

CACHE COUNTY FIRE DISTRICT  
AMENDED AND RESTATED BOARD OF TRUSTEES BYLAWS

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*These Amended and Restated Bylaws of the Board of Trustees of the Cache County Fire District ("Amended Bylaws") are approved as an amendment and restatement of the Bylaws passed December 18, 2024 by the Cache County Fire Protection District which were 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 Amended Bylaws; Choice of Law; Definition of "Law." These Amended 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provision (herein collectively referred to as "provisions") of any rules and regulations, of the District, but shall be superseded by any conflicting provisions of State or Federal law.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 Amended 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 Amended Bylaws and are not intended to be a full and accurate description of the contents hereof. If any provision of these Amended Bylaws is held to be invalid and or unenforceable, then the remainder of these Amended 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 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 Amended Bylaws. The Board shall consist of **eleven** (11) members starting in accordance with Utah Code § 17B-1-303, selected according to § 17B-1-304 as appointed by Cache County, but a Trustee shall not be selected who shall simultaneously be a District employee and a Trustee. The terms of the current members of the Board will continue based upon their current elected terms. When appointment is required, the appointment of a Board member must be completed before the beginning of the new term and comply with Utah Code 17B-1-304. All Trustee’s shall be recommended to be elected officials currently serving in office.
- 2.1 Eleven (11) trustees shall be appointed by Cache County in accordance with Utah Code § 17B-1-304, with the following additional recommendations to Cache County:
- 2.1.1 One trustee shall be recommended to be a County Council member that represents the northern areas of the County included in the District with a term that matches that member’s current elected term.
  - 2.1.2 One trustee shall be recommended to be a County Council member that represents the southern areas of the County included in the District with a term that matches that member’s current elected term.
  - 2.1.3 Six (6) trustees shall be recommended to be the six Mayors of following municipalities: Smithfield, North Logan, Hyrum, Providence, Nibley and Hyde Park with terms that match their current elected terms as mayors.
  - 2.1.4 One trustee shall be recommended to be a Mayor from the southern area of the District recommended by the Mayors of the following municipalities: Wellsville, Millville, River Heights, Mendon and Paradise with a term which matches that mayor’s current elected term as mayor.
  - 2.1.5 One trustee shall be recommended to be a Mayor from the northern area of the District recommended by the Mayors of the following communities: Richmond, Lewiston, Newton, Clarkston, Trenton, Amalga and Cornish with a term which matches that mayor’s current elected term as mayor.
  - 2.1.6 The Cache County Executive shall be recommended to be a trustee with a term which matches that Executive’s current elected term as County Executive.

- 2.1.7 If there is a Trustee vacancy for any reason, the appointed acting or interim person serving in that elected position shall be recommended to be a replacement Trustee until such time as there is an elected Trustee.
- 2.2 The 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 January of each calendar year in accordance with Utah Code § 17B-1-309. If there is a vacancy in that position for any reason, the Board shall elect a replacement Board Chair to finish the unexpired term.
- 2.4 Compensation of Trustees. If the Board determines trustees shall be compensated, compensation shall follow Utah Code § 17B-1-307.
- 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) Being familiar with emerging technology affecting district operations.
  - 3.2 Efficiency: The Board must ensure efficient district operations by:
    - (a) Regularly reviewing contracts and interlocal agreements 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 according to Utah Code §52-4; and
      - GRAMA training for records officers 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.
  - 3.5 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.

3.6 Taxation: The District Board may levy a property tax.

(a) The Board must ensure that all requirements of the Open and Public Meetings Act, Truth in Taxation, and Utah Code Annotated § 17B-1-1001, 17B-1-1002, and 17B-1-1003 along with all other applicable state law is followed when implementing a property tax levy.

## 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 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. (Utah Code 17B-1-309 and 17B-1-631 through 17B-1-638). The Board of Trustees shall 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 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) Coordinate and follow through on projects and assignments of the Trustees; and
- (d) 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 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) Assist the Chair in coordinating and following through on projects and assignments of the Trustees; and
  - (d) 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 and interlocal agreements. The Board shall approve all budgets, contracts and interlocal agreements. The Board may authorize a person to act as the financial officer of the District.
  - (b) Serve on standing or ad-hoc committees as needed;
  - (c) Appoint any Board staff needed (Article V);
  - (d) At least quarterly, review expenditures authorized by the financial officer (Utah Code 17B-1-642); and
  - (e) 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.
- 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.
  - (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) Attesting to signatures on official documents; and

- (d) Serve as Records Officer.
- 5.3 Duties of the Chief Administrative Officer. If the Board chooses to appoint such an Officer, the duties would include those directed by the Board.
- 5.4 Duties of the Attorney for the District. If the Board chooses to appoint or retain such an Officer, the duties would include those directed by the Board.
- 5.5 Board's Professional Consultants. As required by law and as requested by the Board, the Board may contract with other professional consultants as needed.

