

**UTAH COUNTIES INDEMNITY POOL
PERSONAL USE OF PUBLIC PROPERTY POLICY**

SECTION I. Effective Date and Frequency of Review.

- A. This policy

SECTION II. Purpose.

- A. This policy is meant to assure responsible use of public property and control excessive or unlawful use of public equipment by public servants.
- B. This policy provides public servants serving UCIP guidance as to authorized personal use of public property to avoid unintentional violations of U.C.A. §76-8-402 and U.C.A. §67-16-4(1)(c).

SECTION III. Authority.

- A. The Board has authority to implement this policy under the UCIP Interlocal Agreement and Bylaws.

SECTION IV. Applicability and Scope.

- A. This policy applies to all use of all public property owned by UCIP.
- B. This policy supersedes and replaces all other UCIP policies related to the personal use of public property.

SECTION V. Definitions.

- A. “Board” means the Board of Directors of the Utah Counties Indemnity Pool.
- B. “De minimis” means a nominal value of less than \$100.00, but does not include value of damage to the public property when used by the public servant for personal use when the public servant timely reimburses UCIP for such damage.
- C. “Incidental” has the meaning defined in the Policy Statements Section of this policy.
- D. “Pool” means the Utah Counties Indemnity Pool.
- E. “Public Property” means any property owned by UCIP, until such time as the property has been surplus.
- F. “Public Servant” means all Directors, Officers and employees of UCIP.
- G. “UCIP” means the Utah Counties Indemnity Pool.

SECTION VI. Policy Statements.

- A. The Board means to restrict unreasonable personal use of public property by public servants, while at the same time protecting its public servants from unintentionally violating U.C.A. §76-8-402, Offenses Against the Administration of Government.
- B. All Incidental personal use of public equipment is authorized under U.C.A. §76-8-402 and is further authorized under this policy. Incidental personal use includes:
 - 1. Use of public property for limited use of a personal nature when the individual is using the public property to perform their duties of officer or employment;
 - 2. Use of public property of a personal nature when such use of the public property:
 - a. Is allowed to be used by the general public for use of the personal nature;
 - b. Does not create more than a de minimis cost to UCIP;
 - c. Is provided or required to be provided to the public servant as an employee benefit or convenience, such as lunchroom and nursing room facilities;
 - d. Is known to UCIP, and the public servant timely reimburses the cost of the personal use to UCIP.
- C. Personal use of public property by a public servant is authorized under this policy when such use:
 - 1. Provides a benefit to UCIP or its members as determined by the Board, including but not limited to:
 - a. Use of rental vehicles of a personal nature when the vehicle is rented for approved UCIP business if:
 - (i) The value of the personal use is de minimis;
 - (ii) When the personal use is not de minimis but the employee reimburses UCIP for the cost of the personal use of the rental vehicle at a rate determined by UCIP.
 - b. Use of public property including but not limited to computer hardware and software when such use provides the public servant with training and familiarity with eh property which will allow them to be more proficient with its use to perform their public duties;
 - c. Use of public property in support of other agencies or community organizations which promotes good will between those agencies or community organizations and UCIP.

SECTION V. Procedures and Responsibilities.

- A. The CFO shall notify a public servant of the cost to be reimbursed to UCIP for personal use of public property which was known to UCIP, or due to damage to public property during personal use of the public property by the public servant.
- B. The public servant shall timely reimburse UCIP the amounts determined by the CFO under paragraph B of this section or contest the amount of the reimbursement to the CEO within five business days of notice from the CFO.

- C. The CEO shall investigate any suspected violation of this policy and shall report any unauthorized personal use of public property to the Board within 60 days of a determination of such violation.

SECTION VI. Revision History.

- A. Adopted:
- B. Revised:

SECTION VII. Appendices.

- A. There are no appendices to this Policy