

## CACHE MOSQUITO ABATEMENT DISTRICT BYLAWS

### ARTICLE I: NAME, ORGANIZATION, PURPOSES, PRINCIPAL OFFICE

#### 1.1 NAME: ORGANIZATION

1.1.1 Name. The name of this district is the Cache Mosquito Abatement District, hereafter the “District”.

1.1.2 Organization. The District was created on November 16, 2004, pursuant to the provisions of Chapter 2 of Title 17A Part 9 of the *Utah Code*.

1.1.3 Nature of District. The District is a political subdivision of the State of Utah and a body corporate with all the powers of a public or municipal corporation.

#### 1.2 PUBLIC PURPOSE

The purpose of the District, as stated in Section 17B-2a-703, *Utah Code Annotated*, as amended, is to take all necessary and proper steps for the extermination of mosquitoes, flies, crickets, grasshoppers, and other insects within the district and to abate as nuisances all stagnant pools of water and other breeding places for mosquitoes, flies, crickets, grasshoppers, or other insects anywhere situated so that mosquitoes therefrom may migrate into the district.

#### 1.3 PRINCIPAL OFFICE

The District shall have a principal business address at PO Box 466, Hyde Park, Utah 84318, until changed pursuant to Board action. To keep a check and balance on funds, all bank statements and receipts/remittances shall be sent to the treasurer’s home address until changed pursuant to Board action.

### ARTICLE II: BOARD OF TRUSTEES

#### 2.1 BOARD OF TRUSTEES

The District shall be governed by a Board of Trustees, the “Board”, as authorized by Section 17B-1-302, *Utah Code Annotated*.

#### 2.2 APPOINTMENT AND QUALIFICATIONS FOR TRUSTEES

2.2.1 Trustees shall be appointed as provided in Utah Code 17B-1-304, Local District Board Selection Procedures.

2.2.2 Each trustee appointed by a municipal legislative body shall be a registered voter of the municipality and each trustee appointed by the county legislative body shall be an elector of the unincorporated part of the district.

#### 2.3 NUMBER OF TRUSTEES

The Board shall consist of one trustee appointed from the district at large by the county legislative body and one trustee appointed by each municipal legislative body within the district.

#### 2.4 TERM OF OFFICE

The term of each trustee shall begin at noon on the first Monday of January following the trustee's appointment. The term of each member of the Board shall be four years, except that approximately half the members of the initial Board, chosen by lot, shall serve a two-year term so that the term of approximately half the Trustees expires every two years. Each Trustee shall serve until a successor is duly appointed as provided in Utah Code 17B-1-304. A Trustee is not limited in the number of terms the trustee may serve.

## 2.5 BOARD OF TRUSTEES VACANCIES

Any vacancy on the Board shall be filled as provided in Chapter 1, Part 3, Local District Board Selection Procedures (Utah Code Annotated 17B-1-304).

## 2.6 POWERS AND DUTIES

The Board of Trustees shall have all powers delegated for the District under 17B-2a-703 and may do all such acts as are not by law, or these Bylaws, forbidden.

## 2.7 MEETINGS

Regular meetings of the Board of Trustees may be held at such times and at such places as shall be determined from time to time by a majority vote of the Board of Trustees.

2.7.1 Notice. Notice of regular meetings of the Board of Trustees shall be given to each Board Member personally, by mail, telephone, or email, at least three (3) days prior to the day named for such a meeting. Notice of each such meeting shall also be provided as required by the Utah Open and Public Meetings Act. A mailed notice to a Trustee shall be deemed effective upon the notice being placed in the United States mail, properly addressed, with first-class postage prepaid.

2.7.2 Special Meetings. Special meetings of Board of Trustees may be called at the request of Chairman or the Vice-Chairman in the Chairman's absence. Notice of special meetings shall be given to each Board Member personally, by mail, telephone, or email, at least eight (8) hours prior to the time of the meeting unless, due to emergency circumstances, such notification is not practical. Notice as required by the Utah Open and Public Meetings Act of all special and emergency meetings of the Board of Trustees shall also be provided.

## 2.8 QUORUM

At all meetings of the Board of Trustees, a majority of the Board Members shall constitute a quorum for the transaction of business. If, at any meeting of the Board, there should be less than a quorum present, the meeting shall be adjourned until such time as a quorum is present. Meetings of the Board may take place through telephonic or electronic means provided that the notice and other applicable requirements of the Utah Open and Public Meetings Act are satisfied, and all Board members, whether present in person or participating via telephonic or electronic means, can participate in the discussion and the vote on any motion presented.

## 2.9 TRAINING FOR TRUSTEES

Each member of the Board should, within one year after taking office, complete the training described in conjunction with the Utah Association of Special Districts and the state auditor as directed in Utah Code 17B-1-312.

### ARTICLE III: OFFICERS

#### 3.1 OFFICERS

The officers of the District shall consist of a Chair, Vice-Chair, Treasurer, and Financial Officer of the District.

