

CACHE COUNTY FIRE DISTRICT
BOARD OF TRUSTEES BYLAWS

These Bylaws of the Board of Trustees of the Cache County Fire District are a reaffirmation of the charter of a fire district organized under the laws of the State of Utah with purposes as stated herein.

ARTICLE 1

GENERAL PROVISIONS

- 1.0 Official Name and Purpose of the District. The official name of the service area created and established by Cache County pursuant to State law and Cache County Ordinance 65-03, a copy of which is attached and incorporated herein by reference, is “Cache County Fire Protection District” (District). For the benefit of the public, the District shall: (a) provide fire protection, emergency services, emergency medical services, and other related services; (b) interface with government, public, private, business, and other organizations, herein collectively referred to as “another organization” or “other organizations;” and (c) accomplish the purposes set forth in State law and in said Cache County ordinance.
- 1.1 Legal Effect of Bylaws; Choice of Law; Definition of “Law.” These Bylaws, as ratified as effective on the date indicated below, shall take precedence over any conflicting term, clause, or provision (herein collectively referred to as “provisions”) of any rules and regulations, of the District, but shall be superseded by any conflicting provisions of State or Federal law. The laws of the State of Utah shall therefore govern the validity of these Bylaws, the construction of their provisions, and the interpretation of the rights and duties of the Board of Trustees and others identified herein. The term “law” shall, unless otherwise indicated, mean Federal law, State law, local law, court orders, as applicable.
- 1.2 Section Headings; Unenforceability and Severability of Provisions. Section headings are not to be considered part of these Bylaws and are not intended to be a full and accurate description of the contents hereof. If any provision of these Bylaws is held to be invalid and or unenforceable, then the remainder of these Bylaws shall nevertheless remain valid and in full force and effect. Individual provisions are therefore severable.
- 1.3 Definition of “Board Meeting.” The term “board meeting” includes any meeting of the board ~~where there is a quorum and an express purpose to receive public comment, deliberate, or take action upon a relevant matter~~ as that term is defined under the Utah Open and Public Meetings Act (Utah Code § 52-4).

ARTICLE II

SELECTION, REMOVAL, AND COMPENSATION OF TRUSTEES

- 2.0 Membership of the Board; Selection of Trustees. The District's governing body shall be the Board of Trustees (Board). Members of the Board shall be referred to as "Trustees," and shall be (a) bonded, (b) resident registered voters within Cache County Fire District, and (c) otherwise qualified according to the law and these Bylaws. The Board shall consist of **seven** total members, selected according to Sections 2.1 and 2.2, but a Trustee shall not be selected who shall simultaneously be a District employee and a Trustee. The Cache County Executive shall be a member of the Board of Trustees. **All Trustee's shall be elected officials currently serving in office.**
- 2.1 Six trustees shall be appointed by the Board of Trustees in accordance with Utah Code § 17B-1-304, with the following additional requirements:
- 2.1.1 **The Cache County Executive shall propose candidates to the Board of Trustees;**
 - 2.1.2 **Three trustees shall be County Council members that represent areas included in the Cache County Fire Protection District;**
 - 2.1.3 **Three trustees shall be Mayors of municipalities that fall within the jurisdiction of the Cache County Fire Protection District;**
 - 2.1.4 Of the six appointed trustees, no more than three shall be mayors or county council members appointed from within the Cache County Council Districts located in the northern part of the County;
 - 2.1.5 Of the six appointed trustees, no more than three shall be mayors or county council members appointed from Cache County Council Districts located in the southern part of the County;
 - 2.1.6 Terms of the Board of Trustees shall alternate after the first appointment of the board. Three members shall serve a two year term and the other members shall serve four year terms. Thereafter, all six appointed positions shall be four year terms; and
 - 2.1.7 Board members ~~shall~~ **may** be eligible for reappointment.
- ~~2.2~~ **Board membership structure may be modified by a majority vote of all board members-**
- 2.3 The Board Chair shall be elected by the Board of Trustees in accordance with Utah Code § 17B-1-309.
- 2.4 Compensation of Trustees. If the Board determines trustees shall be compensated, **compensation shall follow Utah Code § 17B-1-307. Each Trustee shall be compensated as follows:-**
- ~~(a) A uniform fixed monthly amount to be established by the Board for each Trustee to compensate for attending Board Meetings, board committee meetings, meetings of another organization to which a Trustee is the Board's representative, other work during the month, etc., with an additional uniform fixed monthly amount to be paid (if so adopted by the board) to executive-~~