## **ARTICLE VI**

### **BOARD COMMITTEES**

- 6.0 The Board of Trustees 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.
- 6.1 Board Committees:
  - (a) Counting the Committee Chair, every board committee shall have a total of three 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 for the District are not considered committee members.
- 6.2 Ad-Hoc Committees: Budget, Election, and Other Board Committees:
  - (a) Ad-Hoc committees serve to fulfill the temporary needs of the District and any other committee the Board sees fit.

## **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, if 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 then additional job description information for these positions as needed may be set forth in the District Rules and Regulations. As required by law the Board shall employ an independent accounting firm to perform specific accounting, auditing, and other financial services, and to provide an audited annual statement. The accounting firm will be paid on a services rendered basis.

## **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.

(a) Scheduling Board Meetings and Board Committee Meetings. The Board Chair shall schedule Board Meetings and the Board shall annually adopt a meeting schedule at its first meeting of the 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 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. 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, law enforcement officials may be called to remove the person.

8.1 Location of Board and Board Committee Meetings.

(a) Board Meetings may be held at the Cache County Council Chambers or at such other locations 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.

(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. Voting is not allowed if there is not a quorum of board members. A quorum for a board committee meeting is a majority of board trustees assigned to the committee.

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.

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.
- (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 and Closed Meetings.

- (a) All meetings shall be open to the public, however, discussions may be held in closed meetings in accordance with Utah Code § 52-4-204.
- (b) Work sessions or closed meetings may be held as the need arises according to law, as per the Utah Open and Public Meetings Act.
- (c) 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 18th day of December, 2024,

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.

9.3 Ratification of Amended Bylaws. Clerk

The amended and restated 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 \_\_\_\_\_, thereby becoming effective on that date. Amendment(s) to or a restatement of these Amended 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.

ATTESTED TO AND APPROVED BY THE CACHE COUNTY FIRE PROTECTION DISTRICT BOARD OF TRUSTEES:

