SEVEN COUNTY INFRASTRUCTURE COALITION
February 19, 2021

Resolution No. 2021-02E

RESOLUTION ADOPTING UPDATES TO THE COALITION'S RULES AND REGULATIONS, AND RELATED MATTERS.

WHEREAS, in November 2014, the Coalition Board approved Rules, Regulations, and Bylaws, which it amended in January 2016; and

WHEREAS, since January 2016, the Coalition has from time-to-time adopted additional rules and regulations, such as certain policies in harmony with standard recommendations to all public bodies from the Utah State Auditor; and

WHEREAS, the Executive Director has further reviewed the Coalition's rules and regulations and identified instances where they recommended actions or notices by the Coalition above and beyond the legal requirements of certain applicable statutes; and

WHEREAS, the Board desires revise and amend it rules and regulations to contain all previously adopted actions and to better reflect its legal obligations, especially where its rules and regulations direct actions distinct from the Coalition's legal requirements; and

WHEREAS, under the direction of the Executive Director the Coalition has research when its actions may be given retroactive application; and

WHEREAS, the Board is informed that pursuant to *Western Land Equities v. City of Logan*, 617 P.2d 388 (Utah 1980), actions of political subdivision may be retroactive where vested rights are not impaired:

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County Infrastructure Coalition, Utah as follows:

1. The Governing Board approves and authorizes the Policies, Rules, Regulations and Bylaws as presented to it on February 19, 2021. The Board finds that notice of amendment to such Policies, Rules, Regulations and Bylaws were posted at least 14 days prior to this date.

2. The Coalition Board finds that the amendments to Section 1.5 dealing with amendments to the Policies, Rules, Regulations and Bylaws and amendments to what was formerly Section 5.2.2 and which will be Section 5.10.2 related to notices for the Coalition's annual budget are administrative in nature related to the timing and provision of certain notices. Moreover, the Board finds that it is best practices for its policies to conform to legal requirements related to matters such as the annual budget. And, the Board finds that the timing and quantity of notices do not alter any substantive or vested rights. Therefore, the Board expressly authorizes its amendments to Section 1.5 and all of its amendments related to notices related to the annual budget to be retroactive to the date of

November 13, 2020. The Coalition Board reaffirms its prior action on January 4, 2021 in resolution 2021-01-04B related to the retroactive effect and impact of former Section 5.2.2 related to notices for the annual budget.

3. Where certain policies were previously adopted by the Coalition Board, such as travel policies, and are now being added to the Coalition's general text of its Policies, Rules, Regulations and Bylaws, the Board finds that such amendments are and have been effective since their respective dates of first adoption.

4. All parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

5. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this February 19, 2021

Motion by Commissioner _____ and

Seconded by Commissioner _____.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

Carbon County	Yea ___ No ___
Daggett County	Yea ___ No ___
Duchesne County	Yea ___ No ___
Emery County	Yea ___ No ___
San Juan County	Yea ___ No ___
Sevier County	Yea ___ No ___
Uintah County	Yea ___ No ___

_____
Co-Chair

_____
Co-Chair

ATTEST:

(COALITION SEAL)

_____
Heather B. Hoyt