- ~~committee members, and with said uniform fixed monthly amounts not being contingent upon attendance at particular meetings, and~~
~~(b) Payment or reimbursement for “out of pocket” expenses, travel allowance, and other expenses approved in accordance with guidelines established by the Board.~~
~~(c) The amount of compensation shall not exceed the amount allowed by Utah Code 17B-1-307(1).~~

- 2.5 Trustees or Other Officials to be appointed as Representatives to Other Organizations. The Board may appoint any Trustee(s) or administrative officer(s) as its official representative(s) to the countywide dispatch organization, the Utah Association of Special Districts, or any other organization.

ARTICLE III

DISTRICT BOARD RESPONSIBILITIES

- 3.0 As a governing body, the Board shall ensure the following:
- 3.1 Effectiveness: The Board must ensure effective district operations by:
- (a) Developing and communicating a district mission statement;
 - (b) Appointing and electing those officers identified in Article IV of these Bylaws;
 - (c) ~~Appointing an Audit Committee as identified in Article VI of these Bylaws; and~~
 - (d) Being familiar with emerging technology affecting district operations.
- 3.2 Efficiency: The Board must ensure efficient district operations by:
- (a) Regularly reviewing current contracts – Rebid contracts **at least** every 5 years;
 - (b) Reviewing budget-to-actual reports at least quarterly;
 - (c) Ensuring bank statements are being reviewed at least quarterly; and
 - (d) Encouraging innovation and cost-saving among employees.
- 3.3 Compliance: The Board must ensure compliant district operations.
- (a) The Board Chair shall ensure the applicable positions within the District obtain the following required training:
 - Board member training for all board members (within one year every time after taking office);
 - Open and Public Meetings Act Training for all board members ~~(annually)~~ according to Utah Code §52-4; and
 - GRAMA training for records officers ~~(annually)~~ according to Utah Code §63G-2.
- 3.4 Ethics and Nepotism: The Board must comply with Utah Code regarding Ethics and Nepotism. The Board must follow Utah Code § 67-16 et seq. ~~and Utah Code § 52-3-1~~ , regarding ethics and conflicts of interest. ~~This includes acceptance and solicitation of gifts, compensation, or loans by a public officer or employee. A public officer may accept an occasional non-cash gift having a value of \$50 or less. A conflict of interest may be allowed as long as full and proper disclosure is~~

~~made. Please refer to Utah Code §§ 67-16-7 and 67-16-8 or your legal advisor for specific disclosure requirements. The Board must follow Utah Code 52-3 et seq. regarding nepotism. Generally, it means that no public officer may employ, appoint, vote for, or recommend a relative or household member for employment. Further, no public officer may directly supervise an appointee who is a relative or household member unless following the allowable exceptions as per Utah Code 52-3-1. Relative means a father, mother, husband, wife, son, daughter, sister, brother, grandfather, grandmother, aunt, uncle, nephew, niece, grandson, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.~~

- 3.5 ~~The Board must comply with Utah Code regarding Ethics and Nepotism by:~~
- ~~(a) Implementing and enforcing strong internal controls i.e. separation of duties, appropriate oversight of financial activities and bank statements);~~
 - ~~(b) Hiring competent staff including clearly defined skills and qualifications, employee performance measures and annual evaluations;~~
 - ~~(c) Ensuring proper notice of meetings and agendas are posted to the Public Notice Website; and~~
 - ~~(d) Renewing registration with the Lt. Governor's office annually.~~
- 3.6 Reporting: The Board must ensure reporting requirements are followed:
- (a) Adopting a budget before the end of the fiscal year as required by Utah State law;
 - (b) Ensuring the Board hires a CPA to perform an annual audit;
 - (c) Ensuring transparency uploads are made on time;
 - (d) Ensuring Deposit & Investment reports are submitted for June 30 and December 31 to the State Treasurer's Office; and
 - (e) Ensuring Impact Fee reports are submitted with financial statements to the Office of the State Auditor, if applicable.

