

Bylaws of the Willow Creek Community Council

Bylaws adopted this March 2016 by direction of the
Willow Creek Community Council meeting in a public hearing.

PREAMBLE

Whereas, Willow Creek Community Council (WCCC) represents an unincorporated area (see attached map) in the southeast portion of Salt Lake County; the area receives its municipal services from Salt Lake County paid directly from property taxes; Salt Lake County ordinances provide for communities in unincorporated areas to form councils from which representatives can address municipal service problems to the county administration; the residents desire to remain outside of incorporation with existing neighboring cities; and the residents desire to have a means to influence the providers of municipal services and the public policy affecting the unincorporated areas; therefore, be it

Resolved, that the residents of the unincorporated Willow Creek community establish a community council to: represent the municipal service interest of the community to the providers of such services; allow the council the rights of self-determination; improve the community image; and assist the community residents in any manner possible.

Article I – Name

The name of this community council shall be the Willow Creek Community Council (WCCC) hereafter referred to as the WCCC.

Article II - Object

The object of the WCCC shall be to represent the municipal service interests of the community to the providers of such services, all the community the right of self-determination, improve the community's image and assist the community's residents in any manner possible.

Article III – Membership

Section 1 WCCC shall represent an unincorporated area generally known as Willow Creek community more specifically shown on the map attached herein. Other unincorporated areas surrounding WCCC that are not served by a community council may request inclusion in accordance with Salt Lake County ordinances and, upon WCCC approval, shall be included within WCCC.

Section 2 Any registered voter living within WCCC shall be considered eligible to vote and may be elected or appointed a member of the WCCC. Each person shall have only one vote in matters of voting identity, a person's residency shall be considered before property ownership.

Section 3

a. WCCC shall consist of five (5) at-large members representing eligible voters. All WCCC members shall have equal voting privileges in all WCCC matters. The WCCC may appoint adjunct members as needed.

b. The boundaries of WCCC are approximately defined to the north along Creek Road (8200 South); to the east along all of East Robidoux Road (2985 East); all of Willow Creek Drive; to the south by portions of Snow Mountain Drive (8770 So.); and to the west by Highland Drive (2000 East) as per the attached map. See attached map.

Section 4

a. Voting Date, Eligibility and Number to Elect

(1) Members of the WCCC shall be elected by non-partisan secret ballot by a majority vote of Willow Creek registered voters voting at the designated election site to be held on the first Tuesday after the first Monday of November on even numbered years and by Willow Creek registered voters voting absentee according to these bylaws. WCCC members for a district (geographical area) must be a registered voter in the district he or she is elected to represent. The at-large members must be registered voters in the WCCC area boundaries.

b. Absentee Balloting Requirements

(1) Registered voters within Willow Creek community, (who expect to be unable to visit the polls) on the appointed election day, may at any time within thirty (30) days, but not less than five (5) days prior to the date of the election, make application in writing to the election committee chair for an absentee ballot,

(2) Any Willow Creek community registered voter shall be furnished an official ballot and two envelopes by either the election chair or his/her designated WCCC member. One envelope shall be smaller than the other and be marked only with the words "OFFICIAL BALLOT." The larger envelope shall be pre-addressed to the committee chair and shall contain a space in the upper left-hand corner where the voter shall place his/her address.

(3) Upon receiving the absentee ballot, the voter shall mark it and close it in the smaller envelope marked "OFFICIAL BALLOT." This smaller envelope shall then be sealed and placed in the larger envelope and mailed to the election committee chair in time to be received prior to the closing of the polls, on election-day.

(4) On election-day, the election committee shall open the envelopes, check off the names in the left hand corner of the large outer envelope on the master absentee ballot list, remove the envelopes marked "OFFICIAL BALLOT" and deposit them in the official ballot box. No registered voter who has applied for an absentee ballot shall be permitted to vote in person at the election, unless they have first returned the absentee ballot unmarked to the election committee.

c. Election Officer

(1) At least sixty (60) days prior to an election, the WCCC chair shall appoint one community council member or designee, who is not standing for re-election, to serve as an election officer for the year in which a community council election is conducted and the chair shall inform the county community council liaison, in writing, of the appointment which is to include the election officer's name, address and telephone number. That election officer may solicit the assistance of community council members or other persons not standing for re-election to serve as his/her elections committee.

