

BEAR LAKE REGIONAL COMMISSION BY-LAWS

These by-laws are established to define the functions, duties, responsibilities, and administrative procedures of the various branches, officers, offices, and organizations within the Bear Lake Regional Commission.

ARTICLE I – ORGANIZATION AND PROCEDURES

Section I – Name

The Bear Lake Regional Commission is so named in the Articles of Association of the Bear Lake Regional Commission.

Section II – Origin

The Commission is created by the Articles of Association of the Bear Lake Regional Commission.

Section III – Purpose

The Commission shall perform both executive and legislative functions to provide an agency to coordinate and enhance the development and protection of Bear Lake and its environs.

Section IV – Responsibilities

The responsibilities of the Commission are to adopt and amend these by-laws and the Articles of Association of the Bear Lake Regional Commission; to propose, initiate, approve, or carry out any studies, policies, or other Commission matters; to prepare and evaluate policies, plans, and programs, and adopt a consistent framework for consideration by all public and private agencies within the region responsible for implementing programs; to serve in a review capacity to assure that all federal, state, and local development projects are consistent with adopted area wide plans and programs; to apply and receive state and federal grants for regional purposes; to allocate components of the Regional Work Program among the Commission's staff, staffs of other public agencies, and private consultants; to establish representative technical advisory committees as needed to assist in the preparation of plans, programs, and project reviews; to initiate, advise, and aid in the establishment of cooperative arrangements, including interlocal agreements, among local governments in the region; to render advice and technical assistance on request of member governments in regard to local government problems having impact on the development and protection of Bear Lake; to appoint, fix salary of and remove the Executive Director; to review actions of the Executive Director and the staff; and to perform other activities as the Commissions may decide.

Section V – Membership

The membership of the Commission is outlined in Article IV of the Articles of Association of the Bear Lake Regional Commission.

Section VI – Officers

Officers shall be elected from among the Commission by a majority vote of its members. Elections shall be held annually at the first meeting of the appropriate calendar year. There shall be a Chairman, Vice-Chairman and a Secretary-Treasurer. The Chairman and Vice-Chairman shall alternately be from Utah and Idaho, when changed, it will alternate from state to state. These two officers shall not be from the same state during a given term of office. The Secretary-Treasurer may serve more than a one year term as Secretary, but when a new Secretary is elected, he shall be from the other state.

Section VII – Duties of Officers

The Chairman shall be the principal executive officer of the Commission. He shall preside at all meetings of the Commission. He shall have general supervision of the affairs of the Commission and shall perform such other duties as may be assigned to him by the Commission.

The Vice-Chairman shall have all the powers and perform all the duties of the Chairman when serving in his absence. In the event that the Chairman is not able to serve his full term in office, the Vice-Chairman will be elevated to that office and the Commission shall elect a new Vice-Chairman to fill the unexpired term. The Vice-Chairman shall have such other duties as may be assigned to him either by the Chairman or the Commission.

The Secretary-Treasurer shall supervise the financial affairs of the Commission under the direction of that body. He shall present a financial statement of receipts and expenditures on a quarterly basis or at the request of the Chairman. He shall receive and receipt all monies due or payable to the Commission and shall deposit all such monies in such depositories as shall be selected by the Commission. He shall be responsible for distributing all monies payable and shall co-sign such payments together with such other officers of the Commission as may be so designated for that purpose. He shall perform such other duties as may be assigned to him by the Commission and shall submit financial accounts for an annual audit or upon the change of Secretary-Treasurer.

Section VIII – Meetings

The last Wednesday of each month is designated as the regular meeting date of the Commission unless otherwise designated by the Commission. The meeting will be held at the Commission Office or other designated locations. An agenda will be mailed out prior to each meeting. A special meeting may be called at the request of at least four members of the Commission. A quorum at all meetings shall consist of either the Chairman, Vice-Chairman or Secretary-Treasurer and a majority of the other members of the Commission. (Amended and adopted March 28, 2007)

An agenda will be prepared by the Executive Director's Office for each meeting of the Commission. Items to be included in each agenda shall be first cleared by the Chairman or through the Commission. Items may be added to the agenda anytime prior to approval of the agenda by the Commission. (Amended and adopted March 28, 2007)

ARTICLE II – EXECUTIVE DIRECTOR

Section I – Name

There shall be established an office within the Bear Lake Regional Commission to be known as the Executive Director.

Section II – Origin

This office is provided for in the Articles of Association of the Bear Lake Regional Commission.

Section III – Purpose

The Executive Director shall act as the principal administrative officer and under the direction of the Commission.

Section IV – Responsibilities

The responsibilities of the Executive Director are to coordinate and direct all staff and consultant services as may be provided through the Commission; to recommend to the Commission all staff appointments, advancements and other employment policies; to prepare and administer an annual approved work program and budget; and in addition to the above designated duties; he shall perform all other duties delegated to him by the Commission.

Section V – Organization

The Executive Director shall act as the principal administrative officer of the Central Staff. From time to time the Commission may authorize the Director to hire such additional staff subject to approval, as the Commission may organize the Central Staff into such activities or groupings as he may deem necessary to efficiently perform the activities of the Commission.