ARTICLE IV

BOARD MEMBER POSITIONS AND DUTIES

- 4.0 Positions Required by State Law. State law requires a governing board to elect a chair and ~~other officers as the board considers appropriate. The Board may appoint other officers the Board considers necessary.~~ The same person may NOT hold the offices of District Clerk and District Treasurer, and the Board Chair may not also serve as the District Clerk or the District Treasurer. ~~The District Clerk and the District Treasurer may be chosen from among the members of the Board of Trustees, however, this is not required or may be contracted for these services. The specific responsibilities of each officer are noted below, as well as financial-related governing board responsibilities specifically required by law.~~ (Utah Code 17B-1-309 and 17B-1-631 through 17B-1-638). The Board of Trustees shall **also** appoint a Vice-Chair to serve in the absence of the Chair.

- 4.1 Duties of the Board Chair shall include:

- (a) Schedule, conduct, and ~~act as Chair~~ **preside over** all Board Meetings;
- (b) Act as official spokesperson for the Board to the public and as official representative to other organizations, unless the Board designates another official spokesperson or representative, and arrange for on-going dialogue and interaction with other organizations for the purpose of cooperation, efficiency, information exchange, insight, analyzing future growth and development, and any other valid purpose;
- (c) Oversee and receive reports from the Fire Chief (Section 7.2) and the attorney for the District (Section 5.1) regarding personnel and legal matters, including any relevant disciplinary action and grievances, and other issues;
- (d) Coordinate and follow through on projects and assignments of the Trustees; and
- (e) Any other powers necessary to comply with applicable law and board directives.

4.2 Duties of the Vice-Chair shall include:

- (a) Act as Board Chair in the absence of or at the direction of ~~same the Chair~~;
- (b) In the absence of or at the direction of the Chair, act as official spokesperson for the Board to the public and as official representative to other organizations, unless the Board designates another official spokesperson or representative, and arrange for on-going dialogue and interaction with other organizations, for purposes of cooperation, efficiency, information exchange, insight, analyzing future growth and development, and any other valid purpose;
- (c) Oversee and receive reports from the District Clerk and other officials serving at the discretion of the Board for which oversight has not otherwise been delegated or assigned;
- (d) Assist the Chair in coordinating and following through on projects and assignments of the Trustees; and
- (e) Any other powers necessary to comply with applicable law and board directives.

4.3 Duties of the Entire Board shall include:

- (a) Approve the budget. The Board may authorize a district manager or other official to act as the financial officer for the purpose of approving: (1) payroll checks, if the checks are prepared in accordance with a schedule approved by the board; and (2) routine expenditures, such as utility bills, payroll-related expenses, supplies, and materials;
- (b) Set a maximum sum over which all purchases may not be made without the Board's approval;
- (c) Serve on standing or ad-hoc committees as needed;
- (d) Assign and/or appoint the Board Staff (Article V);
- (e) At least quarterly, review expenditures authorized by the financial officer (Utah Code 17B-1-642); and

- (f) Ensure compliance measures are instituted and followed as outlined in Section IV, District Board Responsibilities

ARTICLE V

BOARD STAFF AND CONSULTANTS

5.0 The Board shall appoint a Treasurer and Clerk, both of whom may be members of the Board; however, the same person may not hold the offices of District Clerk and District Treasurer, and the Board Chair may not also serve as the District Clerk or the District Treasurer. The execution of the services required by the Clerk and Treasurer may be contracted through Cache County but the Clerk and the Treasurer cannot be contracted positions. ~~The Chief Administrative Officer for the District shall be contracted through Cache County and will be the Cache County Fire Chief.~~