Board of Trustees Chair: \_\_\_\_\_, \_\_\_\_\_  
Kathryn Beus Date

Board Trustee: \_\_\_\_\_, \_\_\_\_\_  
Steven Miller Date

Board Trustee: \_\_\_\_\_, \_\_\_\_\_  
Aaron Rudie Date

Board Trustee: \_\_\_\_\_, \_\_\_\_\_  
N. George Daines Date

Board Trustee: \_\_\_\_\_, \_\_\_\_\_  
David Erickson Date

Board Trustee: \_\_\_\_\_, \_\_\_\_\_  
Lyndsay Peterson Date

Board Trustee: \_\_\_\_\_, \_\_\_\_\_  
Larry Jacobsen Date

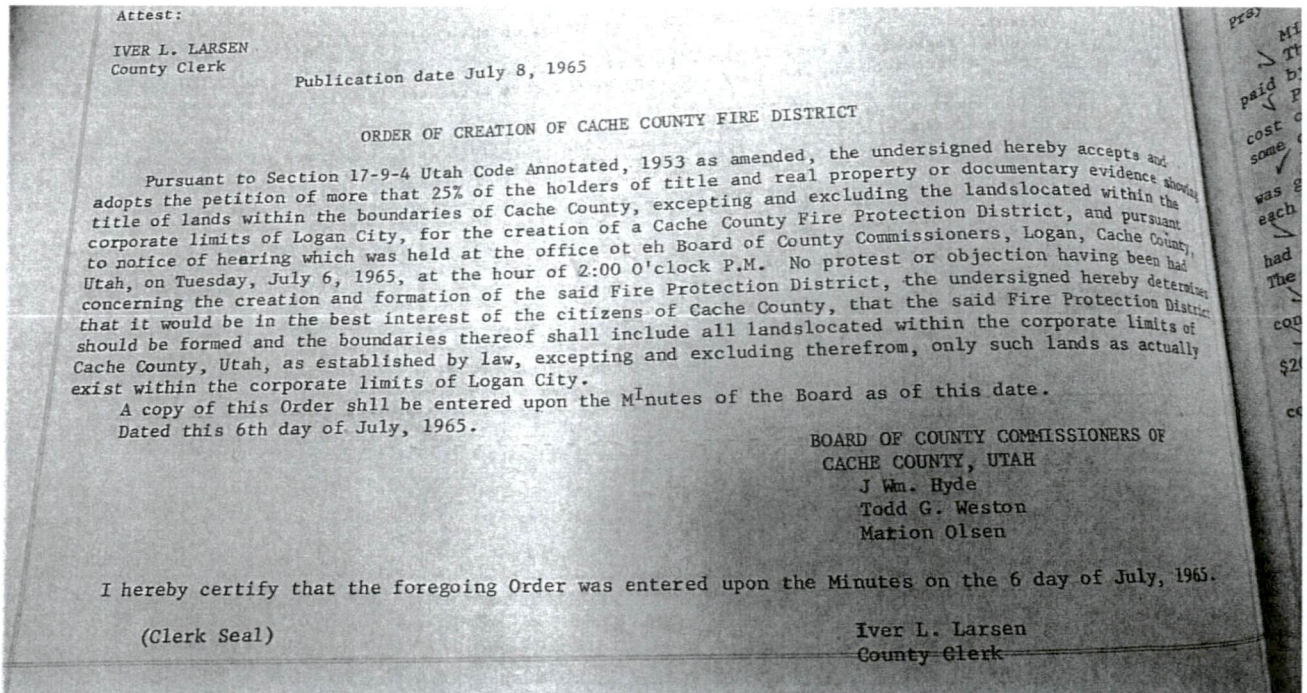
*ADDENDUM 1*

*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 that 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 eh (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 landslocated (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 shll (sic) be entered upon the Minutes of the Board as of this date.

Dated this 6<sup>th</sup> 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 THERFROM 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*

CACHE COUNTY  
EXECUTIVE

N. GEORGE DAINES

**To:** County Council – Fire District - Mayors  
**From:** N. George Daines  
**Date:** May 12, 20226  
**Re:** Power of Fire Protection Board to Levy Taxes

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EMAIL CORRESPONDENCE BETWEEN CURT WEBB AND ATTORNEY MARK ANDERSON.

**From:** Curt Webb <[curt.webb@cachecounty.gov](mailto:curt.webb@cachecounty.gov)>  
**Sent:** Monday, May 11, 2026 3:02 PM  
**To:** Mark H. Anderson <[mhanderson@fabianvancott.com](mailto:mhanderson@fabianvancott.com)>  
**Subject:** Fire District authority to tax

Mark,

This morning George and I were challenged on the taxing authority of our fire district.

Our understanding is that if the Fire Board is made up of elected officials, all of whom are elected to offices within the boundaries of the Fire District, then the State Tax Commission recognizes taxing authority.

Our Council understands it as follows: Taxing authority is only permitted if the Fire Board members are specifically elected to the Fire Board.

Is it possible to have an answer by tomorrow? And given the energized nature of this issue, a written opinion is in order.

Let me know,

Thanks Mark,

Curt

**Curt Webb**

Deputy County Executive

Phone: 435-755-1853

Email: [curt.webb@cachecounty.gov](mailto:curt.webb@cachecounty.gov)

From: **Mark H. Anderson** <[mhanderson@fabianvancott.com](mailto:mhanderson@fabianvancott.com)>  
Date: Tue, May 12, 2026 at 12:05 PM  
Subject: RE: Fire District authority to tax  
To: Curt Webb <[curt.webb@cachecounty.gov](mailto:curt.webb@cachecounty.gov)>

Curt,

The answer to your question is straightforward, and is covered with specificity in Sections 17B-1-1001 and 17B-1-1003 of the Utah Code:

