

BYLAWS

MOAB MOSQUITO ABATEMENT DISTRICT

ARTICLE I

MOAB MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

SECTION 1. COMPOSITION. The Board of Trustees of the Moab Mosquito Abatement District (the Board) consists of five (5) members, appointed as provided by law to four (4) year terms each, and is vested with such powers as are provided by the laws of the State of Utah in administrating and directing the activities of the Moab Mosquito Abatement District.

SECTION 2. The mailing address of the Board is P.O. Box 142, Moab, UT 84532, and the Grand County Courthouse, Moab, UT. The business office location will be the office of the District clerk or as otherwise designated by the Board of Trustees.

SECTION 3. ACCOUNTING YEAR. This Board and the Moab Mosquito Abatement District shall operate on a fiscal year beginning January first and ending on December thirty-first.

ARTICLE II

POWERS AND DUTIES OF THE BOARD OF TRUSTEES

SECTION 1. The Board of Trustees shall act on behalf of the Moab Mosquito Abatement District in performing such duties, responsibilities, and functions as are authorized by law in Title 17A-2-908 Utah Code.

SECTION 2. The Board of Trustees shall exercise all rights, powers and authorities granted to the Moab Mosquito Abatement District by the laws of the State of Utah, especially those rights, powers, and authorities granted by Section 17A-2-908 of the Utah Code.

SECTION 3. The Board of Trustees shall be responsible for designating those projects and activities, which will be conducted by the Moab Mosquito Abatement District.

ARTICLE III

OFFICERS OF THE BOARD

SECTION 1. CHAIRMAN. The Board shall elect from its members a chairman who shall be the presiding officer of the Board. The chairman shall serve a term of one (1) year or until his/her successor is elected and qualified. The chairman shall be elected at the first business meeting in January of each year. The chairman shall preside at all meetings of the Board and as established by law or the by-laws, shall have such other duties, powers, and responsibilities as are assigned to him/her.

SECTION 2. SECRETARY. The Board shall elect from its members a secretary who shall act as and perform the duties of the chairman in his/her absence. The secretary shall serve a term of one (1) year or until his/her successor is elected and qualified. The secretary shall attend all meetings of the Board.

SECTION 3. In the event any of the elected offices of the Board are vacated by resignation from an office or from the Board, the chairman may appoint a member of the Board to act in any office on a temporary basis until an election can be held for the office. Any officer elected as the result of the removal or resignation of the previous officer will fill the unexpired term of that officer. Elections for new terms of office will be held as provided for in these by-laws.

SECTION 4. TRANSFER OF AUTHORITY. In case of the absence of any officer of the Board or for any other reason that the Board may deem sufficient, the Board may transfer the powers or duties of that officer to any officer of the Moab Mosquito Abatement District, provided a majority of the Board concurs.

ARTICLE IV DISTRICT CLERK

SECTION 1. MEETINGS AND RECORDS. In compliance with Utah Code Section 17A-1-434, the Board shall appoint a District clerk. Where required, the clerk may be chosen from among the members of the Board, except the chairman of the Board. The District clerk or other appointed person shall attend all meetings and keep a record of the proceedings of the Board.

SECTION 2. INDEXED RECORD OF CONTRACTS. In compliance with Utah Code Section 17A-1-435, the District clerk shall maintain a properly indexed record of all contracts made on behalf of the District.

SECTION 3. BOOKKEEPING DUTIES - DUTIES WITH RESPECT TO PAYMENT OF CLAIMS:

A. In compliance with Utah Code Section 17A-1-436, the District clerk shall maintain the financial records for each fund of the District and all related subsidiary records, including a list of the outstanding bonds, their purpose, amount, terms, date, and place payable.

B. The District clerk shall keep accounts with all receiving and disbursing officers of the District, shall pre-audit all claims and demands against the District before they are allowed, and shall certify on the voucher or check copy, as appropriate, that:

- 1) the claim has been pre-audited and documented,
- 2) the claim has been approved in one of the following ways:
 - i. purchase order directly approved by the governing body or its delegate,
 - ii. claim directly approved by the Board, or
 - iii. claim approved by the financial office, and
- 3) the claim does not overextend the appropriate departmental budget established by the Board.

SECTION 4. The District clerk or other delegated person shall prepare and present at the meetings of the Board, or whenever requested, a statement of financial condition of the Moab Mosquito Abatement District and shall prepare and present detailed quarterly financial reports showing the financial position and operations of the District for that quarter and the year to date status. S/He shall be responsible for the preparation of the budget for submittal each year. S/He shall be responsible for arranging the public hearing on the budget each year. S/He shall be responsible for the preparation of all reports to the State of Utah that may be required. S/He shall perform such other duties as the by-laws may provide or the Board may prescribe.

