

**BYLAWS**  
**GRAND COUNTY SOLID WASTE MANAGEMENT**  
**SPECIAL SERVICE DISTRICT #1**

**June 24, 1993 as Amended**

**ARTICLE I**  
**ADMINISTRATIVE CONTROL BOARD**

SECTION 1. COMPOSITION. The Administrative Control Board of the Grand County Solid Waste Management Special Service District #1 (the Board) consists of five members, appointed as provided by law and is vested with such powers as are provided by the laws of the State of Utah or granted by the Grand County Council in administering and directing the activities of the Grand County Solid Waste Management Special Service District #1 (the District).

SECTION 2. The mailing address of the District is P. O. Box 980, Moab, Utah 84532.

SECTION 3. ACCOUNTING YEAR. This Board and the District shall operate on a fiscal year beginning January first and ending on December thirty-first, the same as Grand County, Utah.

**ARTICLE II**  
**POWERS AND DUTIES OF THE ADMINISTRATIVE CONTROL BOARD**

SECTION 1. The Board shall act on behalf of the District. in performing such duties, responsibilities and functions as are authorized by law and as may be specifically authorized and delegated to the Board by the Grand County Council.

SECTION 2. The Board shall exercise all rights, powers and authorities granted to the District by the laws of the State of Utah and the Grand County Council, especially those rights, powers, and authorities granted by Sections 17A-2-1314, 17A-2-1314, 17A-2-1316, 17A-2-1319, 17A-2-1320, and 17A-2-1321 of the Utah Code Annotated, 1953 as amended.

SECTION 3. The Board shall be solely responsible for designating those projects and activities which will be conducted by the District.

**ARTICLE III  
OFFICERS OF THE BOARD**

SECTION 1. CHAIRMAN. The Board shall elect a Chairman who shall be the presiding officer of the Board. The Chairman shall be elected from among the members of the Board at the first business meeting in June of alternate odd numbered years and shall serve a term of two (2) years or until his/her successor is elected and qualified. The Chairman shall preside at all meetings of the Board and as established by law or these by-laws, shall have such other duties, powers, and responsibilities as are assigned to him/her.

SECTION 2. VICE-CHAIRMAN. The Vice-Chairman shall be elected by the members of the Board from its members except the Chairman of the Board. The Vice-Chairman shall perform the duties of the Chairman in the event of the absence or unavailability of the Chairman. The Vice-Chairman shall be elected from among the members of the Board at the first business meeting in June of alternate odd numbered years and shall serve a term of two (2) years or until his/her successor is elected and qualified.

SECTION 3. SECRETARY. The Board shall elect from its members except the Chairman of the Board, a secretary who shall act as, and perform the duties of, the Vice-chair in his/her absence. The secretary shall be elected from among the members of the Board at the first business meeting in June of alternate odd numbered years and shall serve a term of two (2) years or until his/her successor is elected and qualified. The secretary shall cause to be kept in a book provided for the purpose, a true and complete record of the proceedings of these meetings. (S)he shall be the custodian of the records and the seal of the District and shall see that the seal is affixed to all documents the execution of which on behalf of the Board under its seal is duly authorized. (S)He shall attend to or shall delegate to a responsible employee, the giving of all notices and shall perform such other duties as the by-laws may provide or the Board may prescribe.

SECTION 4. TREASURER. The Board shall appoint from its members except the Chairman of the Board or shall appoint from responsible employees, a Treasurer. (S)He shall be responsible for keeping or causing to be kept correct and complete records of account, showing accurately at all times the financial condition of the District. (S)He shall be the legal custodian of all moneys, bonds, securities, and other valuables that may from time-to-time come into the possession of the District. (S)He shall immediately deposit all funds of the District coming into his/her hands in some reliable bank or other depository to be

designated by the Board, and shall keep these accounts in the name of the District. (S)He shall collect all special taxes and assessments as provided by law and ordinance. (S)He shall furnish at the meetings of the Board, or whenever requested, a statement of financial condition of the District. (S)He shall be responsible for the preparation of the budget for submittal each year. (S)He shall be responsible for arranging the public hearing on the budget each year. (S)He shall be responsible for the preparation of all reports to the State of Utah which may be required, and shall perform such other duties as the by-laws may provide or the Board may prescribe.

SECTION 5: DISTRICT CLERK. The Board shall appoint from its members except the Chairman of the Board, or shall appoint from responsible employees, a District Clerk. The District Clerk shall attend the meetings and keep a record of the proceedings of the Board. The District Clerk shall maintain a properly indexed record of all contracts made on behalf of the District. The District Clerk shall maintain all financial records for the District and shall pre-audit all claims and demands against payments. The District Clerk shall certify as appropriate that the claim has been pre-audited, documented, and approved by the Board or the treasurer or deputy treasurer, and does not over expend the appropriate departmental budget established by the Board. The District Clerk shall present to the Board quarterly reports showing the financial position and operations of the District for that quarter and the year to date status.

SECTION 6: PROCUREMENT OFFICER. The Board shall appoint from its members except the Chairman of the Board, or shall appoint from responsible employees, a chief procurement officer. The Board shall adopt a procurement policy that governs all methods of procurement and delegates procurement authority to the procurement officer. The procurement officer may take any action of a procurement nature to insure economic well-being and efficient operation of the District so long as that action is not in conflict with the District's procurement policy.