1. A special district Board of Trustees, for purposes of imposing a property tax levy, is an “appointed board of trustees” if even one member of the Board is appointed. Utah Code Section 17B-1-1001(2)(a). Or stated another way, a special district Board qualifies as an “elected board of trustees” only if all members are directly elected to the Board. Utah Code Section 17B-1-1001(2)(b).
2. Since the Cache Fire District has never imposed a property tax, any tax proposal will exceed the certified tax rate.
3. The Cache Fire District Board of Trustees has statutory authority to impose a property tax but, before doing so, each appointed member of the Board is required to comply with the Trustee reporting requirements of Section 17B-1-1003 of the Utah Code. Utah Code Section 17B-1-1001(3)(a)(ii)(B) and (3)(b).
4. If I recall correctly, all members of the Cache Fire District Board of Trustees are appointed by the Cache County Council. If that is correct, after the Board of Trustees tentatively adopts a tentative budget that includes property tax revenue, the Fire District must ask the County Council to hear a report from the appointed Fire District Trustees as a separate agenda item during a public meeting of the County Council that is held within 40 days after the request is made. Utah Code Section 17B-1-1003(2). If the County Council fails to hear the report as requested during a public meeting that meets the statutory criteria, the statutory trustee reporting requirements are considered to have been satisfied, and the Board of Trustees may proceed essentially the same as if the Board was a directly elected Board of Trustees. Utah Code Section 17B-1-1003(2)(d)(ii).
5. Utah Code Section 17B-1-1003(3)(a) lists the elements that must be included in the report to the County Council and Subsection 17B-1-1003(4) lays out the logistics.
6. Members of the County Council and members of the public are allowed to express their sentiments regarding the Fire District’s contemplated property tax increase. Utah Code Section 17B-1-1003(3)(c). But there is no requirement that the County Council approve the proposed property tax.
7. The Board of Trustees may move forward with the approval of a property tax after the reporting requirements have been satisfied or are considered to have been satisfied. Utah Code Section 17B-1-1003(5).
8. If any municipality appoints a member of the Board of Trustees, the foregoing reporting requirements will apply to the city or town council as the appointing authority for the Trustee who will make the report.

The bottom line is that the Cache Fire District isn't required to have an elected Board of Trustees in order to impose and implement a property tax, but its appointed Trustees must report to their "appointing authority" as outlined above and as provided in Utah Code Sections 17B-1-1001 and -1003, copies of which are attached to this email. To provide a complete picture, Utah Code Section 17B-1-1002 is also attached.

I hope the foregoing is sufficient for your immediate needs. I will be happy to respond to follow-up or additional questions from you, George, or members of the County Council.

**Mark H. Anderson**

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CACHE COUNTY FIRE DISTRICT  
BOARD OF TRUSTEES BYLAWS

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*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**

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## 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 starting January 2025, 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 terms of the current members of the Board will renew in January 2025. When appointment is required, the appointment of a Board member must be completed before the beginning of the new term and comply with Utah Code 17B-1-304. 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 Board Chair shall propose candidates to the Board of Trustees and the Board shall appoint members to serve on the Board;
  - 2.1.2 Two trustees shall be County Council members that represent areas included in the Cache County Fire Protection District;
  - 2.1.3 Four 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 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 January of each calendar year 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.
- 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) 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 according to Utah Code §52-4; and
    - GRAMA training for records officers 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.
- 3.5 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 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. (Utah Code 17B-1-309 and 17B-1-631)

through 17B-1-638). The Board of Trustees shall 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 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) Coordinate and follow through on projects and assignments of the Trustees; and
- (d) 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 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) Assist the Chair in coordinating and following through on projects and assignments of the Trustees; and
- (d) 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.
- 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, and other matters required by the Board.
- 5.4 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.
- 5.5 Board's Professional Consultants. As required by law and as requested by the Board, the Board may contract with other professional consultants as needed.

## ARTICLE VI

### BOARD COMMITTEES

- 6.0 The Board of Trustees 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.
- 6.1 Board Committees:
- (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.
- 6.2 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.

## 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.
- 7.2 Duties of the Chief Administrative Officer
- (a) The Chief Administrative Officer 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 Chief Administrative Officer shall be reviewed at least annually.
  - (c) The Deputy Chief Administrative Officer or designee may act in the role of Chief Administrative Officer when the Chief Officer is absent and have the same authority as the Chief Administrative Officer 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.

- (a) Scheduling Board Meetings and Board Committee Meetings. The Board Chair shall schedule Board Meetings 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 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. 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, law enforcement officials may be called to remove the person.

#### 8.1 Location of Board and Board Committee Meetings.

- (a) Board Meetings may be held at the Cache County Council Chambers or at such other locations 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.
- (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 a majority of board trustees assigned to the committee.

#### 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.

#### 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.

(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 and Closed Meetings.

(a) All meetings shall be open to the public, however, discussions may be held in closed meetings in accordance with Utah Code § 52-4-204:

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

(c) 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 18th day of December, 2024, 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;

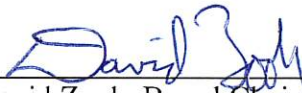
(b) The proposed amendment(s) or restatement is/are clearly identified on the

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 CACHE COUNTY FIRE PROTECTION DISTRICT BOARD OF TRUSTEES:

  
\_\_\_\_\_  
David Zook, Board Chair  
December 18, 2024

  
\_\_\_\_\_  
David Erickson, Board Member  
December 18, 2024

  
\_\_\_\_\_  
Kathryn Beus, Board Member  
December 18, 2024

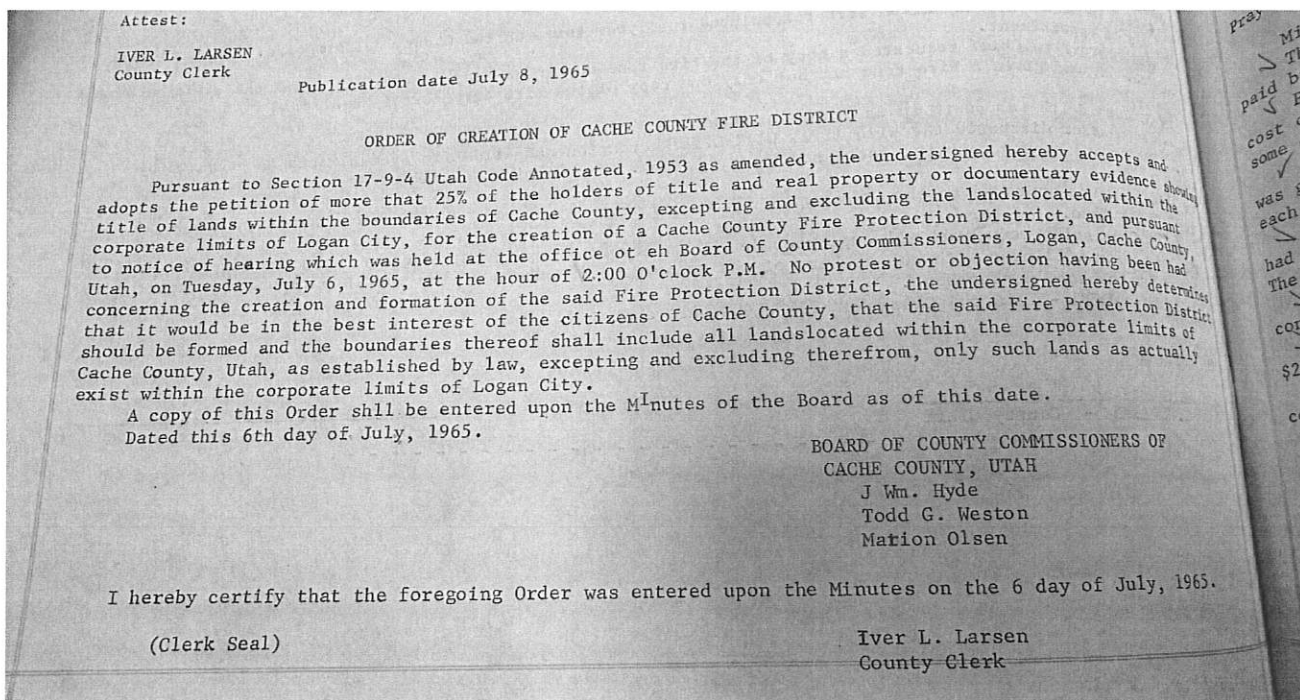
**ADDENDUM 1**

**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 that 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 eh (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 landslocated (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 shll (sic) be entered upon the Minutes of the Board as of this date.

Dated this 6<sup>th</sup> 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*

Redline

CACHE COUNTY FIRE DISTRICT

AMENDED AND RESTATED BOARD OF TRUSTEES BYLAWS

*These Amended and Restated Bylaws of the Board of Trustees of the Cache County Fire District ("Amended Bylaws") are approved as an amendment and restatement of the Bylaws passed December 18, 2024 by the Cache County Fire Protection District which were a reaffirmation of the charter of a fire district organized under the laws of the State of Utah with purposes as stated herein.*

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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.

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1.1 Legal Effect of Amended Bylaws; Choice of Law; Definition of "Law." These Amended 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 Amended 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.

