

SALT LAKE CITY MOSQUITO ABATEMENT DISTRICT

BY-LAWS Of the BOARD OF TRUSTEES

**Originally Adopted:
9 August 1994**

Latest Amendment:

**19 April 2018
19 December 2019
23 March 2020**

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 in Utah under the mosquito control law, enacted as Senate Bill 185, passed 7 March 1923; approved 16 March 1923; and, in effect 8 May 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 SLCMAD Board has elected to limit trustee's compensation to \$3,500 per year (plus taxes) for regularly-held monthly Board meetings. The compensation would be divided into 12 equal amounts. Additional compensation above that rate may be provided to the Board for meetings held outside of regularly-scheduled Board meetings (Local Building Authority, Electronic Board meetings, Emergency Board meetings, etc.). 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. All Tier I and Tier II Board Members are classified as "Part-Time Ineligible" and do not qualify for Utah Retirement Systems benefits.
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 to 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 facilitate the exchange of information and promote the welfare of mosquito control.
 - e. To delegate to the Executive Director of their program adequate authority to organize and direct operations.
 - f. To hire, evaluate the performance of, and if necessary, terminate the Executive Director. To also confirm that the performance of professional staff is being evaluated to maintain high levels of performance, which may 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 methods and technology.
 - i. To stay informed of local, state, and national rules and regulations as they pertain to a Local District and a mosquito-control organization.
4. **Term:** Board members shall serve four-year terms, with no term limits. At the end of each Board Member's term, the position is considered vacant, and after following appointment procedures established in Utah Code sections 17B-1-304 and 17B-2a-704(1), the appointing authority may either reappoint the incumbent Board Member or appoint a new member. A Board Member may continue to serve until a successor is appointed.

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 should 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, 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, the Board will elect a new Vice-Chairperson at the earliest regular Board Meeting.

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 an Executive Director.
 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 Executive Director or other full-time employees of the District.
 6. Assure 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. Annually review the performance of the Executive Director.
 8. Annually review the salaries, wages, and benefits that it offers full and part-time employees to ensure fair and equitable compensation with the marketplace.
 9. Annually review 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 regularly-scheduled Board meeting for review and approval.
 - After the minutes have been approved by the Board, the Presiding Officer and Executive Director will sign and date the approved minutes.
11. Appoint two of its members (or designees) 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. Regularly-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 regularly-scheduled meetings are generally held before public hearings, which are held at 6:00 p.m. A Board Calendar will be posted on the Utah Public Notice Website annually and updated as needed.

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 Executive Director as to field activities, personnel management, and operational needs for prudent long-term District planning.

Since the monthly meetings are held during meal time, a light meal 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 during the meeting and not lose additional time from their daily responsibilities.

B. Public Hearings: Public hearings shall be held as required, complying with Utah Code 17B-1-210, -627, -643, and 59-2-919.

1. Public Hearings will be held at or after 6:00 p.m.
2. Regularly-Scheduled Monthly Meetings generally precede 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, members of the Board who are 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 conditions are met:
1. The SLCMAD main office will serve as the anchor location for the public meeting;
 2. Space and facilities at the anchor location will be provided so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting;
 3. The request by the Board Members to use electronic participation may be made up to two hours prior to the meeting or hearing;
 4. No more than four Board members may participate by electronic means at any meeting or hearing; and,
 5. The Board Chair or Vice Chair shall be physically present at the anchor location to conduct the meeting.
 6. The enforcement of certain provisions of the Utah Open Public Meetings Act (52-4-207) may be suspended during a state of emergency, as declared through federal, state, or local authorities.
- 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. Trustees are also required to complete annual training on the Open and Public Meetings Act. 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 to attend affiliated association meetings. The following should serve as a general guideline, but may be modified by the Board to meet additional 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 and/or recommended by the Executive Director.

G. Travel-Related Reimbursement: Members of the Board are eligible for meeting attendance reimbursement or compensation as pertaining to Utah State Administrative Code [Subsection 63G-3-102(5), 63G-3-701, and 63G-3-702]. The Board travel policy shall follow recommendations set forth by the Utah State Auditor's Office and the Department of Finance. The travel policy shall consist of the following:

1. No lodging reimbursement will be provided for destinations fewer than 50 miles away from the Board Member's home or the anchor location. For lodging beyond 50 miles, reimbursement will be provided at 100% of the hosting hotel convention rate.
2. Vehicle mileage reimbursements will be provided for actual miles driven, as well as other costs such as parking fees, etc. Standard mileage rates will be derived from the Internal Revenue Service.
3. Board members may be compensated for meetings/activities outside of regular Board meetings. Compensation will be \$60 for half day attendance and \$90 for full day.
4. Meal per diems will be \$42 (\$10 breakfast, \$14 lunch, \$18 dinner) for in-state and \$46 (\$10 breakfast, \$14 lunch, \$22 dinner) for out-of-state. This rate is reduced if meals are provided at the event. Additionally, when travelling to a Tier I premium location (Anchorage, Chicago, Hawaii, New York City, San Francisco, and Seattle), the traveler may choose to accept the per diem rate for out-of-state travel or to be reimbursed at the actual meal cost (with original receipts up to \$67 per day). When travelling to a Tier II premium location (Atlanta, Baltimore, Boston, Dallas, Los Angeles, San Diego, and Washington D.C.), the traveler may choose to accept the per diem rate for out-of-state travel or to be reimbursed at the actual meal cost (with original receipts up to \$58 per day).

Article VI. INDEMNIFICATION AND INSURANCE

The District makes every attempt to indemnify Trustees to the extent permitted by law. The District shall indemnify Trustees by including Crime Insurance in its Liability Policy, which covers errors and omissions 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 amendment(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.