

# Gift and Conflict of Interest Disclosure Statement

## 2024

The State of Utah's Municipal Officers' and Employees' Ethics Act sets forth standards of conduct for officers and employees of the state of Utah and its political subdivisions in areas where there are actual or potential conflicts of interest between their public duties and their private interests.

In this manner the Legislature intends to promote the public interest and strengthen the faith and confidence of the people of Utah in the integrity of their government.

It does not intend to deny any public officer or employee the opportunities available to all other citizens of the state to acquire private economic or other interests so long as this does not interfere with the full and faithful discharge of their public duties.

<b>Name</b>	Shane Marshall
<b>Position/Title</b>	City council
<b>Today's Date</b>	Wednesday, December 6, 2023

The **Municipal Officers and Employee Disclosure Act** requires you to disclose any conflicts of interest you may have with Spanish Fork City. There are **5 Disclosure Statements** that you are required to complete:

**Disclosure 1:** Use of Office for personal benefit prohibited

**Disclosure 2:** Compensation for assistance in transactions involving municipality

**Disclosure 3:** Interest in business entity regulated by municipality

**Disclosure 4:** Interest in business entity doing business with municipality

**Disclosure 5:** Investment creating conflict of interest with duties

Definitions: [Definitions Link](#)

**Please review the links with each disclosure and make a sworn statement regarding your responses**

## Disclosure Statement 1

**Disclosure 1: Use of Office for personal benefit prohibited**

**Please read the documents found at the following links:**

1. Utah Code [10-3-1304 Use of office for personal benefit prohibited](#)
2. Employee Personnel Policy [1.20.95.040 Gifts](#)
3. Utah Code [10-3-1308](#) disclosures

I acknowledge that I have read UCA §10-3-1304, the Spanish Fork City Employee Personnel Policy 1.20.95.040, AND UCA § 10-3-1308 with this signature made under penalty of perjury.



## Disclosure Statement 2

Disclosure 2: Compensation for assistance in transactions involving municipality.

**Please read the following & answer the questions in this section:**

[Utah Code 10-3-1305](#)

It is an offense for an elected officer, or an appointed officer, who is a member of a public body to receive or agree to receive compensation for assisting any person or business entity in any transaction involving the municipality in which the member is an officer unless the member:

(a) files with the mayor a sworn statement giving the information required by this section; and (b) discloses all of the following:

- The name and address of the officer or municipal employee;
- The name and address of the person or business entity being or to be assisted or in which the appointed or elected official or municipal employee has a substantial interest
- A brief description of the transaction as to which service is rendered or is to be rendered and of the nature of the service performed or to be performed in an open meeting to the members of the body of which the officer is a member immediately before the discussion.

The officer or employee shall file the statement required to be filed by this section 10 days before the date of any agreement between the elected or appointed officer or municipal employee and the person or business entity being assisted or 10 days before the receipt of compensation by the officer or employee, whichever is earlier.

The statement is public information and shall be available for examination by the public.

**Disclosure 2: I need to report a conflict of interest regarding investment creating conflict of interest with duties**

No

**Disclosure 2: I acknowledge this form is true and accurate to the best of my knowledge regarding 10-3-1305 - Compensation for assistance in transactions involving municipality AND UCA § 10-3-1308 by signing disclosure 2 under penalty of perjury.**



## Disclosure Statement 3

Disclosure 3: Interest in business entity regulated by municipality

**Please read the following & answer the questions in this section**

[Utah Code 10-3-1306. Interest in business entity regulated by municipality.](#)

(1) Every appointed or elected officer or municipal employee who is an officer, director, agent, or employee or the owner of a substantial interest in any business entity which is subject to the regulation of the

municipality in which he is an elected or appointed officer or municipal employee shall disclose the position held and the nature and value of his interest upon first becoming appointed, elected, or employed by the municipality, and again at any time thereafter if the elected or appointed officer's or municipal employee's position in the business entity has changed significantly or if the value of his interest in the entity has increased significantly since the last disclosure.

(2) The disclosure shall be made in a sworn statement filed with the mayor. The mayor shall report the substance of all such disclosure statements to the members of the governing body, or may provide to the members of the governing body copies of the disclosure statement within 30 days after the statement is received by him.

(3) This section does not apply to instances where the value of the interest does not exceed \$2,000. Life insurance policies and annuities may not be considered in determining the value of any such interest.

**Disclosure 3: I need to report a conflict of interest regarding substantial interest in a business entity**

No

**Disclosure 3: I acknowledge this form is true and accurate to the best of my knowledge regarding 10-3-1306 - Interest in business entity regulated by municipality AND UCA § 10-3-1308 by signing disclosure 3 under penalty of perjury.**



## Disclosure Statement 4

Disclosure 4: Interest in business entity doing business with municipality.

**Please read the following and answer the questions in this section**

Utah Code [10-3-1307. Interest in business entity doing business with municipality.](#)

(1) Every appointed or elected officer or municipal employee who is an officer, director, agent, employee, or owner of a substantial interest in any business entity which does or anticipates doing business with the municipality in which he is an appointed or elected officer or municipal employee, shall publicly disclose to the members of the body of which he is a member or by which he is employed immediately prior to any discussion by such body concerning matters relating to such business entity, the nature of his interest in that business entity.

(2) The disclosure statement shall be entered in the minutes of the meeting.

(3) Disclosure by a municipal employee under this section is satisfied if the employee makes the disclosure in the manner required by Sections 10-3-1305 and 10-3-1306.

**Disclosure 4: I need to report a conflict of interest regarding a business entity doing business with the municipality:**

Yes

**Disclosure 4: Name and address of the person or business entity which is doing, or anticipates doing, business with the municipality is:**

Horrocks  
2162 W Grove Parkway, Suite 200  
Pleasant Grove, UT 84660

**Disclosure 4: The nature of my interest in this business entity which is a matter for city council action is:**

I am the Chief Revenue Officer of Horrocks. We are a full service engineering firm and there are times

when Horrocks could do business for Spanish Fork city.

**Disclosure 4: I acknowledge this form is true and accurate to the best of my knowledge regarding 10-3-1307 - Interest in business entity doing business with municipality AND UCA § 10-3-1308 by signing disclosure 4 under penalty of perjury.**



## Disclosure Statement 5

**Disclosure 5: Investment creating conflict of interest with duties**

**Please read the following and answer the questions in this section**

Utah Code [10-3-1308. Investment creating conflict of interest with duties.](#)

Any personal interest or investment by a municipal employee or by any elected or appointed official of a municipality which creates a conflict between the employee's or official's personal interests and his public duties shall be disclosed in open meeting to the members of the body in the manner required by Section 10-3-1306.

**Disclosure 5: I need to report a conflict of interest regarding Investment creating conflict of interest with duties.**

No

**Disclosure 5: I acknowledge this form is true and accurate to the best of my knowledge regarding 10-3-1308 - Investment creating conflict of interest with duties AND UCA § 10-3-1308 by signing disclosure 5 under penalty of perjury.**



If you have any questions regarding a possible conflict of interest you should carefully review [Chapter 10-3-13](#) of the Utah Code. If you are receiving compensation from anyone other than Spanish Fork City for assisting a person or business entity in a transaction involving Spanish Fork City, you should review your situation with a personal attorney to determine if a sworn statement is required. Please contact the City Attorney's office if you need further clarification at 801-804-4676