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1.2 Section Headings; Unenforceability and Severability of Provisions. Section headings are not to be considered part of these Amended Bylaws and are not intended to be a full and accurate description of the contents hereof. If any provision of these Amended Bylaws is held to be invalid and or unenforceable, then the remainder of these Amended 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 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 Amended Bylaws. The Board shall consist of eleven (11) members starting in accordance with Utah Code § 17B-1-303, selected according to § 17B-1-304 as appointed by Cache County, but a Trustee shall not be selected who shall simultaneously be a District employee and a Trustee. The terms of the current members of the Board will continue based upon their current elected terms. When appointment is required, the appointment of a Board member must be completed before the beginning of the new term and comply with Utah Code 17B-1-304. All Trustee’s shall be recommended to be elected officials currently serving in office.
- 2.1 Eleven (11) trustees shall be appointed by Cache County in accordance with Utah Code § 17B-1-304, with the following additional recommendations to Cache County:
- 2.1.1 One trustee shall be recommended to be a County Council member that represents the northern areas of the County included in the District with a term that matches that member’s current elected term.
- 2.1.2 One trustee shall be recommended to be a County Council member that represents the southern areas of the County included in the District with a term that matches that member’s current elected term.
- 2.1.3 Six (6) trustees shall be recommended to be the six Mayors of following municipalities: Smithfield, North Logan, Hyrum, Providence, Nibley and Hyde Park with terms that match their current elected terms as mayors.
- 2.1.4 One trustee shall be recommended to be a Mayor from the southern area of the District recommended by the Mayors of the following municipalities: Wellsville, Millville, River Heights, Mendon and Paradise with a term which matches that mayor’s current elected term as mayor.
- 2.1.5 One trustee shall be recommended to be a Mayor from the northern area of the District recommended by the Mayors of the following communities: Richmond, Lewiston, Newton, Clarkston, Trenton, Amalga and Cornish with a term which matches that mayor’s current elected term as mayor.
- 2.1.6 The Cache County Executive shall be recommended to be a trustee with a term which matches that Executive’s current elected term as County Executive.

- 2.1.7 If there is a Trustee vacancy for any reason, the appointed acting or interim person serving in that elected position shall be recommended to be a replacement Trustee until such time as there is an elected Trustee.
- 2.2 The 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 January of each calendar year in accordance with Utah Code § 17B-1-309. If there is a vacancy in that position for any reason, the Board shall elect a replacement Board Chair to finish the unexpired term.
- 2.4 Compensation of Trustees. If the Board determines trustees shall be compensated, compensation shall follow Utah Code § 17B-1-307.
- 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.

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**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) Being familiar with emerging technology affecting district operations.
  - 3.2 Efficiency: The Board must ensure efficient district operations by:
    - (a) Regularly reviewing contracts and interlocal agreements 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 according to Utah Code §52-4; and
      - GRAMA training for records officers 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.
  - 3.5 Reporting: The Board must ensure reporting requirements are followed:

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- (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.

3.6 Taxation: The District Board may levy a property tax.

(a) The Board must ensure that all requirements of the Open and Public Meetings Act, Truth in Taxation, and Utah Code Annotated § 17B-1-1001, 17B-1-1002, and 17B-1-1003 along with all other applicable state law is followed when implementing a property tax levy.

**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 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. (Utah Code 17B-1-309 and 17B-1-631 through 17B-1-638). The Board of Trustees shall 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 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) Coordinate and follow through on projects and assignments of the Trustees; and
- (d) 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 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,

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insight, analyzing future growth and development, and any other valid purpose;

- (c) Assist the Chair in coordinating and following through on projects and assignments of the Trustees; and
- (d) 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 and interlocal agreements. The Board shall approve all budgets, contracts and interlocal agreements. The Board may authorize a person to act as the financial officer of the District.
- (b) Serve on standing or ad-hoc committees as needed;
- (c) Appoint any Board staff needed (Article V);
- (d) At least quarterly, review expenditures authorized by the financial officer (Utah Code 17B-1-642); and
- (e) 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.

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.
- (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) Attesting to signatures on official documents; and



8.0 Board meetings, Agendas, and expulsion from Board Meetings shall be the responsibility of the Board.

(a) Scheduling Board Meetings and Board Committee Meetings. The Board Chair shall schedule Board Meetings and the Board shall annually adopt a meeting schedule at its first meeting of the 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 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. 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, law enforcement officials may be called to remove the person.

#### 8.1 Location of Board and Board Committee Meetings.

(a) Board Meetings may be held at the Cache County Council Chambers or at such other locations 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.

(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.

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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. Voting is not allowed if there is not a quorum of board members. A quorum for a board committee meeting is a majority of board trustees assigned to the committee.

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#### 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.

#### 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.
- (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.

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#### 8.6 Work Sessions and Closed Meetings.

- (a) All meetings shall be open to the public, however, discussions may be held in closed meetings in accordance with Utah Code § 52-4-204.
- (b) Work sessions or closed meetings may be held as the need arises according to law, as per the Utah Open and Public Meetings Act.
- (c) 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.

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### **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 18th day of December, 2024,

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.

9.3 Ratification of Amended Bylaws. Clerk

The amended and restated 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 \_\_\_\_\_, thereby becoming effective on that date. Amendment(s) to or a restatement of these Amended 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.