#### 3.2 QUALIFICATIONS, ELECTION, AND TERM OF OFFICE

3.2.1 Election. At the first regularly scheduled meeting of the Board of Trustees in each year, or as soon thereafter as is practical, the Board shall choose one of its members as Chair of the Board, another as Vice-Chair of the Board, another as Financial Officer of the District, and another as Treasurer. The Chair may not serve either as Treasurer or Financial Officer.

3.2.2 Term. The officers shall serve until their replacements are elected.

#### 3.3 DUTIES OF OFFICERS

3.3.1 Chair. The Chair shall be the chief executive officer of the District and, when present, preside at all meetings of the Board. The Chair can make motions, speak on one side or the other on every motion, and vote.

3.3.2 Vice-Chair. The Vice-Chair shall act in the place of the Chair when the Chair is absent.

3.3.3 Financial Officer. The Financial Officer shall approve payroll checks and routine expenditures, such as utility bills, and serve as procurement officer for the District.

3.3.4 Treasurer. The Treasurer shall have charge and custody of, and be responsible for, all funds received and disposed of by the District from any source whatsoever and, in particular, shall be responsible for the lawful investment and safekeeping of District funds per Utah Code 17B-1-633 to 637 inclusive and 63-56.

(A) The Treasurer shall affix their signature on all District checks after determining that a sufficient amount is on deposit in the appropriate bank account of the District to honor the check.

(B) The Treasurer shall provide the Clerk with a copy of bank statements and copies of receipt of deposits on all monies taken in by the District at the end of each month and obtain from the Clerk a copy of the check registry to reconcile the accounts.

#### 3.4 RESIGNATION

Any officer may resign at any time by giving verbal or written notice to the Board. Any resignation shall take effect upon receipt of such notice or at any later time specified therein. Unless otherwise specified in the notice, acceptance of the resignation shall not be necessary to make it effective.

3.5 REMOVAL OF OFFICERS

Any officer elected by the Board may be removed by a two-thirds vote of the Board whenever, in the Board's judgment, the best interests of the District would be served by such removal.

**ARTICLE IV: PRINCIPAL EMPLOYEES**

4.1 4.1 PRINCIPAL EMPLOYEES

The principal employees of the District shall consist of the Administrative Manager and the Field Operations Manager.

4.1.1 Administrative Manager. The administrative manager shall serve as the clerk for the Board of Trustees and be the custodian of the District's records and shall keep, or cause to be kept, minutes of all Board meetings. The administrative manager shall prepare financial reports; submit budget certifications; prepare the payroll; prepare and file federal and state tax returns and payments; serve as liaison with the media and public; and all other functions as directed by *Utah Code* for clerk duties or as assigned by the Board of Trustees.

(A) All minutes, reports, and payroll kept by the administrative manager shall be reviewed and approved by the Board of Trustees.

4.1.2 Field Operations Manager: The field operations manager will oversee the hiring, training, and performance of the seasonal field workers; keep all records related to pesticide storage, handling, application, and disposal; maintain District equipment and vehicles; and other duties as assigned by the Board of Trustees.

**ARTICLE V: POLICIES OF THE DISTRICT**

5.1 POLICIES OF THE DISTRICT

5.1.1 Rules and Regulations. From time to time, the Board shall adopt rules and regulations for the governance and operation of the Cache Mosquito Abatement District including, but not limited to, administrative policies and procedures, personnel rules and regulations, procurement policies, and abatement procedures and protocol.

5.1.2 Policies and Procedures Manual. The formal rules and regulations of the District shall be set forth in an "Administrative Policies and Procedures Manual", duly adopted and approved by the District's Board of Trustees.

5.1.3 Amendments. The Administrative Policies and Procedures Manual and all other rules and regulations and other enactments of the District may, from time to time, be amended by a majority vote of the Board.

**ARTICLE VI: UTAH CODE**

6.1 EFFECT OF STATE LAW

6.1.1 State Law to Supplement. The District is subject to the requirements of state law as reflected in applicable provisions of Title 17B and of other applicable portions of the Utah Code regardless of whether the subject of those provisions is covered by these Bylaws or other enactments of the District.

6.1.2 State Law to Control. In the event of a conflict between these Bylaws and an applicable portion of the Utah Code, the Code provision shall control, even though said provisions may not have been in effect when these Bylaws were adopted or may have been amended after the effective date of these Bylaws.

**ARTICLE VII: AMENDMENTS TO BYLAWS**

7.1 AMENDMENTS BY BOARD

Amendments to these Bylaws may be made at any meeting of the Board provided notice of the intent to amend the Bylaws shall have been given in the notice of the meeting.

Approved February 10, 2005	<u>/s/David Wood, chair</u>	<u>/s/ Terrie Wierenga, clerk</u>
Amended June 23, 2005	<u>/s/David Wood, chair</u>	<u>/s/ Terrie Wierenga, clerk</u>
Amended March 27, 2008	<u>/s/ Perry Spackman, chair</u>	<u>/s/ Terrie Wierenga, clerk</u>
Amended January 24, 2013	<u>/s/ Elaine Nelson, chair</u>	<u>/s/ Terrie Wierenga, clerk</u>