~~- serve at the discretion of the Board, and shall at least include the following: The attorney for the District, District Clerk, and Administrative Staff, each to specifically perform separate statutory responsibilities.~~

5.1 Duties of the Treasurer shall include:

- (a) Review and be responsible for District funds and assets, including the receipt, collection, custody, accountability, and payment of District funds and assets, along with recommendations regarding the same to the Board. This shall also include primary responsibility for reviewing and authorizing all payments from and the placement and status of District funds and assets, signing checks, compiling data for loan or bond arrangements, reviewing payroll records, and inspecting and reviewing the District funds and assets;
- (b) All those responsibilities outlined for the District Treasurer under Utah Code 17B-1-633; and
- (c) Any other powers necessary to comply with applicable law and board directives.

5.2 Duties of the Clerk shall include:

- (a) Attending all Board Meetings and timely transcribing, preparing, and delivering all board meeting minutes and agendas, and placement of public notices on the Utah Public Notice website;
- (b) Maintaining or designating 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;
- (c) Preparing or designating the preparation of the necessary checks or making the necessary arrangements for direct deposit, wire transfer, or other electronic payment mechanism after having determined that the claim is compliant with State law under 17B-1-635;
- (d) Attesting to signatures on official documents; and
- (e) Serve as Records Officer.

5.3 Duties of the Chief Administrative Officer shall include:

- (a) Act as the Chief Administrative Officer of the District and the highest member in the operational chain of command; and
- (b) Make recommendations to the Board regarding rules and regulations, budgetary considerations ~~for personnel matters~~, and other ~~personnel matters~~ required by the Board.

- 5.3 The attorney for the District shall not be a Trustee, but may be an independent contractor retained on an hourly basis to assist the Board in fulfilling all of its responsibilities set forth in applicable law, board directives, including, but not limited to:
- (a) Attending Board Meetings as needed and providing legal counsel, advice, and representation for the best interest of the Board and District; and
 - (b) Drafting and reviewing legal documents and providing other legal assistance as needed, but
 - (c) All services shall be pre-approved by the District Clerk.

5.4 ~~Board's Professional Consultants. As required by law and as requested by the Board, the Board shall may contract with an accounting firm and an insurance agency, and may employ other professional consultants as follows: needed.~~

5.5 ~~The District Administrative Staff shall not be Trustees, but shall be hired as employees to fulfill fundamental administrative roles. These include:-~~

- ~~(a) The Fire Chief (Section 7.2)~~
- ~~(b) The Deputy Fire Chief (Section 7.2)~~

ARTICLE VI

~~EXECUTIVE COMMITTEE AND OTHER~~ BOARD COMMITTEES

- 6.0 The Board of Trustees ~~shall~~ may establish both standing and ad-hoc committees to comply with Utah State Code and to ensure efficient and effective operations of the Board and the District.
- (a) Counting the Committee Chair, every board committee shall have a total of two or more Trustees as members (as specifically set forth herein; otherwise, as the Board directs), with the District Clerk or other designated person taking minutes, and with the attorney for the District to be present, as needed, to provide legal advice. The District Clerk and attorney are not considered committee members.
 - (b) Board committee meetings are not normally attended by a quorum of board members (Section 8.3). Section 8.1.c applies if a quorum of the Board of Trustees is present at a committee meeting.

~~6.1 Executive Committee:-~~

- ~~(a) The Executive Committee is a standing committee composed of the Board Chair, Vice Chair, and Treasurer. Officers of the Board (also referred to as the Executive Committee) shall each be elected for a one year term by the~~

~~Trustees of the Board, from among the membership of the Board, with any Trustee to be eligible to serve in any position.~~