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ATTESTED TO AND APPROVED BY THE CACHE COUNTY FIRE PROTECTION DISTRICT BOARD OF TRUSTEES:

Form

Board of Trustees Chair: \_\_\_\_\_  
Kathryn Beus Date

Board Trustee: \_\_\_\_\_  
Steven Miller Date

Board Trustee: \_\_\_\_\_  
Aaron Rudie Date

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Board Trustee: \_\_\_\_\_  
N. George Daines Date

Board Trustee: \_\_\_\_\_  
David Erickson Date

Board Trustee: \_\_\_\_\_  
Lyndsay Peterson Date

Board Trustee: \_\_\_\_\_  
Larry Jacobsen Date

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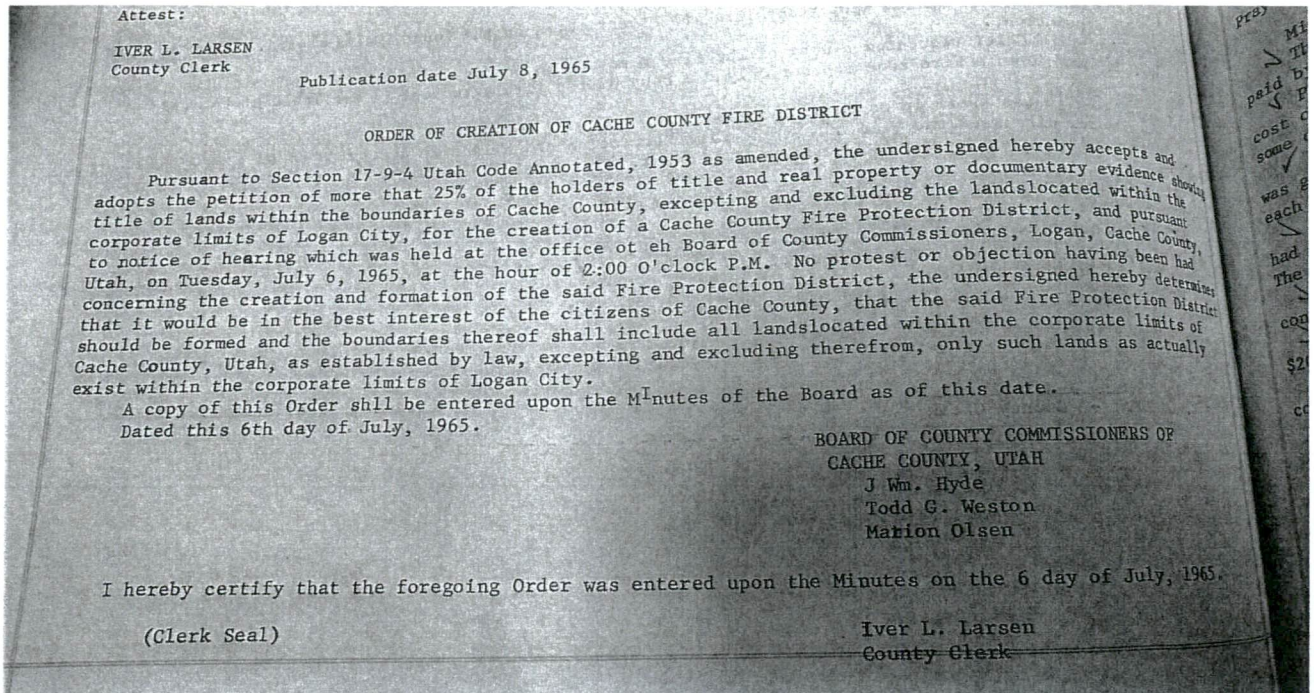
**ADDENDUM 1**

**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 that 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 eh (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 landslocated (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 shll (sic) be entered upon the Minutes of the Board as of this date.

Dated this 6<sup>th</sup> 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*

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Districts located in the northern part of the County;  
Of the six appointed trustees, no more than three shall be mayors or county council members appointed from Cache County Council Districts located in

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board. Three members shall serve a two year

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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;

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. These may include a budget committee, an elections committee ,

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The Administration (individually referred to as administrative officers or chief officer) shall serve at the discretion of the Board.

Duties of the Chief Administrative Officer

The Chief Administrative Officer makes recommendations to the Board regarding rules and regulations, budgetary considerations for personnel matters, and other personnel matters required by the Board.

The performance of the Chief Administrative Officer shall be reviewed at least annually.

The Deputy Chief Administrative Officer or designee may act in the role of Chief Administrative Officer when the Chief Officer is absent and have the same authority as the Chief Administrative Officer when acting in that capacity.

