

CHAPTER 4

SNOWMOBILE ADVISORY BOARD

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2-4-1: **BOARD ESTABLISHED:** There is established among the three counties of Cassia, Minidoka and Power, a snowmobile advisory board to advise the respective County Commissioners regarding the just and appropriate expenditures of the funds received from the state of Idaho, and from any other sources, for snowmobile purposes. The advisory board shall also advise the Commissioners in matters related to the establishment and maintenance of parking and unloading areas on public and private property. This advisory board serves at the pleasure of the Commissioners.

2-4-2: **OFFICES:** The office of the Cassia County snowmobile advisory board shall be located at the Commissioners' Chambers in the Cassia County, Idaho Courthouse at 1459 Overland Avenue in Burley, Cassia County, Idaho.

2-4-3: **DEFINITIONS:**

BOARD: The Cassia County snowmobile advisory board.

COMMISSIONERS: The respective Boards of County Commissioners of Cassia County, Idaho, Minidoka County, Idaho and Power County, Idaho.

COUNTY: Cassia County, Idaho, Minidoka County, Idaho and/or Power County, Idaho.

PUBLIC OFFICE: Any position held on the Cassia County snowmobile advisory board or employment by and through the Board, in which the normal and usual duties are conducted on behalf of the County or the Board.

PUBLIC OFFICER: Any person holding public office for the County, whether elected, appointed or hired.

2-4-4: MEMBERS:

A. Number, Election and Term of Office:

1. Number of members: The number of members of the board shall be five (5), unless and until otherwise determined by the commissioners.

2. Qualifications to be a member. Candidates to serve as a member of the advisory board shall be active snowmobilers representing snowmobile clubs, organizations, or merchants engaged in the sale or rental of snowmobiles, or are a member of the general public actively engaged in the sport of snowmobiling.

3. Appointment:

(a) The members of the board shall be appointed by the Commissioners as follows: one (1) resident each from Cassia County, Minidoka County and Power County, with two (2) at large members, which members must be a resident of one of the three counties. There can be no more than two (2) board members from the same county at the same time, except as hereafter provided for in paragraph 2-4-4 A.3.(b).

(b) In the event that there is no willing volunteer from a county, then the seat will be filled from the remaining counties for the duration of one term as an interim appointment. When the interim appointment expires, the seat should once again be made available to the original county.

(c) Each County will appoint its seated board member; Cassia County will take recommendations from Minidoka and Power Counties for the at large appointments and will make the final selection on these two seats.

4. Terms:

(a) All appointments by the commissioners to this advisory board shall be for a term of four (4) years, to commence on the second Monday of September after the date of appointment.

(b) Except for the initial appointment following adoption of these regulations at which event the appointees representing the three (3) county positions on this advisory board shall serve from time of appointment until the second Monday of September, 2014 and the appointees to the two (2) at large positions shall serve for an initial term from time of appointment until the second Monday of September, 2012.

5. Conflict of Interest: Any action or any decision or recommendation by a person acting in a capacity as a public official with respect to this advisory board, the effect of which would be to the private pecuniary benefit of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated is a conflict of interest. Conflicts of interest are prohibited and may be cause for removal of the member from the advisory board.

B. Duties And Powers: The board members shall be responsible for the oversight of snowmobile trail grooming and facility development within the county and to advise the commissioners regarding the priorities for expenditures of snowmobile funds and the just and equitable division of such funds, and shall fulfill all duties assigned to them by the commissioners, which powers and duties shall include the following:

1. Responsibility for Monies: Responsibility for all monies received by it, from fees for snowmobile purposes, and any other monies received from other sources for snowmobile purposes.

2. Keeping of Monies: It shall safely keep, or cause to be safely kept, all monies and equipment coming into its care, custody, or possession in strict compliance with the provisions of the public depository law of the state of Idaho and other applicable laws.