- ~~(b) Executive Committee Members shall be elected at the first Board Meeting in January and annually thereafter, except for the death, resignation, or removal of an Executive Committee Member necessitates a special election to fill the unexpired term.~~
- ~~(c) The Executive Committee shall, at least annually, assess the performance of the Fire Chief/Chief Administrative Officer.~~
- ~~(d) A majority of the Executive Committee (at least two of the three Executive Committee Members), shall make temporary appointments or to take any other temporary action deemed to be an emergency or where time is of the essence, on behalf of the Board. Said temporary appointment or action shall be required to be presented to the Board at the next Board Meeting, at which time the Board shall ratify, overturn, or otherwise act upon the Executive Committee's temporary appointment or action.~~

6.2 Audit Committee

- ~~(a) The Audit Committee is a standing committee that assists the Board in its financial oversight responsibilities. This committee conducts risk assessments, helps establish internal control policy, and ensures audit findings are addressed.~~
- ~~(b) The Audit Committee is composed of a subset of Trustees. This ensures that investigations regarding the work of management, external auditors, and internal auditors remain confidential until reports are made public to the Board.~~
- ~~(c) The Audit Committee should be composed of Board members who possess the knowledge in accounting, auditing, and financial reporting needed to understand and evaluate the District's financial statements, the external audit, and the District's internal audit activities. Accordingly, the Audit Committee's members, collectively, should:
 - ~~1) Possess the requisite knowledge necessary to understand technical and complex financial reporting issues;~~
 - ~~2) Have the ability to communicate with auditors, public finance officers, and the Board; and~~
 - ~~3) Be knowledgeable about internal controls, financial statement audits, and management/operational audits.~~~~
- ~~(d) If no audit committee members have sufficient personal internal control or finance knowledge, the committee must gain this knowledge via a financial expert (either volunteer or paid) advisor. The financial expert advisor must be independent of management, be present for meetings, not be a member of the audit committee, and not vote on committee actions.~~
- ~~(e) The Audit Committee shall establish a policy specifying its duties, as well as any other policies necessary to ensure it fulfills its duties. Additional and~~

~~more specific directions and policies shall be established within these rules and regulations.~~

6.3 Ad-Hoc Committees: Budget, Election, and Other Board Committees:

- (a) Ad-Hoc committees serve to fulfill the temporary needs of the District. These may include a budget committee, an elections committee, and any other committee the Board sees fit.

~~6.1 Calling of Board Committee Meetings: Board staff or the administration may recommend that board committee meetings be held. Board committee meetings may be called by the board committee chair, by any two members of the board committee, or as otherwise allowed by law and these Bylaws.~~

ARTICLE VII

INTERACTION WITH ADMINISTRATION, EMPLOYEES, AND PROFESSIONAL CONSULTANTS

- 7.0 Board's Statutory Responsibility: As set forth in Utah Code Title 17B, Chapter 1, the Board employs or delegates the power to employ board staff, administrative officers, employees, and professional consultants to carry out the fire protection, emergency, and related services and duties assigned to the District. Additional job description information for these positions may be set forth in the District's Rules and Regulations.
 - 7.1 The Administration (individually referred to as administrative officers or chief officer) shall serve at the discretion of the Board and shall at least include the Fire Chief and the Deputy Chiefs as set forth in the District's regulations.
 - 7.2 The Cache County Fire Chief shall be the Chief Administrative Officer of the District. The Fire Chief is the chief administrative officer and highest member in the chain of command.
 - (a) The Fire Chief Chief Administrative Officer is at all times directly answerable, accountable, and responsible to the Board regarding hiring, probation completions, training, transfers, promotions, demotions and terminations, resignations and retirement of the District's employees, and for other personnel matters. The fire chief makes recommendations to the Board regarding rules and regulations, budgetary considerations for personnel matters, and other personnel matters required by the Board.
 - (b) The performance of the Fire Chief shall be reviewed at least annually by the executive committee (section 6.1c).
 - (c) The Deputy Fire Chief shall act in the role of Chief Administrative Officer Fire Chief when the Fire Chief is absent and have the same authority as the Chief Administrative Officer Fire Chief when acting in that capacity.

