

**RESOLUTION OF THE RICH COUNTY COMMISSION
TO CREATE THE RICH COUNTY ECONOMIC
OPPORTUNITY ADVISORY BOARD
AND TO ESTABLISH THE BOARD'S BYLAWS**

WHEREAS, the State of Utah operates a Rural County Grant Program pursuant Title 63N, Chapter 4, Rural Development Act; and

WHEREAS, the Rural County Grant Program distributes grant funds to address the economic development needs of rural counties, like Rich County; and

WHEREAS, rural counties seeking to participate in the Rural County Grant Program must first establish a County Economic Opportunity Advisory Board ("CEO Board") to assist and advise the County Commission; and

WHEREAS, the County Commission determines that it is in Rich County's interests to participate in the Rural County Grant Program; and

WHEREAS, the County had in 2020 established a County Economic Development Board, which is now been replaced by state statute with a CEO Board.

BE IT THEREFORE RESOLVED, the Rich County Board of Commissioners hereby creates the Rich County Economic Opportunity Advisory Board ("CEO Board").

BE IT FURTHER RESOLVED, the CED Board shall be composed of the following members to be appointed by the Rich County Board of Commissioners;

- (1) A county representative;
- (2) A representative of a municipality in the county;
- (3) A workforce development representative;
- (4) A private-sector representative;
- (5) A member of the public who lives in the county; and
- (6) Any other member deemed appropriate.

BE IT FURTHER RESOLVED, the CED Board previously established is replaced with the CEO Board.

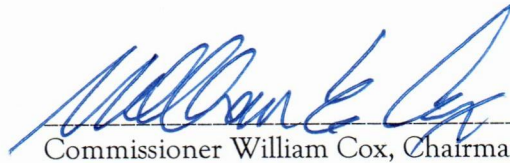
BE IT FURTHER RESOLVED, the appointment of any CED Board member whose appointment has not expired is converted to an appointment to the CEO Board.

BE IT FURTHER RESOLVED, the CED Board shall be governed by the bylaws established and approved by the Rich County Board of Commissioners, which are attached to this Resolution.

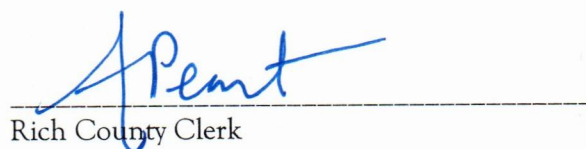
This resolution shall be effective on the date it is adopted.

APPROVED and signed this 4th day of January, 2023.

BOARD OF RICH COUNTY COMMISSIONERS


Commissioner William Cox, Chairman

ATTEST:


Rich County Clerk

Commissioner Bill Cox voted	<u>yes</u>
Commissioner Jonathan Lee voted	<u>yes</u>
Commissioner Simeon Weston voted	<u>yes</u>

Attachment

(By-laws)

Rich County Economic Opportunity Advisory Board Bylaws

The Rich County Board of Commissioners has created a County Economic Opportunity Advisory Board ("CEO Board"), which shall be governed by these bylaws.

ARTICLE 1

Name.

The Rich County Economic Opportunity Advisory Board ("CEO Board").

ARTICLE 2

Purpose.

The CEO Board is created solely to advance the economic development of Rich County. The CEO Board will do so by serving as the County's liaison with the Rural County Grant Program ("RCGP") operated by the Governor's Office of Economic Opportunity ("GO Utah Office"). Title 63N, Chapter 4, Rural Development Act.

Under the Rural County Grant Program, Rich County is eligible to apply for and receive grant funds for economic development needs, which may include:

- (1) Business recruitment, development, and expansion;
- (2) Workforce training and development; or
- (3) Infrastructure, industrial building development, and capital facilities improvements for business development.

The CEO Board shall assist and advise the Rich County Board of Commissioners in the following:

- (1) Applying for grants under the RCGP;
- (2) Prioritizing projects that should be funded by grant money provided under the RCGP; and
- (3) Preparing reports required by the RCGP.

ARTICLE 3
Membership.

Section 1. Composition of CEO Board.

The Rich County Board of Commissioners shall appoint a minimum of five members to the CEO Board, which shall consist of at least the following:

- (1) A county representative.
- (2) A representative from a municipality in the county.
- (3) A workforce development representative.
- (4) A private sector representative.
- (5) A member of the public who lives in the county.

The Board of Commissioners may appoint additional members as appropriate from time to time.

Application shall be open to any current resident, property owner, business operator, or employee of Rich County. In appointing members of the CEO Board, the County may consider gender and socioeconomic diversity.

Section 2. Term.

Appointment to the CEO Board is for a four-year term. At the end of the term, the Rich County Board of Commissioners may either renew the appointment or choose to appoint someone else. It is encouraged that appointment will be limited to two consecutive terms.

The Board of County Commissioners will, at the time of appointment, adjust the length of terms to ensure that the terms of CEO Board members are staggered so that approximately half of the appointed members are appointed every two years.

Section 3. Attendance.

Each member is expected to attend at least 75% of CEO Board meetings each year. Any member who fails to fulfill their duties as specified in these bylaws, shall automatically forfeit his/her seat and the seat will be considered vacant.

Section 4. Resignation and termination.

Appointed members serve at the will of the Board of County Commissioners. Any member may resign by filing a written resignation with the Board of County Commissioners. A member may also be removed by the Board of County Commissioners at any time.

Section 5. Vacancy.

Whenever a vacancy occurs for any reason, the CEO Board shall notify the Board of County Commissioners to fill the position by appointment as soon as reasonably possible.

**ARTICLE 4
Meetings.**

Section 1. Regular meetings.

Regular meetings of the CEO Board shall be held monthly, at a time and place designated by the board chair.

