

RESOLUTION 2012-02

A RESOLUTION CONVERTING THE NORTH TOOELE COUNTY FIRE PROTECTION SERVICE DISTRICT BOARD POSITIONS FROM APPOINTED TO ELECTED

WHEREAS, the North Tooele County Fire Protection Service District desires to convert to an "elected" board consistent with the requirements of Utah Code Annotated 17B-1-1001; and

WHEREAS, conversion to an elected Board and the establishment of filing fees for the Board must be approved of by the Tooele County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY that North Tooele County Fire Protection Service District's Resolution 2012-01 is hereby approved and that:

SECTION I - CONVERSION TO AN ELECTED BOARD. The appointed North Tooele County Fire Protection Service District's Board shall be converted to an elected Board with five (5) seats numbered Seats A, B, C, D, and E.

SECTION II - FILING FEE. The filing fee for Board Positions shall be \$0 (zero). The District may revisit this issue if the lack of a filing fee creates future problems with the election process.

SECTION III - TERM OF OFFICE. Board members shall serve four (4) year terms. However, to create a stagger with the Board positions and to ensure future elections are on the County's municipal election cycle, Seats A, B, and C shall initially be elected for a term of three (3) years and Seats D and E shall initially be elected for a term of one (1) year during the 2012 election. All subsequent elections shall be for a term of four (4) years with Seats A, B, and C being staggered from Seats D and E.

Res. 2012-02

SECTION IV - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION V - EFFECTIVE DATE. This resolution shall take effect immediately upon passage.

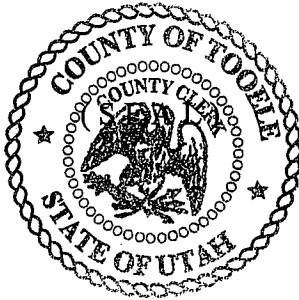
IN WITNESS WHEREOF, the Tooele County Commission, which is the legislative body of Tooele County, passed, approved, and enacted this resolution this 21st day of February 2012.

ATTEST:


Marilyn K. Gillette, Clerk

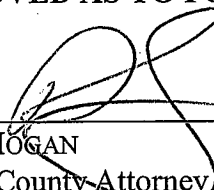
TOOELE COUNTY COMMISSION:


Colleen S. Johnson, Chairman



Commissioner Johnson voted aye
Commissioner Clegg voted aye
Commissioner Hurst voted aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney

RESOLUTION No. 2012-01

A resolution of intent to convert the North Tooele County Fire Protection Service District Administrative Control Board, Tooele County, Utah, from an appointed board to an elected board.

WHEREAS pursuant to a resolution (the Resolution) adopted on February 6, 2012, the North Tooele County Fire Protection Service District (NTCFD) Administrative Control Board (ACB) gave its notice of intent to convert from an appointed board to an elected board; and

WHEREAS pursuant to Utah Code 52-4, the ACB ordered that a public meeting be held on February 6, 2012, at 6:30 pm, at a regular meeting place of the ACB at the Lake Point Fire Station, 1528 Sunset Road, Lake Point, Utah, to discuss the conversion to an elected board; and

WHEREAS public notice of said intention and of the time and place of said public meeting was given by the District Administrator through the publication of an appropriate notice on the Utah Public Notice Website, which also notified the Tooele Transcript Bulletin, a newspaper published and of general circulation in Tooele County, Utah, and posting written notice of the meeting at the principal office of the ACB, with no less than 24 hours advance notice prior to the date of the public meeting; and

WHEREAS said public meeting was held pursuant to said notice at the aforesaid time and place, the ACB considered all interested persons desiring to be heard; and

WHEREAS upon approval of this intention and IF the Resolution is accepted by the Board of Commissioners of Tooele County, Utah, then

BE IT KNOWN that all current appointed members of the North Tooele County Fire Protection Service District Administrative Control Board, do hereby resign their position as Board Commissioners, and are willing to be reappointed immediately with a modified term of service which will expire at the end of the current year, in order to coincide with the current Tooele County election cycle.

NOW, THEREFORE, be it and it is hereby resolved by the Administrative Control Board of the North Tooele County Fire Protection Service District, Tooele County, Utah, as follows:

Section 1. That the ACB does hereby find and determine:

(A) That public notice of the meeting concerning the conversion to an elected board was given by the District Administrator.

(B) That no protests against the conversion to an elected board at or prior to the public meeting were filed.

(C) That the public meeting on the conversion to an elected board was held and conducted by the ACB as required by law, at which public meeting the ACB considered all interested persons desiring to be heard.

(D) That after careful consideration of all factors involved and of all objections and protests, it has been and is hereby found, determined and declared that all proceedings taken in converting from an appointed to an elected board have been in compliance with law.

Section 2. That upon approval of the Board of Commissioners of Tooele County, the currently appointed ACB will be converted to an elected board, with the following design:

(A) The ACB shall consist of five (5) Board Commissioners.

(B) In order to stagger the expiration dates of the five (5) Board Commissioners:

(1) Three (3) Board Commissioners shall serve a term of four (4) years; and

(2) Two (2) Board Commissioners shall serve a term of two (2) years initially. Upon completion of the first term, the two (2) year term shall convert to a four (4) year term.

(C) The Board Commissioner seats shall be designated as Seat A, Seat B, Seat C, Seat D, and Seat E.

Section 3. That all acts and resolutions in conflict with this resolution or any part thereof, are hereby repealed.

Section 4. That this resolution shall take immediate effect upon its adoption and approval.

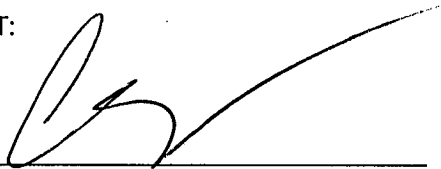
ADOPTED AND APPROVED this 6th day of February, 2012.

AYES: Troy Marx (via electronic participation), Tracy Schaffer, Harold Betts, Mike Frieden, and Kevin Astill.

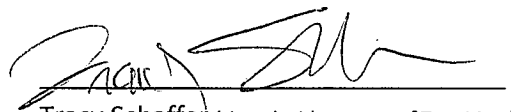
NAYES: None.

ABSENT: None.

ATTEST:



Cassandra Ray
District Administrator
North Tooele County Fire District



Tracy Schaffer (signed with consent of Troy Marx)
Board Treasurer
NTCFD Administrative Control Board