- 7.3 Board's Professional Consultants. As required by law and as requested by the Board, the Board shall employ an accounting firm and an insurance agency, and may employ other professional consultants as follows:
- (a) An accounting firm to perform specific accounting, auditing, and other financial services, and to provide an audited annual statement. The accounting firm is paid on a services rendered basis, and
 - (b) An insurance agency to assess the needs of the District in protecting its funds, assets, personnel, and arranging for bonding and insurance coverage of the same, and
 - (c) other professional consultants under annual renewable contracts, on a services rendered basis, or another method of payment, to provide other specified professional assistance to implement the duties and responsibilities assigned to the District and to protect the District's interests, but
 - (d) all services shall be pre-approved by the executive committee or the Board Clerk.

ARTICLE VIII BOARD MEETINGS AND BOARD COMMITTEE MEETINGS

8.0 Board meetings, Agendas, and expulsion from Board Meetings shall be the responsibility of the Board. ~~Minimum of One Board Meeting per Month???~~; ~~Agendas; and Expulsion from a Board Meeting.~~

- (a) Scheduling Board Meetings and Board Committee Meetings. The Board Chair shall schedule Board Meetings ~~(as defined in Section 4.1)~~ ~~at least once monthly~~ and the Board shall annually adopt a meeting schedule at its final meeting of the year for the upcoming year for conducting financial and other business of the District. A schedule of all Board Meetings for the year, noting time and place, shall be prepared by the District Clerk and published on the Utah Public Notice website in accordance with the Utah Open and Public Meeting Act (Section 8.2), with an agenda prepared in advance for each Board Meeting, as set forth herein. Board committee meetings shall be held as required by law or as needed.
- (b) Agenda. An agenda shall be prepared for each Board Meeting. Each agenda will include subjects as requested by any Trustee or the ~~Fire Chief~~/Chief Administrative Officer. Subjects and issues may be identified in the agenda using general references.
- (c) Amendments to the Agenda. The agenda of each Board Meeting may be amended to include additional subjects at the request of any Trustee. An amended notice must be posted at the District's principal office and on the Utah Public Notice website, at least 24 hours prior to the scheduled time of the Board Meeting.
- (d) Expulsion from a Board Meeting. The right to attend and observe a Board Meeting does not include the right to participate in the Board Meeting. ~~Public participation in-~~

~~Board Meetings is a privilege granted by the Board in the interest of open government but is not a right.~~ Any person who willfully disrupts a Board Meeting to the extent that the orderly conduct of the Board Meeting is seriously compromised may be removed from the Board Meeting. Should the person refuse to leave the Board Meeting when asked to do so by the Chair, ~~security personnel or~~ law enforcement officials may be called to remove the person.

8.1 Location of Board and Board Committee Meetings.

- (a) Board Meetings maybe held at the Cache County Council Chambers or at such other locations ~~that~~ as the Board shall direct.
- (b) Board committee meetings may be held at the Cache County Council conference room or at such other location that the board committee chair shall direct.
- (c) Board committee meetings shall not be held if a quorum of Trustees is present (see Section 8.3) unless public notice of the meeting is made in accordance with 8.2 and the Utah Open and Public Meetings Act.

8.2 Notice and Publication of Board and Committee Meetings.

- (a) Agendas for Board Meetings and public hearings shall be posted to the Utah Public Notice website ~~according to the Utah Open and Public Meetings Act. and at all stations of the District, at least 24 hours prior to said Board Meetings.~~
- (b) If any Trustee will participate in the meeting through electronic means, the notice requirements of Utah Code Ann. 52-4-207(3), must be satisfied, including notice to all Trustees at least 24 hours before the meeting and including in all notices of the meeting a description of how the board members will be connected to the electronic meeting.

