

SNYDERVILLE BASIN CEMETERY DISTRICT

Bylaws - Board of Trustees

Adopted April 3, 2024

ARTICLE I DEFINITIONS

- 1.1 “Board” means the Board of Trustees of the Snyderville Basin Cemetery District.
- 1.2 “Board Action” means an official vote or action of the Board of Trustees.
- 1.3 “Board Member” means a member of the Board.
- 1.4 “Clerk” is the person elected by the Board to record and safeguard all minutes of the Board and act as the secretary to the Board.
- 1.5 “County” means Summit County, Utah.
- 1.6 “County Council” refers to the legislative body of Summit County.
- 1.7 “District” means the Snyderville Basin Cemetery District.
- 1.8 “Immediate Family Member” means a parent, stepparent, grandparent and his/her spouse, spouse and his/her siblings and spouses of such siblings, sibling and his/her spouse, a child and his/her spouse, and a stepchild and his/her spouse, and a grandchild and his/her spouse.
- 1.9 “Manager” is the General Manager of the District, who is its chief executive officer appointed in accordance with Summit County Code Sections 2-44-5 and 2-44-12.
- 1.10 “Officer” means the chair, vice-chair, clerk, and treasurer of the Board.
- 1.11 “Treasurer” is one the Board Member designated and authorized to cosign all checks and other disbursements on behalf of the District, and to provide recommendations to the Board regarding the collection of revenues, disbursements of funds for expenses, and the custody of funds that comply with state law and sound accounting controls.

ARTICLE II BOARD

- 2.1 The District shall be governed by the Board which shall manage and conduct the District’s business and affairs in accordance with its delegated powers in Section 2-44 et. seq. of the Summit County Code. All powers of the District are exercised through the Board in accordance with the law.

- 2.2 The Board shall be comprised of five (5) members, all of whom shall be appointed by the Summit County Council pursuant to Summit County Code 2-44-6.
- 2.3 Qualifications: To be eligible for appointment as a voting member, each member of the Board shall:
 - 2.3.1 Be a registered voter at the location of the member's residence within the District's boundaries and a resident within the District.
- 2.4 Functions of the Board
 - 2.4.1 The Board shall exercise all powers and duties enumerated in Section 2-44-5 of the Summit County Code and Utah Code § 17B-1-301.
 - 2.4.2 The Manager prepares and proposes to the Board, for approval, an annual budget pursuant to Section 2-44-12 of the Summit County Code, which the District shall present to the County Council.
 - 2.4.3 In every case, decisions of the Board shall be expressed by a majority vote of a quorum of the Board.
- 2.5 Individual Board Members shall not give orders to any staff member of the District, either publicly or privately, but may ask for information from the Manager to be presented to the Board.
- 2.6 All members of the Board shall serve in accordance with Utah Code and Section 2-44-6 of the Summit County Code.

ARTICLE III TERM OF OFFICE

- 3.1 Except as provided below, the term of office for each appointed member of the initial Board shall fixed by the County Council; otherwise the term of office shall be four (4) years.
- 3.2 Board Members shall serve until their death, expiration of their term, their resignation or their removal for cause by the County Council.
- 3.3 Each Board Member may serve a maximum of three (3) appointed terms (Summit County Code 2-11-4).
- 3.4 Vacancies on the Board shall be filled by the County Council within 90 days for the unexpired term of the Board Member whose vacancy is to be filled. If such vacancy is not filled by the County Council within 90 days, then the Board may fill such vacancy for the

unexpired term of the Board Member whose vacancy is to be filled (Section 2-44-8 of the Summit County Code).

ARTICLE IV OFFICERS

- 4.1 The Board shall elect from among its members, a chair, vice-chair, a treasurer, and a clerk who shall act as the Officers of the District. Election of the initial slate of Officers shall be held at the initial meeting of the Board. Thereafter, elections shall be held at the first scheduled public meeting in January and biennially thereafter, except if an office is vacant as a result of a vacancy on the Board, in which event, there may be an election at a public meeting after such vacancy or after the appointment or election of a replacement Member.
- 4.2 Chair
 - 4.2.1 Conducts meetings.
 - 4.2.2 Schedule public meetings and any or all special public meetings. Collaborates with the Manager to set Board meeting agendas. The Chair shall have final say in determining whether an item is placed on an agenda, subject to the exception that an item shall be placed on the agenda upon the agreement of any two Board Members.
 - 4.2.3 Act as official spokesperson for the Board to the public or designate such spokesperson.
 - 4.2.4 Coordinates and follows through on projects and assignments of the Board.
 - 4.2.5 Arranges for ongoing dialogue and interaction with interfacing entities such as the County Council and other local town/city councils within the District, and other public entities for the purposes of information exchange, insight, and analyzing future growth and development.
- 4.3 The Vice Chair shall act as Chair in the absence or at the direction of the same.
- 4.4 Clerk
 - 4.4.1 Attends Board meetings and keeps a record of the proceedings.
 - 4.4.2 Prepares and posts draft Minutes of Board meetings.
 - 4.4.3 Posts approved Minutes of Board meetings.
- 4.5 Treasurer
 - 4.5.1 Primarily responsible for the funds and assets of the District and accountability for the same.

- 4.5.2 Reviews placement and status of the District's funds.
- 4.5.3 One of two Board Members on the District's operating account signature card.
- 4.5.4 Maintains financial records.
- 4.5.5 Presents a financial report at least quarterly to the Board.
- 4.6 Entire Board
 - 4.6.1 Provides policy framework, sets vision/goals/policies.
 - 4.6.2 Delegates policy implementation to the Manager.
 - 4.6.3 At least quarterly, reviews all expenditures authorized by the Manager.
 - 4.6.4 Any Board Member may submit a request to the Chair to place an item on a future agenda, provided that such request shall be submitted no fewer than seven (7) business days in advance of the meeting for which the item is requested.
- 4.7 Removal of Board Member
 - 4.7.1 A Board Member may be removed for cause by the County Council.
- 4.8 Compensation. Board Members shall not receive compensation for their service. Board Member's actual and necessary expenses incurred in the performance of their official duties may be reimbursed from District funds.