ARTICLE V
DISTRICT TREASURER

SECTION 1. TREASURER. DUTIES GENERALLY. In compliance with Section 17A-1-437, the Board shall appoint a treasurer. Where required, the treasurer may be chosen from among the members of the Board, except the chairman of the Board. The treasurer shall serve a term of one (1) year or until his/her successor is appointed and qualified. The District clerk may not also be the District treasurer. The District treasurer shall:

- A. be the legal custodian of all moneys, notes, securities, and other valuables that may from time-to-time come into the possession of the Moab Mosquito Abatement District,
- B. determine the cash requirements of the District and provide for the investment of all idle cash,
- C. receive all public funds and money payable to the District within three business days after collection, including all taxes, licenses, fines, and intergovernmental revenue, and keep an accurate detailed account in the manner provided in this part, and as the Board of the District may by resolution from time to time direct, and
- D. collect all special taxes and assessments as provided by law and ordinance.

SECTION 2. DEPUTY TREASURER. The treasurer, or in the treasurer's absence a deputy treasurer appointed by the governing body, shall sign all checks prepared by the clerk. Prior to affixing the signature, the treasurer or deputy treasurer shall determine that a sufficient amount is on deposit in the appropriate bank account of the district to honor the check.

ARTICLE VI
MEETINGS AND BUSINESS ACTIVITIES

SECTION 1. A majority of the members of the Board shall constitute a quorum for the transaction of business. The act of the majority of the members present at a meeting at which a quorum of three voting members is present shall be the act of the Board of Trustees unless the act of a greater number is required by statute or the by-laws.

SECTION 2. The Board of Trustees shall hold regular meetings the dates and times of which will be advertised at the beginning of each fiscal year in a publication of general circulation within the District boundaries. A notice of meetings stating the date, place, time, and agenda of each regular or special meeting of the Board of Trustees shall be posted at the Grand County Courthouse, and shall be given to a member of the media at least 24 hours prior to the meeting. In the event a regular meeting date falls on a legal holiday, an alternate meeting date and time shall be advertised in the same manner. Meetings shall be held at the Old County Road Shop at 1000 E. Sand Flats Rd., Moab, Utah, unless otherwise advertised.

SECTION 3. A special meeting may be called upon the concurrence of three members of the Board, as provided in Title 52-4-6(5).

SECTION 4. Any member wishing to place an item on the agenda for a regular meeting must notify the chairman and/or secretary at least seven days before the scheduled meeting day. Action on any items will be governed by the provisions of the Utah Open and Public Meetings Act, Sections 52-4-1 et seq. All rules and resolutions shall be approved in open meetings.

SECTION 5. The tentative budget of the Moab Mosquito Abatement District shall be submitted to the Board of trustees at the November meeting of the Board. After an approval of the tentative budget, the Board shall be responsible for submittal to the public and for the public hearing.

SECTION 6.

A. All deeds and other written contracts and agreements to which the Moab Mosquito Abatement District shall be a party, shall, unless otherwise directed by the Board or unless otherwise required by law, be signed by the chairman and the secretary of the Board.

B. The Board may authorize the chairman, secretary, or designee to sign correspondence or purchase orders. The signing of other documents such as reports to state agencies, quarterly payroll tax documents, or similar on-going documents may be assigned to the District clerk.

C. The Board may authorize the treasurer to endorse revenues, which may be received by the District, and to deposit the same into the general account maintained by the District.

SECTION 7. Any member of the Board of Trustees or employee of the District shall be reimbursed for mileage at a rate to be established by the Board and for other expenses incurred in conducting the business or representing the Moab Mosquito Abatement District. Receipts shall be required.

SECTION 8. In instances of disputed procedures of meeting of the Board of Trustees, "Robert's Rules of Order" will prevail.

SECTION 9. If a trustee is not in attendance at three consecutive regular meetings or misses four regular meetings during a calendar year, s/he will no longer be considered a member of the Board. The chairman or secretary of the Board will inform the appointing governmental body that a new trustee needs to be appointed.

ARTICLE VII
PROJECTS OF THE DISTRICT

SECTION 1. The Board of Trustees is empowered and authorized to conduct projects or acts authorized by law. A majority vote is required to adopt a project. Referrals for project topics may be received from the public or from any member of the Board.

ARTICLE VIII
AMENDMENTS

The power to alter, amend, or repeal the by-laws, or to adopt new by-laws, is vested in the Board of Trustees. Amendments shall be submitted in written form, by any member of the Board. There must be ten (10) days notice of submitted amendments, prior to a vote on any change. A majority vote is required for any amendment to the by-laws. An effective date shall be provided in the amendment or the amendment shall be effective on the date of enactment.