(2) The election officer upon appointment; beginning September 1st shall accept written applications for candidacy for the council and shall acknowledge receipt and acceptance of candidates within five (5) working days of receipt. Applications shall be accepted from this time until the second Thursday of the following month. At the regular monthly meeting in the month before the election, the election officer shall report on the applications received.

(3) Within seven (7) days after the election, the election officer will prepare an official declaration of election results, including total votes cast for each candidate and shall report the election results at a scheduled WCCC canvass meeting.

d. Notices and Flyers

(1) Notices and flyers shall be prepared, posted and published in advance of any WCCC election to adequately inform the registered voters of the election process. At least thirty (30) days prior to an election, the community council shall provide notice of the election. The notice shall be posted in at least one prominent place in each voting district in the community council area and forwarded to the community council's liaison. Notices shall include the date, time and polling place locations for the community council election. Notices of the election shall be published in a newspaper of general circulation at least two weeks before election day, as per Salt Lake County Ordinance by the Association of Community Councils Together.

e. Ballots

(1) WCCC shall prepare a sufficient number of ballots listing candidates for WCCC offices. Candidates shall be listed in alphabetical order by last name and the ballot shall contain only the names of the candidates whose applications were received by the election officer as per the deadlines established in parenthesis (2) under c. election officer. No titles or indication of incumbency shall appear on the ballot.

f. Voting Regulations

(1) WCCC shall put in place and enforce appropriated regulations to ensure the secrecy and security of the voting process, to include providing for a secret balloting process, secure ballot boxes and orderly vote tabulation process supervised by the election officer. No proxy shall be permitted.

Section 5 The term of office of the WCCC members shall be two (2) years or four years (4) commencing with the 2016 election year to cause future elections to occur every even numbered year to come into compliance with the Salt Lake County Community Council ordinance.

Section 6 Elections for WCCC members shall be in accordance with the following sub-paragraphs:

a. At-large member(s) shall be elected beginning in 2016 for a four (4) year term. Beginning in 2016, three (3) current at-large members will remain on the Council and two (2) at-large members will be elected for a four-year term.

b. The term of each member shall be decided at the first official meeting held by the newly elected council by December 15th.

Section 7 Any member of the WCCC may resign from membership by submitting a letter of resignation to the secretary.

Section 8 When a WCCC member resigns or is removed from the council, the WCCC may replace the member by appointment. The vacancy shall be filled by a majority vote of the Council at the next regular scheduled meeting of the WCCC. The replacement shall be a registered voter of the WCCC area for the seat vacated and shall serve for the remainder of the unexpired term.

Section 9 Removal of a WCCC member shall be for cause as follows: The WCCC removes one of its members, upon a, three-fourths vote.

a. When a member of the WCCC is: guilty of malfeasance in office, convicted of a felony or convicted of a misdemeanor of moral turpitude. The member shall be removed by the WCCC.

b. When a member has been absent from three (3) consecutive regular meetings without excuse, the member's resignation may be requested. A member whose resignation is requested has two (2) weeks to resign and/or respond in writing as to why he/she should remain on the WCCC. Upon receipt of such a letter, the WCCC shall vote to remove the member.

c. Any member missing one-half (1/2) of the regular meetings of the WCCC in any one (1) year unless on official WCCC business shall be treated as having been requested to submit his/her resignation from the WCCC.

Article IV - Financial Administration

Section 1 The WCCC is organized for the benefit of the community and as such, is to be operated as a non-profit entity. WCCC member, WCCC committee members and all participants in the WCCC activities, are to be volunteers without pay for their services.

Section 2 Financing of the WCCC will be from voluntary donations and fund-raising activities appropriate to the nature and purposes of the WCCC. Funds may be solicited and accepted. Requests for funding must be made in accordance with the Salt Lake County Community Council Ordinance.