8.3 Attendance at, and Quorum for, Board and Committee Meetings.

A quorum or minimum number of Trustees present, either in person or attending electronically, to conduct a Board Meeting shall be a majority of the total number of Trustees currently elected and appointed proxy attendance. Voting is not allowed if there is not a quorum of board members. A quorum for a board committee meeting is ~~two~~ a majority of board trustees assigned to the committee. ~~The following individuals are invited to attend all Board Meetings:-~~

- ~~(a) All Trustees,-~~
 - ~~(b) The District Clerk or designated substitute,-~~
 - ~~(c) The attorney for the District or designated substitute,-~~
 - ~~(d) The Fire Chief Chief Administrative Officer or designated substitute, and~~
 - ~~(e) District professional consultants (as needed), district employees, and the public.~~
- ~~In order to verify an available quorum, the Trustees are required to notify the District Clerk in advance if unable to attend a Board Meeting.~~

8.4 Rules of Order and Parliamentary Procedure.

- (a) Except as set forth herein, all Board Meetings shall use Robert's Rules of Order, unless the Board adopts other rules of order (and parliamentary procedure).
- (b) A Trustee must abstain from voting on any motion to approve minutes for a Board Meeting which they did not attend, unless needed to form a quorum, and with a motion to not be invalidated in the event of an inadvertent vote regarding minutes for a meeting not attended.
- (c) A roll call will be required for any non-unanimous vote, ~~or~~ when board members are attending electronically ~~and qualify as "present and voting."~~

8.5 Preparation and Approval of Minutes.

- (a) All Board Meetings shall be recorded by the District Clerk or designated substitute.
- (b) The District Clerk or designated substitute shall timely transcribe and prepare all board meeting minutes as per Utah Code 52-4-203. Pending minutes must be made available ~~according to the Utah Open and Public Meetings Act. within 30 days after holding the open meeting that is the subject of the pending minutes. Within three (3) business days after approval of written minutes of an open meeting, the District Clerk or designee shall:~~
 - ~~(1) Post to the Utah Public Notice website, and the district website, a copy of the approved minutes and any public materials distributed at the meeting; and~~
 - ~~(2) Make the approved minutes and public materials available to the public at the public body's primary office.~~
- (c) After the approval of the corresponding minutes by the Board, the recording shall be dated and stored in a secure manner, in accordance with law.

8.6 Work Sessions ~~or~~ and Closed Meetings.

- (a) All meetings shall be open to the public, however, discussions ~~of the following~~ may be held in closed meetings in accordance with Utah Code § 52-4-204:
 - ~~(1) The character, professional competence, or physical or mental health of an individual;~~
 - ~~(2) Deployment of security personnel, devices, or systems;~~
 - ~~(3) Collective bargaining issues;~~
 - ~~(4) Pending or reasonably imminent litigation;~~
 - ~~(5) Purchase, exchange, lease, or sale of real property, including any form of a water right or water shares, if such discussion prevents the district from completing a transaction on the best possible terms;~~
 - ~~(6) Investigative proceedings regarding allegations of criminal misconduct; and~~
 - ~~(7) Information that is required to be maintained as private or protected by the Utah Procurement Code (Utah Code 63G-6a), including trade secrets.~~

~~(b) In a closed meeting, a public body may not:-~~

~~(1) Interview a person applying to fill an elected position;-~~

~~(2) Discuss filling a midterm vacancy or temporary absence; or~~

~~(3) Discuss the character, professional competence, or physical or mental health of the person whose name was submitted for consideration to fill a midterm vacancy or temporary absence.~~

(c) Work sessions or closed meetings may be held as the need arises according to law, as per the Utah Open and Public Meetings Act.

(d) The purpose for the work sessions and/or closed meetings shall always be disclosed in the approving motion in the Board Meeting and must be reflected in the minutes of the open meeting.

ARTICLE IX RATIFICATION OF AND AMENDMENTS TO BYLAWS

9.0 Ratification of Original Bylaws. Clerk

The original text of these Bylaws was proposed by a super-majority of the Board (defined as a two-thirds majority of the total number of Trustees currently elected and appointed) at a regularly scheduled Board Meeting and was then ratified by a super-majority of the Board at a regularly scheduled Board Meeting on the XXth day of July XX, thereby becoming effective on that date. Amendment(s) to or a restatement of these Bylaws may be proposed and then ratified in a like manner by a super-majority at a regularly scheduled Board Meeting, or rejected, as set forth in Sections 9.1 and 9.2 below.

