

30 **Apportionment -- Qualifications -- Quorum -- Compensation -- Terms.**

31 (1) (a) For a small public transit district, the board of trustees shall consist of members
32 appointed by the legislative bodies of each municipality, county, or unincorporated area within
33 any county [~~on the basis of one member for each full unit of regularly scheduled passenger~~
34 ~~routes proposed to be served by the district in each municipality or unincorporated area within~~
35 ~~any county in the following calendar year].~~

36 [~~(b) For purposes of determining membership under Subsection (1)(a), the number of~~
37 ~~service miles comprising a unit shall be determined jointly by the legislative bodies of the~~
38 ~~municipalities or counties comprising the district.]~~

39 (b) The legislative bodies of each municipality, county, or unincorporated area within
40 any county shall establish a governing ordinance for the small public transit district, which
41 shall include:

42 (i) the method for apportioning representation on the board of trustees among the
43 relevant municipalities, counties, or unincorporated areas of any counties within the boundary
44 of the small public transit district;

45 (ii) subject to Subsection (1)(c), the number of members of the board of trustees;

46 (iii) the method for reapportionment of representation on the board of trustees based on
47 changes in the boundary of the small public transit district; and

48 (iv) other aspects of appointment and apportionment of membership of the board of
49 trustees as necessary.

50 (c) A board of trustees of a small public transit district may have membership of not
51 less than five and not more than nine members.

52 ~~[(e)]~~ (d) The board of trustees of a public transit district under this section may include
53 a member that is a commissioner on the Transportation Commission created in Section
54 72-1-301 and appointed as provided in Subsection (8), who shall serve as a nonvoting, ex
55 officio member.

56 [~~(d) Members appointed under this section shall be appointed and added to the board or~~
57 ~~omitted from the board at the time scheduled routes are changed, or as municipalities, counties,~~

58 ~~or unincorporated areas of counties annex to or withdraw from the district using the same~~
59 ~~appointment procedures.]~~

60 ~~[(e) For purposes of appointing members under this section, municipalities, counties,~~
61 ~~and unincorporated areas of counties in which regularly scheduled passenger routes proposed~~
62 ~~to be served by the district in the following calendar year is less than a full unit, as defined in~~
63 ~~Subsection (1)(b), may combine with any other similarly situated municipality or~~
64 ~~unincorporated area to form a whole unit and may appoint one member for each whole unit~~
65 ~~formed.]~~

66 (2) Upon the completion of an annexation to a public transit district under Chapter 1,
67 Part 4, Annexation, ~~[the annexed area shall have a representative on the board of trustees on the~~
68 ~~same basis as if the area had been included in the district as originally organized]~~ membership
69 on the board of trustees of the small public transit district shall reapportion membership as
70 described in the governing ordinance enacted pursuant to Subsection (1)(b).

71 (3) (a) Vacancies for members shall be filled by the official appointing the member
72 creating the vacancy for the unexpired term, unless the official fails to fill the vacancy within
73 90 days.

74 (b) If the appointing official under Subsection (1) does not fill the vacancy within 90
75 days, the board of trustees of the ~~[authority]~~ small public transit district shall fill the vacancy.

76 (4) (a) Each voting member may cast one vote on all questions, orders, resolutions, and
77 ordinances coming before the board of trustees.

78 (b) A majority of all voting members of the board of trustees are a quorum for the
79 transaction of business.

80 (c) The affirmative vote of a majority of all voting members present at any meeting at
81 which a quorum was initially present shall be necessary and, except as otherwise provided, is
82 sufficient to carry any order, resolution, ordinance, or proposition before the board of trustees.

83 (5) Each public transit district shall pay to each member per diem and travel expenses
84 for meetings actually attended, in accordance with Section [11-55-103](#).

85 (6) (a) Members of the initial board of trustees shall convene at the time and place

86 fixed by the chief executive officer of the entity initiating the proceedings.

87 (b) The board of trustees shall elect from its voting membership a chair, vice chair, and
88 secretary.

89 (c) The members elected under Subsection (6)(b) shall serve for a period of two years
90 or until their successors shall be elected and qualified.

91 (d) [~~On or after January 1, 2011, a~~] A locally elected public official is not eligible to
92 serve as the chair, vice chair, or secretary of the board of trustees.

93 (7) (a) Except as otherwise authorized under Subsection (7)(b), at the time of a
94 member's appointment or during a member's tenure in office, a member may not hold any
95 employment, except as an independent contractor or locally elected public official, with a
96 county or municipality within the district.

97 (b) A member appointed by a county or municipality may hold employment with the
98 county or municipality if the employment is disclosed in writing and the public transit district
99 board of trustees ratifies the appointment.

100 (8) The Transportation Commission created in Section [72-1-301](#) may appoint a
101 commissioner of the Transportation Commission to serve on the board of trustees of a small
102 public transit district as a nonvoting, ex officio member.

103 (9) (a) (i) Each member of the board of trustees of a public transit district is subject to
104 recall at any time by the legislative body of the county or municipality from which the member
105 is appointed.

106 (ii) Each recall of a board of trustees member shall be made in the same manner as the
107 original appointment.

108 (iii) The legislative body recalling a board of trustees member shall provide written
109 notice to the member being recalled.

110 (b) Upon providing written notice to the board of trustees, a member of the board may
111 resign from the board of trustees.

112 (c) If a board member is recalled or resigns under this Subsection (9), the vacancy shall
113 be filled as provided in Subsection (3).