Section 3

- a. The fiscal year of the WCCC shall be January 1 through December 31. The financial records of the WCCC shall be reviewed annually by a qualified individual outside of the WCCC. Such annual review shall determine that all disbursements were made in accordance with the bylaws of the WCCC.
- b. Within ninety (90) days following the close of WCCC's fiscal year (December 31), a detailed financial statement outlining revenues and expenditures of the funds received from Salt Lake County, shall be filed with the county council in accordance with Salt Lake County Auditor's rules and regulations. The statement shall set out community council revenues and expenditures for the prior year and shall be in the form approved by the county auditor.
- c. Committee finance chairs shall keep the financial records of fund-raising activities and report to the WCCC at the close of the fiscal year.

Section 4

- a. No part of the net earnings of WCCC shall inure to the benefit of, or be distributable to, its members, officers, or other private persons, except that the WCCC shall be authorized and empowered to pay reasonable expenses made out-of-pocket for the benefit of the WCCC. The WCCC may make payments and distribution in accordance to these bylaws to promote the purposes of the WCCC. The WCCC shall engage only persons' services for compensation who are legally engaged in a business the same as the services to be performed. The services of WCCC members or officers may not be engaged for compensation by WCCC.
- b. The WCCC shall not participate financially or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Article V - Officers

Section 1 The officers of the WCCC shall serve for a term of one (1) year, and shall consist of the chair, vice chair, secretary and treasurer. The officers shall constitute an executive committee and have the power to act in emergencies between meetings if WCCC is not able to have an emergency meeting without a quorum present.

Section 2 The officers shall be elected by their fellow members at the annual meeting. The annual meeting is the regular meeting held in December of each year and shall be preceded by the election of WCCC members.

Section 3 Any duly elected or appointed member of the WCCC may nominate himself or herself or another member, for any executive office. The nominee receiving the greatest number of votes for each office shall be installed, unless he or she withdraws prior to installation. No officer shall serve more than two (2) consecutive terms in the same office. Those placed in nomination must be in attendance. There must be a quorum present to conduct this election. It is desirable that any member being nominated to hold an executive office have a desire to hold that office and be able to devote the necessary time to its proper execution.

Section 4 The outgoing officers shall be in charge of the annual meeting. The chair shall present the annual report, and announce the results of the November elections for WCCC membership. He or she shall conduct the elections of the executive officers for the newly elected and continuing Willow Creek Community Council and provide a list of all WCCC members holding office as of January 1, to the county's community council liaison no later than December 15.

Section 5 The chair of the outgoing officers committee (after the new officers are elected), shall direct: the outgoing treasurer to turn over the WCCC books and the treasury to the new treasurer once the annual audit of the books has been completed by an independent auditor, the outgoing secretary to turn over WCCC records and documents to the new secretary, the outgoing vice chair to turn over the WCCC bylaws, the WCCC copy of Robert's Rules of Order Newly Revised and other documents/papers pertaining to the office, to the new vice chair. The chair shall officially call for adjournment of the WCCC for that fiscal year. Upon adjournment, the gavel shall be handed to the new chair and the new chair shall call the first meeting of the new fiscal year to order.

Section 6 Any vacancy in the executive offices shall be filled as provided in Section 3 of Article V. The authority and records of the office shall be passed on by the highest ranking executive officer remaining.

Section 7 The chair shall have all duties as are usually imposed upon this office and as required by the bylaws and the adopted parliamentary authority. The chair shall preside at all WCCC meetings. The chair shall call for a report from each WCCC member at each meeting and shall present the WCCC's annual written report at the final meeting of the WCCC fiscal year.

Section 8 The vice chair shall perform duties usually imposed upon this office and duties as required by the bylaws and the adopted parliamentary authority. The vice chair shall perform other duties as required by the chair and shall act as the chair in

WCCC's meetings in the absence of the chair. The vice chair shall be the WCCC's parliamentarian, interpreting the bylaws and applying the rules of procedure and the parliamentary authority.