9.1 Proposing Amendment(s) or a restatement. Amendment(s) to or a restatement of these Bylaws shall be proposed by a super-majority of the Board at a regularly scheduled Board Meeting, where:

(a) The full text of the proposed amendment(s) or restatement has/have been given to each Trustee at least three days in advance of the regularly scheduled Board Meeting;

(b) The proposed amendment(s) or restatement is/are clearly identified on the regularly scheduled board meeting agenda; and

(c) The proposed amendment(s) or restatement is/are not in violation of or in conflict with any statutory or other provision of law.

9.2 Ratifying amendment(s) or a restatement. If amendment(s) to or a restatement of these Bylaws is/are proposed by a super-majority of the Board at a regularly scheduled Board Meeting, it/they must then be ratified by a super-majority of the Board at one of the next available regularly scheduled Board Meetings (within 75 days); otherwise, the amendment(s) or restatement is/are rejected.

ATTESTED TO BY THE BOARD CHAIR AND DISTRICT CLERK:

November XX, XXXX: _____

David Zook, Board Chair, Cache County Fire Protection District Board

November XX, XXXX: _____

District Clerk, Cache County Fire Protection District

Approved as to Form and Content by the attorney for the Fire District:

November xx, xxxx: _____

Attorney, Cache County Fire Protection District Board

ADDENDUM 1

ORDER OF CREATION OF CACHE COUNTY FIRE DISTRICT

Pursuant to Section 17-9-4 Utah Code Annotated, 1953 as amended, the undersigned hereby accepts and adopts the petition of more than 25% of the holders of title and real property or documentary evidence showing title of lands within the boundaries of Cache County, excepting and excluding the lands located within the corporate limits of Logan City, for the creation of a Cache County Fire Protection District, and pursuant to notice of hearing which was held at the office of the (sic) Board of County Commissioners, Logan, Cache county, Utah, on Tuesday, July 6, 1965, at the hour of 2:00 O'clock P.M. No protest or objection having been had concerning the creation and formation of the said Fire Protection District, the undersigned hereby determines that it would be in the best interest of the citizens of Cache County, that the said Fire Protection District should be formed and the boundaries thereof shall include all lands located (sic) within the corporate limits of Cache County, Utah, as established by law, excepting and excluding therefrom, only such lands as actually exist within the corporate limits of Logan City.

A copy of this Order shall (sic) be entered upon the Minutes of the Board as of this date.

Dated this 6th day of July, 1965.

ORDINANCE CREATING A CACHE COUNTY FIRE PROTECTION DISTRICT OF ALL LANDS LOCATED WITHIN THE CORPORATE LIMITS OF CACHE COUNTY AND EXCEPTING AND EXCLUDING THEREFROM ALL LANDS LOCATED WITHIN THE CORPORATE LIMITS OF LOGAN CITY

B IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CACHE COUNTY, UTAH AS FOLLOWS:

Section 1: Pursuant to Section 17-9-5 Utah Code Annotated as amended, the undersigned hereby creates and established a Fire District in Cache County, to be know hereafter as Cache County Fire District. Such District shall consist of and include all lands located within the corporate limits of Cache County, Utah, except and excluding therefrom all lands located within the corporate limits of Logan City.

Section 2: That a map showing the various zones located within the said Cache County Fire District shall be on file at the office of the County Clerk at the County Court House at Logan, Utah for inspection by any citizen at any time, showing lands situated within the various zones with the said district. Such map may be modified from time to time by Order of the Board of County Commissioners.

Section 3: That the Cache County Fire District shall exercise and perform such functions as provided by law. . . . In the opinion of the Board of County Commissioners, an emergency exists and this Ordinance shall become effective 30 days from the date of first publication, provided no appeal is taken as set forth in Section 17-9-8, Utah Code Annotated 1953.

Dated this 6 day of July, 1965.

*BOARD OF COUNTY COMMISSIONERS OF
CACHE COUNTY, UTAH*

J Wm. Hyde

Todd G. Weston

Marion Olsen