Board's Professional Consultants.

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accounting firm and an insurance agency, and may employ other professional consultants as follows:

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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 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 all services shall be pre-approved by the executive committee or the Board Clerk.



## CACHE COUNTY FIRE DISTRICT BOARD OF TRUSTEES

Kathryn Beus – Board Chair  
David Erickson – Trustee  
Lyndsay Peterson – Trustee  
Larry Jacobsen - Trustee

George Daines – Trustee  
Steve Miller – Trustee  
Aaron Rudie – Trustee

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### BOARD OF TRUSTEES MEETING

May 12, 2026

2:00pm

### MINUTES

The Cache County Fire District Board will meet **Tuesday, May 12, 2026**, commencing at **2:00 p.m.** in the **Cache County Historic Courthouse, Council Conference Room**, 199 North Main Logan, Utah 84321.

#### ATTENDANCE:

Board: Kathryn Beus, David Erickson, Lyndsay Peterson, Larry Jacobsen, Steve Miller, and Aaron Rudie

Other: Amy Hugie, Eric Davis, Brady George, and Tara Taylor

#### 1. CALL TO ORDER:

#### 2. ITEMS OF BUSINESS

##### 1. Approval of Agenda – May 12, 2006

Beus requested motion to approve the agenda; Trustee Erickson motion, Trustee Peterson 2<sup>nd</sup>  
Motion voted on and passed unanimously.

##### 2. Approval of Minutes – April 27, 2026

Beus requested motion to approve the agenda; Trustee Daines motion, Trustee Erickson 2<sup>nd</sup>  
Motion voted on and passed unanimously.

#### 3. ITEMS OF DISCUSSION

##### 1. Report/Discussion on Mayors' Meeting - Mayor's meeting from May 7<sup>th</sup>:

-Trustee Daines discusses the original proposal involving taxation and the adjustments needed due to removing Logan from the fire district. The proposal has been revised based on feedback from local communities. Instead of creating a new tax, the plan now keeps the existing tax structure and redistributes those funds through the district.

However, because Logan would no longer participate in the fire district tax system, the tax burden on the remaining county areas would increase. As a result, the distribution amounts originally proposed will need to be adjusted to reflect the updated tax base. These revised distribution figures were part of the discussion.

-Trustee Daines proposes enlarging the fire board to include representation by all mayors, 11 board members. Trustee Daines explained the proposed changes to the fire district bylaws and distributed drafts of changes to the fire district bylaws for discussion. Trustee Daines also outlined the three-step process for approving the bylaws changes: written copy distribution, board meeting to consider the changes, and final approval. Trustee Daines mentioned consulting with attorney Mark Anderson for legal advice on taxation and bylaws. Amy Hugie expressed and emphasized the need and concern about the proposed bylaws and as the district's attorney requested more time to review them. The board agreed to allow legal counsel time to review the proposed bylaw amendments before taking further action. Amy Hugie explained the difference between an elected board and an appointed board and the implications for the fire district. Amy Hugie also discussed the need to amend the bylaws to comply with state code regarding appointments. Amy Hugie suggested looking at other fire districts for examples of effective governance structures.

-Conclusion:

Review the proposed bylaw amendments (including the redline changes) and prepare legal recommendations for the board before the next meeting. Distribute the redline and clean versions of the proposed bylaw amendment drafts to all board members so they can review the changes before the next meeting. Schedule a follow-up board meeting on Wednesday the 20th at 2:00 pm to review and potentially adopt the proposed bylaw amendments.

## 2. Discussion and Possible Action – Membership in the Utah Association of Special Districts

-Chief George discussed the need to join this association, to have access to resources that are there, both from the legislative standpoint of what they do with the state legislature, enacting laws or helping to craft laws that benefit special service districts, as well as keeping us informed of changes that occur through the legislative session. The association would be very beneficial, as well as be able to come and provide specific training for board members on how to go through taxation process and things of that nature.

- The board considered joining the Utah Association of Special Districts for legislative support and training, with an estimated membership cost of \$5,300 based on a \$4 million budget.

-Motion to approve made by Trustee Daines accept to join and pay fee required, 2<sup>nd</sup> by Trustee Peterson.

Motion voted on and passed unanimously. This will now go to County Council for funding assistance.

## 4. **NEXT MEETING**

June 20, 2026 – 2:00 PM

June 25, 2026 – 2:00 PM (Tentative)

## 5. **ADJOURN**

Daines moved to adjourn at 3:00 PM, 2<sup>nd</sup> by Beus, all in favor.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen, at 755-1850 at least three working days prior to the meeting.