3. Formulation and Filing of Plans: It shall formulate in writing, and file in its office; all future plans adopted by it from time to time in connection with the conduct of the business of the board, and also file a copy of the same with the commissioners.
 4. Records: It shall keep, or cause to be kept, proper records of its proceedings, business transactions, and true and proper accounts of all monies received by it and expended or on hand. Copies of said records shall be on file with the commissioners.
 5. Vouchers: It shall require proper vouchers, evidencing all disbursements of money.
 6. Inspection: It shall allow open inspection by any taxpayer or voter within the county during all regular hours of its records.
 7. Purchase Recommendations: It shall recommend to the commissioners, when appropriate, that purchases be made of property as may be needed for snowmobile recreation purposes.
 8. Powers Restricted: It shall not have the power to create or contract any indebtedness.
- C. Vacancies: Any vacancy in the board occurring by reason of the change in residency, death, resignation, disqualification, removal or inability to act of any board member, or otherwise, shall be filled for the unexpired portion of the term by the commissioners.
- D. Resignation: Any board member may resign at any time by giving written notice to the chairman of the board, and the commissioners. Unless otherwise specified in such written notice, such resignation shall take effect upon receipt thereof by the commissioners and acceptance of such resignation shall not be necessary to make it effective.
- E. Removal: Any board member may be removed with or without cause at any time by the commissioners at a regular meeting of the board of county commissioners for which notice of that purpose has been given. Any board member missing three (3) consecutive meetings will be considered for removal from the board.

- F. Salary and Benefits: No salary shall be paid to the members of the board for their services, and the members do not receive County benefits, but the members of the board may be paid for their actual and necessary expenses out of the funds provided for snowmobile purposes, upon prior approval of the claims for the same by the commissioners.

2-4-5: MEETINGS:

A. Annual or Regular Meetings; Notice:

1. Annual Meeting: A regular annual meeting of the snowmobile advisory board shall be held in November of each year at a regular meeting of the commissioners, at the courthouse, in Burley, Idaho.

2. Regular Meetings: The advisory board shall meet on the second Tuesday of each month from November through March at 4:00 p.m. at the Cassia County Courthouse, Commission Chambers Room #3, 1459 Overland Avenue, Burley, Idaho. Meeting notice and agenda notice requirements shall be as required by Idaho's Open Meeting Law.

3. Open Meetings: All meetings of the board shall be open to the public, and notice shall be given in compliance with the open meeting laws of the state of Idaho.

B. Special Meetings; Notice:

1. Time and Location: Special meetings of the board shall be held whenever called by the chairman, or by three (3) or more board members, at such time and place as may be specified in the respective notices, or waivers of notice thereof.

2. Notice: Notice of special meetings shall be mailed directly to each board member, addressed to his residence or usual place of business, at least two (2) days before the date on which the meeting is to be held, or shall be delivered to him personally, or given to him orally, not later than the day before the day on which the meeting is to be held.

3. Notice Not Required: Notice of any special meeting shall not be required to be given to any board member who shall attend any such meeting without protesting prior to or at its commencement the lack of notice to him, or who submits signed waiver of notice, whether before or after the meeting. Notice of any adjourned meeting shall not be required to be given.

4. Open Meetings: All special meetings of the board shall be open to the public. Notice and agenda requirements for special meetings shall be given in compliance with the open meeting laws of the state of Idaho.

C. Chairman: At all meetings of the board, the chairman of the board shall preside. If there shall be no chairman or he shall be absent, then the vice chairman shall preside.

D. Quorum and Adjournments:

1. Quorum: At all meetings of the board the presence of a majority of the entire board shall be necessary and sufficient to constitute a quorum for the transaction of business.

2. Adjournment: When a quorum is not present, a majority of the board members present may adjourn the same until a quorum is present.

E. Manner Of Action:

1. Votes: At all meetings of the board each member present shall have one vote.

2. Action by Majority: The action of a majority of the board present at any meeting at which a quorum is present shall be the act of the board. Any action authorized in writing by all of the board members entitled to vote thereon, and filed with the minutes of the board, shall be the act of the board, with the same force and effect as if the same had been passed by unanimous vote at a duly called meeting of the board.

2-4-6: OFFICERS:

A. Number, Qualifications, Election and Term of Office: The officers of the board shall consist of a chairman, a vice chairman, and a secretary. The chairman, vice chairman, and secretary are required to be members of the board appointed by

the Commissioners. These officers of the board shall be elected by the board at the regular meeting of the board held in November of each year. The chairman, vice chairman and secretary shall serve for a term of two (2) years, commencing with the date of their election.