Section 2. Annual meetings.

An annual meeting of the CEO Board shall be each year in the month of September. The specific time and location shall be designated by the board chair. At the annual meeting the members shall elect officers, receive reports on the activities of the association, and determine economic priorities for consideration in the coming year.

Section 3. Special meetings.

Special meetings may be called by the chair or a simple majority of the members.

Section 4. Notice of meetings.

Personal notice of each meeting shall be given to each member not less than two days before each meeting.

CEO Board meetings are subject to the Utah Open and Public Meetings Act (Utah Code § 52-4-101 to 305). Specifically, all meeting shall be open to the public. All decisions, discussions of CEO Board matters, and considerations of CEO Board business shall be done in an open meeting.

Notice of each meeting and an agenda of the items being addressed shall be made available to the public as required by Utah Code § 52-4-202.

Section 5. Quorum.

A quorum shall consist of at least 51% of the active membership. No CEO Board business may be conducted without a quorum present either in person or by phone or other means. However, if no quorum is present, a lesser number of members shall have the power to adjourn to a specified later date.

Section 6. Voting.

All issues shall be decided by a simple majority of those present at the meeting in which the vote takes place.

Section 7. Minutes.

Minutes shall be kept of each meeting.

ARTICLE 5
Member responsibilities.

Section 1. Soliciting applications.

The CEO Board shall solicit applications for RCGP funds. The CEO Board shall consider how best to solicit applications with the goal of having as many eligible applicants apply as possible from across the county.

Section 2. Reviewing applications.

The CEO Board shall review all applications. The CEO Board shall vote to prioritize applications to be sent to the RCGP for consideration.

The CEO Board should attempt to submit approved applications to the RCGP up to the statutory limit. The CEO Board should avoid submitting approved applications in excess of that figure.

In approving and prioritizing applications, the CEO Board shall prioritize applicants that:

- (1) Align with the existing priorities defined by Rich County's economic development plan, if applicable;
- (2) Demonstrate clear economic need;
- (3) Utilize local or in-kind resources in combination with RCGP funds;

- (4) Provide evidence that jobs will be created; and
- (5) Have evidence that there will be a positive return on investment.

If approved by vote of the CEO Board, the recommendation shall be presented to the Rich County Board of Commissioners for approval. Once approved by the CEO Board and the Board of Commissioners, the CEO Board shall submit the application to the RCGP.

Section 3. Reporting responsibilities.

On or before September 1 of each year, if the county has received a grand under the RCGP in the previous 12 months, the CEO Board shall provide a written report to the RCGP describing:

- (1) The amount of grant money received.
- (2) How grant money has been distributed by the county, including what companies or entities have utilized grant money, how much grant money each company or entity has received, and how each company or entity has used the money;
- (3) An evaluation of the effectiveness of awarded grants in improving economic development in the county, including the number of jobs created, infrastructure that has been completed, and capital improvements in the county;
- (4) How much matching money has been utilized by the county and what entities have provided the matching money;
- (5) Any other reporting, auditing, or post-performance requirements established by the Rural Opportunity Program for RCGP grants.

County staff may be appointed to assist with the creation of reporting documents.

ARTICLE 6
Officers.

Each year, the members shall elect a Chairperson, a Vice-Chairperson, and a Secretary.

Section 1. Chairperson.

The Chairperson presides at all meetings of the CEO Board. The Chairperson has the ultimate responsibility to ensure that the CEO Board complies with all reporting requirements with the Rural Opportunity Program.

Section 2. Vice-Chairperson.

The Vice-Chairperson takes over for the Chairperson whenever the Chairperson is absent.

Section 3. Secretary.

The Secretary attends all meetings of the CEO Board and acts as the clerk of the CEO Board. Assisted by county staff whenever needed, the Secretary keeps the minutes and records all votes.

Section 4. Vacant office.

If the office of Chairperson, Vice-Chairperson, or Secretary become vacant, the remaining members shall elect a replacement. The replacement officer fills the remaining unserved term of the office being replaced.

**ARTICLE 7
Conflict of Interest.**

Section 1. Conflicts of interest.

The CEO Board may not recommend any grant funds to an entity where a CEO Board member has a financial interest.

“Financial interest” means the member has, directly or indirectly, through business, investment, or immediate family:

- (1) An ownership or investment interest in the entity seeking grant funds; or
- (2) A compensation arrangement with any entity or individual seeking grant funds; or
- (3) A potential ownership or investment interest in, or compensation arrangement with any entity seeking grant funds.

“Compensation” includes direct or indirect remuneration as well as gifts or favors.

Section 2. Duty to disclose.

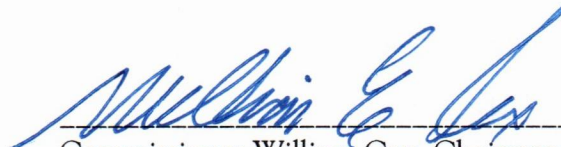
In connection with any actual or possible conflict of interest, a CEO Board member must disclose the existence of any possible financial interest or other potential conflict of interest. Disclosure should be made in a public meeting to the other members of the CEO Board and to the Board of County Commissioners. In any uncertain situation, it is better to err on the side of disclosure.

In all cases, where an application is being recommended to the Board of County Commissioners any potential conflict must be disclosed to the Commission.

ARTICLE 8
Signatures


APPROVED and signed this 4th day of January, 2023.

BOARD OF RICH COUNTY COMMISSIONERS



Commissioner William Cox, Chairman

ATTEST:



Rich County Clerk

Commissioner Bill Cox voted	<u>yes</u>
Commissioner Jonathan Lee voted	<u>yes</u>
Commissioner Simeon Weston voted	<u>yes</u>