Section 9 The secretary shall convene all meetings in the absence of the chair and vice chair and conduct an election of a chair pro tem. The secretary shall keep complete and accurate minutes of all proceedings of the WCCC and officers. The actual recording or preparation of the minutes or documents shall be under the secretary's supervision; the secretary remains responsible for the correctness of all minutes and documentation. The secretary shall have charge of the records, reports, and archives of the WCCC. The secretary shall: conduct the official correspondence; attest documents; notify the members of all regular and special meetings; and, perform all other duties that are usual to the office and/or as may be required by the chair or the parliamentary authority. The secretary under the direction of the chair shall prepare the annual report for presentation; all committee and financial reports shall be incorporated within the annual report.

Section 10 The treasurer shall have all the duties as are usually imposed on this office and as required by the parliamentary authority. The treasurer shall collect all monies due the WCCC and shall disburse money only upon the direction of the chair after approval by the WCCC. Money shall be disbursed by check or debit card. All checks shall be signed by any two members of the executive board. Monthly, the treasurer shall submit a report of all transactions and activities for the preceding month to the WCCC only to be waived by motion and vote of the council. At the end of each fiscal year, the treasurer shall furnish a written report to the chair, giving a complete accounting for the office for the year. This report shall become part of the chair's annual report.

Article VI - Meetings and Confidential Records

Section 1 Each meeting of the WCCC may be opened with a prayer and/or Pledge of Allegiance to the Flag of the United States of America and/or any other activity the WCCC determines appropriate.

Section 2 The WCCC regular meeting shall be held quarterly on a set day and time in such a manner as to promote the most attendance by the Willow Creek residents and interested parties. The meeting is open to the public for the purpose of performing its duties as per Salt Lake County's Community Council ordinance. Public notice of each meeting as per ordinance shall be made in a manner determined by the chair to be effective and reasonable. Business meetings for the purpose of conducting the business of the WCCC nonprofit shall comply with the WCCC bylaws.

Section 3 Special meetings may be called by the chair or a majority of the members of WCCC provided that each member has had 24 hours notice by the secretary and/or chair of the WCCC. Any member of the WCCC or a committee chair may make a request of the chair for a special meeting to be called. If a majority of the WCCC calls a special meeting, their decision shall be made known to the secretary, who will then notify the WCCC as per the bylaws.

Section 4 Any person wishing to be heard from the floor will be recognized by the chair and given ample time to express his or her views, provided he or she has requested recognition from the chair. If time is available, anyone can be recognized from the floor without prior request. Any group requesting time shall be represented by an appointed spokesperson. In all cases the subjects discussed must concern community and WCCC business. The chair shall have wide latitude in these discussions but not allow individuals or groups to engage in personal arguments or intra-organizational arguments. If this should occur, the person or persons shall be declared out of order and the floor cleared. The chair shall conduct the meetings in accordance with the parliamentary authority.

Section 5 A quorum consists of a majority of the members of the WCCC. A quorum must be present at any meeting in order to transact WCCC business.

Section 6 Confidential or private information may be reported to the WCCC; however, such information may not become matters of public record or public knowledge. The chair shall determine how confidential or private information is to be reported to the WCCC and if a record shall be kept of such information. The secretary shall maintain confidential records of the WCCC in accordance with governing statutes, i.e., Privacy of Information Act. Applicable state and federal regulations shall govern the interpretation of the terms confidential and private. All officers, WCCC members and committee chairs shall comply with the intent of statutes and regulations regarding the privacy of information.

Article VII - Committees

Section 1 There may be appointed yearly two (2) representatives to the Association of Community Councils Together (ACCT) who shall be required to attend all ACCT meetings and functions. Alternates may be appointed to attend the ACCT meetings and functions and vote in their absence.

Section 2 There may be established advisory committees to assist the executive officers of the WCCC as needed. These may include, but shall not be limited to the

following: (1) Planning and Zoning, (2) Schools, (3) Health and Welfare, (4) Publicity, (5) Public Safety, (6) Finance, (7) Parks & Recreation, (8) Library, and (9) Community Involvement.

Section 3 Each committee chair may be appointed to office by the WCCC. The WCCC may take into consideration each individual's desires and abilities when making these appointments. Each committee chair may be in charge of his or her respective committee and responsible for all duties of his or her committee.