SECTION 7: AMERICANS WITH DISABILITIES ACT COORDINATOR. The Board shall appoint from its members except the Chairman of the Board, or shall appoint from responsible employees, an Americans With Disabilities Act (ADA) coordinator. The ADA coordinator will be responsible for assuring compliance with Title II of the ADA. The ADA coordinator shall prepare a compliance checklist of the office location including structure and surrounding areas. A compliance transition plan shall be prepared. All endeavors to fulfill ADA requirements must be well documented. The ADA coordinator shall be the initial person involved in resolving grievances and complaints. Grievance procedures, which will include a review board, shall be established.

SECTION 8: RECORDS OFFICER. The Board shall appoint from its members except the Chairman of the Board, or shall appoint from responsible employees, a records officer. The records officer shall prepare and maintain appropriate records retention schedules. The Board shall adopt a Government Records Access Management Act (GRAMA) Policy. The records officer will be responsible for assuring compliance with the GRAMA policy. The records officer shall maintain detailed and accurate records of every records request received by the District, the classification of all records, and the disposition of all requests. Grievance procedures, which shall include an appeals board, shall be established.

SECTION 9: In the event any of the elected offices of the Board are vacated by resignation from an office or from the Board, a new officer will be elected from full membership of the Board. If the officer also leaves membership on the Board, election for the office will not be held until after appointment of a new member to the Board by the Grand County Council. The Chairman may appoint a member of the Board to act in any office on a temporary basis until an election can be held for the office. Any officer elected as the result of the removal or resignation of the previous officer will fill the unexpired term of that officer. Elections for new terms of office will be held as provided for in these bylaws.

SECTION 10: TRANSFER OF AUTHORITY. In case of the absence of any officer of the Board or for any other reason that the Board may deem sufficient, the Board may transfer the powers or duties of that officer to any other officer or to any employee of the District, provided a majority of the Board concurs.

#### ARTICLE IV MEETINGS AND BUSINESS ACTIVITIES

SECTION 1. A majority of the members of the Board shall constitute a quorum for the transaction of business. The act of the majority of the members present at a meeting at which a quorum of three voting members is present shall be the act of the Board unless the act of a greater number is required by statute or the by-laws.

SECTION 2. A regular meeting time and place will be established by the board and advertised by public notice in the local paper each January.

SECTION 3. A special meeting may be called upon the concurrence of three members of the Board, upon the giving of

twenty-four (24) hours notice to all members of the Board and to the public, to be posted on or near the front doors of the Grand County Court House, Moab City offices, and business offices of the Solid Waste Management District #1.

SECTION 4. Any member wishing to place an item on the agenda for any meeting must notify the secretary at least two days before the scheduled meeting day. Action on any and all items will be governed by the provisions of the Utah Open and Public Meetings Act, Sections 52-4-1 et. seq. All rules and resolutions shall be approved in open meetings.

SECTION 5. The tentative budget of the District shall be submitted for Board review at the October meeting of the Board. The tentative budget shall be submitted for Board approval at the November meeting. After approval by the Board, the secretary shall be responsible for submittal of the budget to the Grand County Council, the Cities of Moab and Castle Valley, and then to the public presented at a public hearing in December.

SECTION 6. (a) All checks, drafts, notes, and orders for the payment of money of the District shall be signed by two officers of the Board.

(b) All deeds and other written contracts and agreements to which the District shall be a party, shall, unless otherwise directed by the Board or unless otherwise required by law, be signed by the Chairman and the secretary of the Board.

(c) The Board may authorize the clerk of the District to sign correspondence, purchase orders and other documents other than checks, drafts, notes, and orders for the payment of money on behalf of the District.

(d) The Board may authorize the clerk or the administrative aide of the District to endorse checks which may be received by the District and to deposit the same into the general account or the State of Utah's Public Treasurers' Investment Fund account maintained by the District.

(e) The Board may authorize the clerk of the District to purchase Certificates of Deposit from funds received by the District, to provide interest income.

SECTION 7. Any member of the Board or employee of the District shall be reimbursed, in addition to the per diem rate set by the Grand County Commission, for mileage at the same rate as paid by Grand County and for other expenses incurred in conducting the business or representing the District. Receipts

shall be required. The District may apply for and authorize the use of a charge or credit card in the name of the District.

SECTION 8. Any member of the District Board, missing three consecutive meetings, without good cause, shall be automatically terminated from the Board.

#### **ARTICLE V PROJECTS OF THE DISTRICT**

SECTION 1. The Board is empowered and authorized to determine what projects will be undertaken by the District. A majority vote is required to adopt a project. Referrals for project topics may be received from the general public or from any member of the Board or the Grand County Council.

#### **ARTICLE VI AMENDMENTS**

The power to alter, amend or repeal the by-laws, or to adopt new by-laws, is vested in the Board. Amendments shall be submitted in written form, by any member of the Board. There must be thirty (30) days notice of submitted amendments, prior to a vote on any change. A majority vote is required for any amendment to the by-laws. An effective date shall be provided in the amendment or the amendment shall be effective on the date of enactment.

#### **EFFECTIVE DATE**

These by-laws shall be voted on at the regular monthly meeting of the Board on the 24th day of June, 1993, and if a majority vote in the affirmative is attained, will become effective on the 24th day of June, 1993.