- B. Resignation: Any officer of the board may resign at any time by giving written notice of such resignation to the Cassia County Commissioners and to the chairman or secretary of the board. Unless otherwise specified in such written notice, such resignation shall take effect upon receipt thereof by the Cassia County Commissioners and the written or formal acceptance of such resignation shall not be necessary to make it effective.
- C. Removal: Any officer of the board may be removed as such officer by the vote of the board with or without cause, and a successor elected by the board at any time. Such removal will not affect the membership of that person as an advisory board member.
- D. Vacancies: Vacancies in board offices created by reason of change of residency, death, resignation, removal, inability to act, or disqualification may at any time be filled for the unexpired portion of the term by the board.
- E. Duties Of Officers: Officers of the board shall, unless otherwise provided by the board, each have such powers and duties as generally pertain to their respective offices, and such duties as may from time to time be specifically inferred or imposed by the commissioners.

2-4-7: EMPLOYEES AND MISCELLANEOUS MATTERS:

- A. Employees: The Groomer Director and Groomer operators are considered seasonal part-time employees of Cassia County. These employees will not receive Cassia County Benefits.
 - 1. The Advisory Board shall have immediate supervision and control of all employees hereunder, which shall include the groomer director and groomer operators.
 - 2. Management of hiring and working such employees shall comply with

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federal and state hiring, payment and benefit laws and regulations to protect this seasonal part-time status.

3. As Cassia County employees the Cassia County Personnel Handbook shall apply to them and employment issues, policies and procedures and they shall be subject to all rules and regulations therein set forth.
 4. Hiring and wage issues for groomer director, and groomer employees and any other employee hereunder shall be recommended by the advisory board to the Board of Commissioners for Cassia County. Such hiring and wage matters shall not be finalized until approved by Change of Status form by the Cassia County Commissioners. Change of status forms can be obtained from the Auditor's Office at the Courthouse. Advisory Board Members cannot also be paid employees for any purposes herein.
 5. Conflict of Interest: Any action or any decision or recommendation by a person acting in a capacity as a public official with respect to this advisory board or an employee thereof, the effect of which would be to the private pecuniary benefit of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated is a conflict of interest. Conflicts of interest are prohibited and may be cause for discipline up to and including termination.
- B. Expenditures: The groomer director and/or operator may make expenditures for operations, parts and labor not to exceed \$1,000.00 without Advisory Board approval. Expenditures exceeding this amount shall have Advisory Board approval. All expenditures and invoices shall be submitted to the Cassia County Auditor's Office for the regular claims approval process of Cassia County and to facilitate regular audits thereof.
- C. Equipment: All equipment shall be owned by Cassia County except the Groomer which is owned by the Idaho Department of Parks and Recreation.

2-4-8: RELATIONSHIP WITH BOARD OF COUNTY COMMISSIONERS:

- A. General Supervision: The Board of County Commissioners of Cassia County, Idaho, is the chief executive board of Cassia County, Idaho, and as such is directly responsible for the supervision, direction and regulation of the advisory

board hereunder. This Board of Commissioners will work in conjunction with the Boards of Commissioners for Minidoka and Power Counties to utilize this advisory board for its optimum value. The members of the board shall serve under the guidance and direction of the elected board of commissioners of Cassia County, Idaho.

- B. Operations and Fiscal Matters: The commissioners shall have the right and obligation to oversee the general operations of the board, and all fiscal matters regarding the board.
- C. Report At Annual Commissioners Meeting: The board shall be required to be in attendance at a regular meeting of the commissioners in November of each year in order to report to the commissioners on the current status of the snowmobile fund operations, the election of new officers, appointments, expiring terms of appointment of board members and officers, and all other matters relating to the general operation and fiscal stability and integrity of the snowmobile advisory board fund.
- D. Funds:
 - 1. Submission of Request: Annually, the board shall submit a request to the Commissioners for the amount of funds required for current needs. The board shall also submit to the Commissioners a budget and operations plan for the upcoming year.
 - 2. Expenditures: The board shall make recommendations to the Commissioners as to appropriate expenditures of the retained and reserved funds in the snowmobile account as needs arise.
 - 3. Approval or Modification: The Commissioners shall thereafter approve or make such amendments or modifications in the snowmobile advisory board recommendations as they deem proper.