

SALT LAKE CITY MOSQUITO ABATEMENT DISTRICT

BY-LAWS Of the BOARD OF TRUSTEES

**Originally Adopted
August 9, 1994**

**Amended
January 15, 1998
May 20, 1999
May 11, 2000
March 18, 2004
May 18, 2006
May 2011
March 21, 2013
15 December 2016**

MISSION STATEMENT

The mission of the Board of Trustees of the Salt Lake City Mosquito Abatement District is to represent the citizens of Salt Lake City in setting policies leading to the enhancement of health and quality of life through the suppression of mosquito transmitted diseases and the reduction of annoyance levels caused by mosquitoes.

A. To fulfill this mission, the following principles are followed:

1. Prevention of mosquito-transmitted disease and protection of human and animal health is our primary concern;
2. Research is an integral part of the mission;
3. The District is highly sensitive to environmental concerns and committed to the protection of the environment;
4. Best management practices utilizing scientifically accepted suppression methods are encouraged;
5. Public awareness of and information on mosquito biology and management are keys to long-term success;
6. The District will cooperate and collaborate with other organizations, agencies, and individuals to fulfill the mission.

Article I. NAME

The name of the District shall be **Salt Lake City Mosquito Abatement District**. It also may be known as the **SLCMAD** and referred to in these By-Laws as the "District".

Article II. GOVERNING AUTHORITY

The District was the first mosquito abatement district organized and incorporated under the mosquito control law, enacted as Senate Bill 185, passed March 7, 1923; approved March 16, 1923; and, in effect May 8, 1923. The law governing mosquito abatement districts has been amended and moved within the Utah Code many times. The mosquito control law is now found in the Utah Code annotated 17B-2a-7.

- A. **Board Members:** The governing authority of the District shall be composed of five (5) trustees appointed by the Salt Lake City Council as provided in Utah Code sections 17B-1-304 and 17B-2a-704(1). The governing authority shall be known as the **BOARD OF TRUSTEES of the SALT LAKE CITY MOSQUITO ABATEMENT DISTRICT** or simply as the "Board".
1. **Qualifications:** Each Board member shall be a registered voter of Salt Lake City. Board members shall not be employed by the District either as an employee or under contract.
 2. **Compensation:** Under Utah Code (17B-1-307), the members of the Board may receive up to \$5,000 compensation per year, in addition to the necessary expenses for actual expenditures for traveling, meetings or business connected with the Board. Trustees may elect to participate in the District's group health insurance plan and apply their compensation towards the premium of that coverage. If the premium is greater than the allowed compensation of \$5,000, then the trustee would be responsible for paying that difference. The Board has elected to limit trustee's compensation to \$3,500 per year. The compensation would be divided into 12 equal amounts. The amount that a local district pays employer-matching employment taxes, because a member of the board of trustees is treated as an employee for federal tax purposes, does not constitute compensation [Utah Code 17B-1-307 (1) (d)]. Trustees must attend a regularly scheduled monthly Board meeting to be eligible for that month's compensation.
 3. **Responsibility:** The Board's primary function is that of establishing policy and making decisions as guidelines for administrative execution. Broad powers were given to the Board by the Utah State Legislature in recognition of the need to act expediently to meet emergency needs of rapid development of mosquito populations and avoidance of public health and nuisance hazards.

The obligations of the Trustees are:

- a. To become cognizant of the nature, complexity, benefits, and possible hazards of mosquito control operations.
- b. To employ competent, properly-trained professional personnel.
- c. To require those professional personnel keep abreast of developing technology and provide the resources for them to do so.
- d. To support and contribute their time and efforts to professional organizations that facilitates the exchange of information and promotes the welfare of mosquito control.
- e. Trustees should delegate to the District Manager of their program adequate authority to organize and direct operation.
- f. To evaluate the performance of the professional staff, require high levels of performance, and require necessary improvements or dismissals.
- g. To provide funds through available sources, properly manage these monies, and report to higher authorities and the general public on the use of these funds and the results obtained.
- h. To cooperate with research organizations such as universities or government agencies and exchange data to promote the development of mosquito control technology.

4. **Term:** Board members shall serve four-year terms.

Article III. OFFICERS AND ELECTIONS

The officers of the District shall consist of a Chairperson and a Vice-Chairperson. Nominations for each office shall be taken and officers elected by majority vote.

A. **Elections:** The election of officers shall take place no later than the last regularly scheduled Board meeting of the year.

B. **Term:** The officers shall serve from January 1 through December 31. (An exception to this rule is noted in "C" below.)

C. **Succession:** The Vice-Chairperson automatically ascends to the office of Chairperson at the end of the Chairperson's term. If the office of Chairperson is vacated, for any reason, then the Vice-Chairperson will fill the remainder of that term, plus at his/her discretion the year that he/she would normally have been Chairperson. In the event that the Vice-Chairperson ascends to the

Chairpersonship because of a vacancy, then the Board will elect a new Vice-Chairperson at the earliest regular Board Meeting, to fill out the remainder of the term, plus at his/her discretion the following year.