Section 4 Each committee chair may attend state, local government, business, civic group and other organization meetings which are part of the respective advisory committee's objectives or appoint a representative to attend. The committee chair shall report to the WCCC regarding these meetings. Each committee chair shall make every effort to coordinate the activities of his or her committee with the activities of any other group interested in promoting the objectives of common interest with his or her committee or the WCCC. Every effort will be made to avoid conflicting and/or duplicating efforts between committees.

Section 5 The objectives of each advisory committee chair are as needed:

- a. The Planning and Zoning chair may: study and initiate methods and projects to beautify the community and its property; encourage agricultural, commercial and industrial activities consistent with the governing laws and WCCC's interests; and, mediate differences between groups regarding activities. This committee chair and the WCCC chair (or their appointed substitutes are designated by Salt Lake County ordinance to attend and represent the WCCC before the Salt Lake County Planning Commission.)
- b. The Schools chair shall: be a liaison between the school district and the community to facilitate keeping the community informed of developing issues of concern and the furtherance of needed programs to enhance the well being of the children, parents and educators within the WCCC area.
- c. The Health and Welfare chair may: determine the needs of the WCCC and its residents, in relation to health, safety, welfare, sanitation and flood control whenever necessary for the well-being of the community.
- d. The Public Relations chair may: publicize all activities, actions and findings of the WCCC when the chair feels it is necessary, assists other committees and members of the WCCC in their public relations work.

e. The Public Safety chair may: communicate with all public safety agencies and officials to bring their attention to the needs of the WCCC; to develop and promote projects for the betterment of the public safety in the WCCC area.

f. The Parks and Recreation chair may: coordinate all activities of WCCC area community recreation, develop and promote projects for the betterment of the WCCC. Solicit Salt Lake County Parks and Recreation's involvement to meet the needs of the WCCC. To seek funding, for recreation upgrades and capital expenditures, within and around the WCCC area.

g. The Library chair may: be concerned with the WCCC 's be concerned with the WCCC's interest in and participation with library programs.

h. The Community Involvement chair may: inspire community involvement and seek volunteers to help better affect completion of projects on various committees, keep in touch with WCCC to get a calendar of events, make an outline of community needs and seek projects necessary to upgrade the quality of life within WCCC and to present to WCCC for approval at a regularly scheduled meeting, and if approved, organize such projects by setting up committees to bring the projects through the completion stages.

Section 6 Each committee chair shall submit a report of information and activities of his/her office affecting the community as needed and/or upon request of the chair for entry into the WCCC 's meeting minutes.

Section 7 Each committee chair shall submit a written annual report to the secretary one month in advance of the WCCC Annual Report, so that it may be incorporated in the annual report.

Section 8 WCCC committee chairs may be asked to perform any other duties required of them by the chair or executive officers, even though not covered by the committee's objectives and/or committee chair's duties.

Section 9 Each committee chair may recruit help from any member of the WCCC in order to better perform their duties, however, none of these committee members shall have voting rights on the WCCC. They shall function as committee members to facilitate their committee functions. These committee members can in no way obligate the committee chair, the executive officers or the WCCC.

Section 10 Other committees and their duties may be established as needed by the WCCC. Any committee may be temporarily or permanently deactivated by the WCCC as per Article VII; Section 3.

Article VIII - Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised (RONR) shall govern the WCCC in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order WCCC may adopt.

Article IX - Amendments

Section 1 These bylaws shall be amended by a two thirds (2/3) or more affirmative vote of the WCCC.

Section 2 Any WCCC member may propose amendments to these bylaws. Any proposed amendment to these bylaws shall be submitted to the secretary, who will be responsible to have a copy mailed or delivered to every WCCC member at least 30 days prior to the meeting at which it is to be considered.

Amendments Approved: March 29, 2016

Signed by Chair: _____.

Willow Creek Community Council Bylaws: Proposed on March 29, 2016.

Proposed Approval Date: March 29, 2016

Signed: _____

Chair: Mark W. Selvig

Signed: _____

Vice-chair Frank P. McNeil

Signed: _____

Secretary: J. Yoshiko Petersen

Signed: _____

Treasurer: J. Yoshiko Petersen

Proposed Bylaws of Willow Creek Community Council