

SAN JUAN NOXIOUS WEED CONTROL BOARD BYLAWS

ARTICLE I

NAME AND AUTHORIZATION

This organization shall be called the San Juan Noxious Weed Control Board. The San Juan Noxious Weed Control Board (Weed Board) is authorized by and pursuant to Title 4, Chapter 17, Section 105, Utah Code Annotated, as amended and in accordance with San Juan County Ordinance 2020-07. The San Juan Weed Board exercises authority and assumes responsibilities delegated to it under these authorities.

ARTICLE II

PURPOSES AND POLICY

Section 1- The purpose of the Weed Board is to make recommendations to the San Juan Commission and to staff for overall weed control policy to ensure compliance with the Utah Noxious Weed Act.

Section 2- The policy of the Weed Board is to:

1. Be responsible, under the general direction of the County Executive, for the formulation and implementation of a county-wide coordinated noxious weed control program designed to prevent and control noxious weeds within San Juan County
2. Promote education that encourages public awareness of exotic, invasive, and noxious vegetation and that leads to sound and sustainable land stewardship.
3. Encourage the proper use of integrated weed management practices within San Juan County.
4. Recommend to the Board of San Juan County Commission particular weeds or competitive plants, not appearing on the state noxious weed list that might be declared County noxious weeds within San Juan County.
5. Cooperate with other County weed control boards to prevent and control the spread of noxious weeds.
6. Fulfill all of the duties assigned to a County Weed Board by the Utah Noxious Weed Act.

ARTICLE III

MEETINGS

Section 1- The regular meeting of the Weed Board shall typically be on the first Thursday of each month. Meetings will be held in Monticello at 117 South Main Street in the Commission Chambers. Unless otherwise advertised, special meetings of the members shall be held at a time and place designated by the Board Chair.

*Section 2-*The Weed Board shall name officers at its first regular meeting each calendar year or as necessary at other times to fill vacant positions.

*Section 3-*A quorum for the transaction of business shall consist of three members present in person.

*Section 4-*The meeting of the Weed Board shall be run in an orderly fashion and conducted by the Chair.

*Section 5-*All newly appointed Weed Board members shall be provided with a current copy of the Bylaws prior to the next regular meeting.

*Section 6-*Electronic notice of each meeting shall be given to each voting member not less than two days prior to the meeting. The Board will also follow The Open and Public Meetings Act (Title 52, Chapter 4, Utah Code, Annotated), with the exception of certain matters that may be discussed in “closed meetings.” Closed meetings should be limited to discussion as defined in State Code. In accordance with the Open and Public Meetings Act notice and the agendas of public meetings be available to the public.

ARTICLE IV

MEMBERS AND OFFICERS

Section 1- The Weed Board shall consist of a minimum of three but no more than five appointed members appointed by the Board of San Juan County Commissioners in accordance with Title 4, Chapter 17, Section 105, Utah Code Annotated, as amended. . All members shall reside in San Juan County. Members appointed to fill mid-term vacancies shall serve until the end of the term of the member replaced. As this is a partial term, that person shall be eligible to apply for a full, four-year term when the partial term is over.

Section 2- Officers shall include a Chair and Vice-Chair, both of whom shall be appointed members of the Weed Board.

Section 3- The Chair shall preside at all meetings, appoint all committees, and authorize calls for all meetings.

Section 4- Two members of the Board shall be farmers or ranchers whose primary source of income is derived from production agriculture.

Section 5- the Board of San Juan County Commissioners shall appoint one member of the Board of San Juan County Commissioners who shall act as a coordinator between the County and the County Weed Control Board.

ARTICLE V

COMMITTEES

The Chair may appoint special committees for the study and investigation of special problems or tasks. Weed Board members and individuals with special skills or interests from other government agencies and the public may serve on committees so long as a Weed Board member acts as Chair of each committee.

ARTICLE VI

ORDER OF BUSINESS

The normal order of business at regular meetings of the Weed Board shall be:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes
4. Citizens to be heard
5. Weed Supervisor Report (work completed; grants update, etc.)
6. Old Business
7. New Business
8. Committee Reports
9. Discussion of future agenda items and items from Staff or Weed Board Members
10. Adjournment

ARTICLE VII

NEPOTISM

The San Juan County Weed Board will follow San Juan County's policy on Nepotism which states that the board will comply with Title 52, Chapter 3, Utah Code Annotated, as amended regarding the employment of relatives. The county strives to avoid favoritism or patronage to relatives or close friends in matters related to job recruitment, selection, job advancement or issuing contract for services. The county discourages supervisors or department heads from hiring members of the same family to work in the same department or under the same supervision.

ARTICLE VIII

GRAMA

The San Juan County Weed Board will follow San Juan County's policy on GRAMA requests. The County follows Title 63G, Chapter 2, Utah Code Annotated, as amended.

ARTICLE IX

CONFLICT OF INTEREST

Section-1: The purpose of the conflict of interest Article is to protect this Board and its members from approving grants that might benefit the private interest of a Board member. This Article is intended to supplement but not replace any applicable State and Federal laws governing conflict of interest applicable to governmental organizations.

Section 2: Definitions

- A. Interested Person: Any Board member, who has a direct or indirect financial interest, as defined below, is an interested person.
- B. Financial Interest: A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - a. An ownership or investment interest in any entity with which the Board is considering an application, transaction, or arrangement,
 - b. A compensation arrangement with the Board or with any entity or individual with which the Board has a transaction or arrangement, or
 - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Board is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the appropriate governing Board or committee decides that a conflict of interest exists.

Section 3. Procedures

- A. Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Board considering the proposed transaction or arrangement.
- B. Determining whether a Conflict of Interest exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing Board or Committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.
- C. Procedures for Addressing the Conflict of Interest
 - a. An interested person may make a presentation at the governing Board meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

- b. After exercising due diligence, the governing Board shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- c. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the CED Board's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

D. Violations of the Conflicts of Interest Article

- a. If the governing Board has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

ARTICLE X

AMENDMENTS

At the beginning of each calendar year the Weed Board will review the Bylaws. Amendments will be recommended to the County Commission for approval.

Approved:

San Juan County Commission Chair

San Juan County Weed Control Board Chair

Date: _____

Date: _____