Article IV. DUTIES

- A. **Chairperson:** The Chairperson shall preside at all meetings and maintain general supervision over the establishment of policy making decisions as guidelines for administrative execution of the District subject to the authority of the Board. The Chairperson has authority to call emergency meetings.
- B. **Vice-Chairperson:** The Vice-Chairperson shall preside at all regular meetings in the absence of the Chairperson. In case of a vacancy in the office of the Chairperson, the Vice-Chairperson shall become Chairperson for the balance of the year.
- C. **Board:** The Board shall:
1. Hire a District Manager.
 2. Appoint a Records Officer.
 3. Appoint a Budget Officer.
 4. Appoint a District Treasurer.
 5. Appoint a District Clerk. The District Clerk and District Treasurer cannot be the same person. At the Board's discretion, the Records Officer, Budget Officer, and District Treasurer duties may be assigned to the District Manager.
 6. The Board assures that the District is in compliance with the budget/fiscal procedures, submission of budgets and audit reports, and personnel management of the Utah Code 17B-1.
 7. The Board yearly reviews the performance of the District Manager.
 8. The Board yearly reviews the salaries and wages, and benefits that it offers full and part-time employees to insure fair and equitable compensation with the marketplace.
 9. The Board yearly reviews the District's Policies and Procedures.
 10. Approve minutes of all public meetings and hearings.
 - A draft copy of the minutes will be given to all Trustees prior to the following meeting or hearing.

- The draft copy of the minutes or hearing will be placed on the agenda of the next regular scheduled Board meeting for review and approval.
 - After approval, the officer presiding over the meeting whose minutes are being approved and the District Manager will sign and date the approved minutes.
11. Appoint two of its members to serve on the Davis-Salt Lake Aerial Spray Authority Board.

Article V. MEETINGS

All meetings of the Board shall comply with the Utah Open and Public Meetings Act, Utah Code 52-4. A simple majority of the Board will constitute a quorum.

A. Regular Scheduled Monthly Meetings: The Board shall hold a Board Meeting on the third Thursday of each month, at 12:30 p.m., at the District office (unless another time and place is advertised). The June and December regular scheduled meetings are held after public hearings; and thus, the time would be after 6:00 PM.

1. Agenda: An agenda shall be prepared and distributed to the Board prior to the meeting.
2. Monthly Meetings shall be held for the purpose of approving bills for payment, administering fiscal requirements, setting of policy and to communicate with the District Manager as to field activities, personnel management, and operational needs for prudent long-term District planning.

Since the monthly meetings are held during lunch time, a boxed lunch will be furnished to Trustees and staff attending the meetings. This practice allows members of the Board who are taking time out of their daily schedule to eat their lunch during the meeting and thus not lose additional time from their employment.

B. Public Hearings: Public hearings shall be held as required complying with Utah Code 17B-1.

1. Public Hearings will be held after 6:00 PM.
2. Regular Scheduled Monthly Meetings generally follow Public hearings in June and December.

C. Closed Meetings: A closed meeting may be held under the provisions of Utah Code sections 52-4-204 through 52-4-206 for purposes of discussing any subject identified in Utah Code section 52-4-205.

- D. **Emergency Meetings:** The Board may hold emergency meetings without the usual notice requirements when because of unforeseen circumstances it is necessary to consider matters of an emergency or urgent nature.
- E. **Electronic Meetings:** In accordance with Utah Code section 52-4-207, a member of the Board who is unable to be present at the place of a meeting or hearing can, through electronic means, participate in that meeting or hearing with all privileges as if physically present, if the following are met:
1. A quorum of the Board must be present at the physical site of the meeting or hearing;
 2. The request by the Board Member to use electronic participation can be made up to two hours prior to the meeting or hearing; and,
 3. No more than two Board members may participate by electronic means at any meeting or hearing;
- F. **Affiliated Association Meetings:** Each member of the Board should, within one year after taking office, complete training developed by the Utah Association of Special Districts and/or the Utah State Auditor's Office (Utah code 17B-1-312). Trustees are encouraged to take refresher training each year. This training is available at meetings #1 and # 5 below.

In order to keep the Board informed of current trends in mosquito control management and operation, members of the Board are encouraged and sponsored (as per the SLCMAD Employee Handbook) to attend affiliated association meetings. The following should serve as a general guideline, but may be modified by the Board to meet individual circumstances:

1. Utah Mosquito Abatement Association Annual Meeting: all Board members may attend.
2. One Regional Mosquito Control Association Annual Meeting: one Board member may attend this meeting with first choice being given to the Vice-Chairperson of the Board.
3. American Mosquito Control Association Annual meeting: one Board member may attend this meeting with first choice being given to the Board Chairperson.
4. American Mosquito Control Association Washington Day: one Board member may attend this meeting with first choice being given to the immediate past Board Chairperson.
5. Utah Association of Special Districts Annual Meeting: all Board members may attend.

6. Other meetings as designated by the Board.

Article VI. INDEMNIFICATION AND INSURANCE

The District makes every attempt to indemnify Trustees to the extent permitted by law.

- A. An **Indemnification Agreement** between the District and each Trustee is offered to each Trustee.
- B. The District includes in its liability policy errors and omissions insurance for District Officers and Trustees.

Article VII. AMENDMENTS

These By-Laws may be amended at any regularly scheduled monthly Board Meeting at which there is a quorum, provided the Board has previously considered the merits of the amendments(s).

Article VIII. SAVINGS CLAUSE

If any rule, subdivision, sentence, clause, phrase, or provision of these By-Laws or the application thereof be found to be invalid or in conflict with any state or federal law, the conflicting portion shall not affect the application or force of the balance of these By-Laws.