

# **WEBER MOSQUITO ABATEMENT DISTRICT**

## **BY-LAWS**

**of the**

## **BOARD OF TRUSTEES**

**Adopted**

**December 9, 2013**

### **MISSION STATEMENT**

The mission of the Board of Trustees of the Weber Mosquito Abatement District is to represent the citizens of Weber County 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 **Weber Mosquito Abatement District**. It may also be known as the **Weber MAD** or **WMAD** and referred to in these By-Laws as the "District".

## Article II. GOVERNING AUTHORITY

The District was originally formed on April 20, 1947. 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-701.

A. **Board Members:** The governing authority of the District shall be composed of one representative from each of the incorporated cities in Weber County and one representative from the unincorporated areas of the county representing the county-at-large. Trustees from incorporated cities shall be appointed by the mayor and the trustee from the county-at-large shall be appointed by the county commission. The governing authority shall be known as the **BOARD OF TRUSTEES** of the **WEBER MOSQUITO ABATEMENT DISTRICT** or simply as the "Board".

1. **Qualifications:** Each Board member shall be a resident and registered voter of the city or area they represent. Board members shall not be either full or part-time employees of the District.
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 basic life insurance coverage offered through the Utah Local Governments Trust. The Board has elected to limit Trustee's compensation to \$20 per meeting plus reimbursement for mileage. The District uses the standard mileage rate issued by the IRS. The compensation is to be paid to each Trustee after the December board meeting. Trustees must attend a regularly scheduled monthly Board of Trustee's 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 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 facilitates the exchange of information and promotes the welfare of mosquito control.

- e. Trustees should delegate to the District Director of their program the adequate authority to organize and direct operations.
  - 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, and may serve an unlimited number of terms.

### **Article III. OFFICERS AND ELECTIONS**

The officers of the District shall be Chair and Vice Chair. 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 first regularly scheduled Board meeting of the new 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:** If the office of Chair is vacated, for any reason, then the Vice Chair will fill the remainder of that term. In the event that the Vice Chair ascends to Chair because of a vacancy, then the Board will elect a new Vice Chair at the earliest regular Board meeting, to fill out the remainder of the term.

### **Articles IV. DUTIES**

- A. **Chair:** The Chair 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 Chair has authority to call emergency meetings.
- B. **Vice Chair:** The Vice Chair shall preside at all regular meetings in the absence of the Chair. In the case of a vacancy in the office of the Chair, the Vice Chair shall become Chair for the balance of the year.
- C. **Board:** The Board shall:
  - 1. Hire a District 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 the 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 Director;
6. The Board assures that the District is in compliance with the budget/fiscal procedures, submission of budget and audit reports, and personnel management of the Utah Code 17B-Chapter 01;
7. The Board yearly reviews the performance of the District Director;
8. The Board yearly reviews the salaries, 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 will sign and date the approved minutes.

## **Article V. MEETINGS**

All meetings of the Board shall comply with the Utah Open and Public Meetings Act, Utah Code Title 52 Chapter 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 second Monday of each month, at 6:00 p.m., at the District office (unless another time and place is advertised).
  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 Director as to field activities, personnel management, and operational needs for prudent long-term District planning.
- B. **Public Hearings:** Public hearing shall be held as required complying with Utah Code 17B-Chapter 01. Public Hearings will be held after 6:00 p.m.
- C. **Closed Meetings:** May be held under provisions of Utah Code 52-4-4 through 5 for purposes of discussion of character, professional competence, strategy session with respect to bargaining, security personnel or devices or investigative proceedings regarding criminal misconduct.

- 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:** 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 must be made up to three days prior to the meeting or hearing; and,
  - 3. No more than seven Board members may participate by electronic means at any meeting or hearing.
  
- F. **Affiliated Association Meetings:** 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 will serve as a general guideline, but may be modified by the Board to meet individual circumstances:
  - 1. Utah Mosquito Abatement Association Annual Meeting;
  - 2. One Regional Mosquito Control Association Annual Meeting;
  - 3. American Mosquito Control Association Annual Meeting;
  - 4. Utah Association of Special Districts Annual Meeting;
  - 5. 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.

## **Article VII. AMENDMENTS**

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

## **Article VII. 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 the By-Laws.