commissions.

### Councilmembers:

1. Pass, modify, or repeal City ordinances and resolutions.
2. Determine City policy directives.
3. Authorize the issuance of bonds.
4. Appropriate funds.
5. Serve as City Council liaisons to various local boards, representing the City's interests.
6. Hold regular meetings in accordance with State law.
7. Act as the Board of Directors of the Municipal Building Authority of the City of Ephraim.
8. Have legislative powers and oversees administration.

### City Manager:

1. Has the day-to-day responsibilities as defined by ordinance of the City Council.
2. Supervises the City staff and manages operations by carrying out the policies, plans and programs adopted by the City Council.
3. Signs and executes administrative agreements that carry out the directives of the City Council.
4. Executes and enforces all applicable laws, ordinances, rules and regulations of the City, and sees that all franchises, leases, permits, contracts, licenses, and privileges granted by the City are observed.
5. Organizes and directs the management of the executive affairs of the City in a manner consistent with the Optional Forms of Municipal Government Act and with City Ordinances.
6. Is the City's chief budget officer and exercises fiscal and administrative control over all City operations through compliance with requirements of the uniform Municipal Fiscal Procedures Act.
7. Appoints with the advice and consent of the Council, a qualified person to each of the offices of Recorder, Treasurer, and Engineer/Planner; and creates any other offices deemed necessary.
8. Appoints heads of municipal offices, and departments, and with the advice and consent of the Council, suspends or removes them.
9. Attends all meetings of the City Council and participates in its discussions and deliberations, but without the right to vote.
10. Submits to the Council policies, plans, and programs relating to the development and needs of the City.

**ADVISORY BOARDS, COMMITTEES, AND PROJECT ASSIGNMENTS**

Some of the boards, committees, and project assignments the Mayor and Council may be assigned to as part of their duties include, but are not limited to, the following:

**Ex Officio Assignments**

Utilities Board  
Recreation Board  
Cemetery Board  
Tree Committee  
Airport Board  
Housing Authority  
Planning and Zoning  
Youth City Council  
Library Board  
Historical Committee  
Links Committee

**Area Assignments**

Main Street Revitalization  
Festivals & Celebrations  
City Beautification & Clean-up  
Economic Development  
Business Promotion  
Historical Bldgs & Preservation

**Project Assignments**

Bike and Walking Trails  
New Parks  
Flooding & Flood Control  
Recreation Master Plan  
Industrial Park  
Rodeo Arena

**EXECUTIVE STAFF**

The Executive Staff of the City consists of the City Manager, Planner/Engineer, Recorder, Treasurer, Financial Director, and the Department Heads.

<u>DEPARTMENT</u>	<u>INDIVIDUAL</u>	<u>BUSINESS PHONE</u>
City Manager	Regan Bolli	283-4631
City Planner/Engineer	Bryan Kimball	283-4631
City Recorder	Leigh Ann Warnock	283-4631
Financial Director	Steve Widmer	283-4631
Treasurer	Penny Kittelsrud	283-4631
Police Chief	Ron Rasmussen	283-4602
Power Superintendent	Alma Lund	340-0458
Public Works Director	Chad Parry	340-1255
Fire Chief	Kerry Steck	851-0424
Head Librarian	Betsy Erickson	283-4544
Recreation Director	Phil Murray	851-3954

PLEASE FEEL FREE TO CONTACT THESE INDIVIDUALS IF YOU HAVE QUESTIONS OR A NEED FOR ADDITIONAL INFORMATION.

# EXHIBITS

1. Declaration of Candidacy Form (Sample)
2. State of Utah Pledge of Fair Campaign Practices (Sample)  
*(This form is voluntary, but it is recommended that it be signed and returned with your first Financial Report)*
3. Campaign Financial Report Form (Sample)
4. Ethics and Financial Disclosure Statement Form (Sample)  
*(If elected an original form will be given for your return)*
5. Utah Statewide Electronic Voter Information Website Form (Sample)

# SAMPLE FORM OF DISCLOSURE STATEMENT

STATE OF UTAH                    )  
  :SS.  
COUNTY OF SANPETE        )

To: Mayor

Pursuant to the requirement contained in the Municipal Officers and Employees Disclosure Act, I am making the following sworn disclosure statement:

1. Name and City position (please print) \_\_\_\_\_  
\_\_\_\_\_
2. Name, address and nature of the business or interest involved: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. A brief but complete description describing the nature of the incident or event requiring disclosure (use the back of this form if necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. A brief summary describing the City officer or employee's position in the regulated entity and the precise nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. The precise nature and value of any change of interest since last disclosure if applicable: \_\_\_\_\_  
\_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary

Residing at: \_\_\_\_\_