ARTICLE V
OPEN AND PUBLIC MEETINGS

5.1 Open Meetings

The Board operates within the guidelines of the Open and Public Meetings Act of the State of Utah (Utah Code §§ 52-4-101 et seq.). Annual training will be scheduled by District or County administration regarding the Open and Public Meetings Act. The Chair of the Board will ensure that its members are provided with annual training on the requirements of the Open and Public Meetings Act.

With a quorum present, an open meeting will include workshops and Executive Sessions but does not include chance meetings or social meetings.

5.2 Closed Meetings

A meeting may only be closed pursuant to Utah Code §§ 52-4-204 through 206.

The Board may enter a Closed Meeting only from a properly-noticed Open Meeting, with a motion to enter a Closed Meeting. A two-thirds vote will be required of Board Members present at an Open Meeting to enter a Closed Meeting, and the motion to convene a Closed Meeting must be publicly announced and recorded. The reason for closing the meeting must be clearly stated, and the location of the Closed Meeting must be recorded. The vote of each Board Member must also be recorded (by roll call vote). No Board action may be taken in a Closed Meeting. No recorded minutes are required if the meeting is closed to discuss: the character, professional competence, or physical or mental health of an individual. In lieu of recorded minutes, Utah Code requires a sworn written statement from the Chair. All other Closed Meetings require the Board to record the closed portion of the meeting, and detailed written minutes be kept.

5.3 Emergency Meetings

Emergency meetings may be held in the event of unforeseen circumstances. The best practicable notice must be given of meeting date, time, place, and items to be considered. A reasonable attempt will be made to notify all Board Members, and a majority of the Board Members must approve of the meeting.

5.4 Electronic Meetings

The Board may conduct electronic meetings consistent with the provisions of Utah Code § 52-4-207 and Summit County Resolution 2021-06.

5.5 Electronic Messages

No deliberation shall occur outside of a publicly noticed and held meeting, including through any electronic communications. During meetings, Board Members shall not transmit electronic messages. Electronic messages are defined as: email, instant messages, electronic chat, text messaging, or other means of electronic messaging. All Board Members will maintain and use a District email address upon appointment. All electronic communications involving Board business are considered public records and must be preserved and retained according to the State retention schedule.

ARTICLE VI VOTING

6.1 Number of votes: Each member of the Board shall have one vote on all matters brought before the Board.

6.2 Passage: The affirmative vote of majority of all voting members present at any meeting of the Board at which a quorum of voting members was presented shall be necessary and sufficient for the passage of any item before the Board or Board Action.

ARTICLE VII
QUORUM

- 7.1 A majority of the members of the Board shall constitute a quorum. No action may be taken by the Board unless a quorum is present.

ARTICLE VIII
CONDUCT OF MEETINGS

- 8.1 The Board shall, with the Manager, establish a regular meeting schedule which shall not be less than one meeting per month.
- 8.2 All meetings shall be noticed pursuant to and comply with all provisions of the Utah Open and Public Meetings Act.
- 8.3 A copy of the agenda and notice for each Board meeting shall be provided via electronic mail to the Summit County Manager's Office no less than twenty-four (24) hours prior to the scheduled meeting.
- 8.4 A copy of the minutes of each Board meeting shall be provided via electronic mail to the Summit County Manager within five (5) working days following the approval of the minutes. Draft minutes, recordings of electronic meetings, and final minutes shall be posted to the District's webpage (if any) and to the Utah Public Notice webpage as required by the Open and Public Meeting Act.
- 8.5 The Board shall adopt a form of parliamentary procedure (Robert's Rules of Order) and shall conduct all meetings in a manner consistent with that procedure and consistent with all applicable laws.

ARTICLE IX
ETHICS

The following ethical principles shall guide the actions of the Board and its members in carrying out the powers and duties described above:

- 9.1 Gifts.
- Board Members will not solicit or accept gifts. An occasional non-pecuniary gift having a value of less than \$50 or an award public presented in recognition of public services may be accepted.
- 9.2 The primary obligation of the Board and each member is to serve the public interest.
- 9.3 Conflict of Interest.

Any potential conflicts of interest require full disclosure. A Board Member may not have a personal investment or pecuniary interest in any business entity which will create a substantial conflict between private interests and public duties. The Board and its members shall avoid conflicts of interest and the very appearance of impropriety. A Board Member with a potential conflict of interest shall publicly disclose that interest, abstain from voting on the matter, and not participate in any deliberations on the matter, but may remain in the chamber where such deliberations are to take place except when the Board may go into executive session. When the Board is in executive session, any Commission member with a potential conflict shall remove himself/herself from the chamber. Also, the Board Member with a potential conflict shall not discuss the matter privately with any other Board Member or public official voting on the matter.

ARTICLE X
PENALTIES

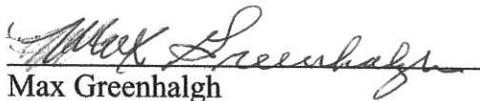
- 10.1 Certain penalties under Utah Code may apply in the event of breach of conduct in accordance with the above-stated policy.

APPROVED AND ADOPTED by the Board this 3rd of April, 2024.

ATTEST:



William Oshinsky
Clerk of the Board

By: 
Max Greenhalgh
Chair of the Board

APPROVED AS TO FORM:



Ryan P.C. Stack
Deputy County Attorney