Section VI – Merit Service

All employees of the Commission with the exception of the Executive Director may be placed under the provisions of a merit system that shall be either established or approved by the Regional Commission.

ARTICLE IV – FINANCES

Section I – Annual Budget

The Secretary-Treasurer of the Regional Commission shall, with the assistance of the Executive Director, prepare a proposed annual budget for the consideration of the Commission by their May meeting. After analyzing the proposed budget and making any corrections or revisions that it may find necessary, the Commission shall adopt a final annual budget on or before their June meeting. (Amended and adopted March 28, 2007)

The annual budget shall include an itemized listing of all projects, programs, research studies, and activities together with a list of all sources of funding and an assessment schedule.

Section II – Assessments

Assessments shall be determined as stipulated in the Articles of Association Article VII, Section B.

Section III – Annual Audit

If its annual budget is funded, the Regional Commission shall cause an annual audit of its financial affairs to be made by a certified public accountant at the end of each fiscal year. The Commission shall direct the Executive Director to employ a certified public accountant that shall have been approved by the Committee for such audit. The audit report shall be made available to each of the member councils of governments and to the general public.

Section IV – Fiscal Year

The fiscal year of the Commission shall commence on July 1, and shall end on June 30.

ARTICLE V – ADOPTION AND AMENDMENTS OF THESE BY-LAWS

Section I – Majority Vote for Adoption

These by-laws may be adopted by a majority vote of the Commission.

Section II – Majority Vote for Amendment

These by-laws may be amended by a majority vote of the Commission.

AMENDMENTS

March 28, 2007:

The following amendments were made to the Bear Lake Regional Commission by-laws to read as follows:

Article I: Section VIII – Meetings

The last Wednesday of each month is designated as the regular meeting date of the Commission unless otherwise designated by the Commission. The meeting will be held at the Commission Office *or other designated locations*. An agenda will be mailed out prior to each meeting. A special meeting may be called at the request of at least four members of the Commission. A quorum at all meetings shall consist of either the Chairman, Vice-Chairman *or Secretary-Treasurer* and a majority of the other members of the Commission.

An agenda will be prepared by the Executive Director's Office for each meeting of the Commission. Items to be included in each agenda shall be first cleared by the Chairman or through the Commission. *Items may be added to the agenda anytime prior to approval of the agenda by the Commission.*

Article IV: Section I – Annual Budget

The Secretary-Treasurer of the Regional Commission shall, with the assistance of the Executive Director, prepare a proposed annual budget for the consideration of the Commission *by their May meeting*. After analyzing the proposed budget and making any corrections or revisions that it may find necessary, the Commission shall adopt a final annual budget on or before their *June* meeting.

September 22, 2005:

The following amendment was made to the Bear Lake Regional Commission by-laws to read as follows:

Article I: Section VIII – Meetings

The *last* Wednesday of each month is designated as the regular meeting date of the Commission unless otherwise designated by the Commission. The meeting will be held at the Commission Office. An agenda will be mailed out prior to each meeting. A special meeting may be called at the request of at least four members of the Commission. A quorum at all meetings shall consist of either the Chairman or Vice-Chairman and a majority of the other members of the Commission.

March 25, 1992:

The following amendment was made to the Bear Lake Regional Commission by-laws to read as follows:

Article I: Section VI – Officers

Officers shall be elected from among the Commission by a majority vote of its members. Elections shall be held annually, at the first meeting of the appropriate calendar year. The Chairman and Vice-Chairman shall alternately be from Utah and Idaho, when changed, it will alternate from state to state.

Article I: Section VIII – Meetings

The fourth Wednesday of each month is designated as the regular meeting date of the Commission unless otherwise designated by the Commission. The meeting will be held at the Commission Office. An agenda will be mailed out prior to each meeting. A special meeting may be called at the request of at least four members of the Commission. A quorum at all meetings shall consist of either the Chairman or Vice-Chairman and a majority of the other members of the Commission.

An agenda will be prepared by the Executive Director's office for each meeting of the Commission. Items to be included in each agenda shall first be cleared by the Chairman or through the Commission. The agenda shall be closed one week prior to a regularly scheduled meeting so the staff will have time to publish and distribute it together with any appropriate accompanying reports and materials.

April 1, 1976:

The following amendment was made to the Bear Lake Regional Commission by-laws to read as follows:

Article I: Section VI – Officers

Officers shall be elected from among the Commission by a majority vote of its members. Elections shall be held bi-annually or annually, at the discretion of the members, at the first meeting of the appropriate calendar year. The Vice-Chairman and Chairman shall alternately be from Utah and Idaho during a given term of office. The Secretary-Treasurer may serve more than a one year term as Secretary, but when a new Secretary is elected, he shall be from the other state.

January 24, 1974:

The following amendment was made to the Bear Lake Regional Commission by-laws to read as follows:

Article I: Section VI – Officers

Officers shall be elected from among the commission by a majority vote of its members. Elections shall be held annually at the first meeting of the calendar year. The Chairman and Vice-Chairman shall alternately be from Utah and Idaho. These two officers shall not be from the same state during a given term of office. The Secretary-Treasurer may serve more than one year term as Secretary, but if a new one is elected he shall be from the other state.