



BY-LAWS
DELTA COUNTY FAIR ASSOCIATION
AS AMENDED FEBRUARY 6, 2018

Article I. NAME

Section 1.01 The Official name of the committee shall be the Delta County Fair Association but should be referred to as the Delta County Fair Board (hereinafter “Board”).

Article II. PURPOSE

Section 2.01 The Delta County Fair Board shall serve the Delta County Board of County Commissioners (hereinafter “BoCC”) in an advisory capacity for the planning and operation of the annual county fair.

- (a) The Board’s purpose is to reflect all segments of interest relating to the Fair and to ensure geographical representation of Delta County on the Board and at the Fair.
- (b) The Board shall serve as the governing and policy making body for the conduct of the annual Delta County Fair.

Article III. BOARD MEMBERS

Section 3.01 Application & Appointment

- (a) Any individual interested in applying to become a Board member must submit a letter of interest and an application which will then be used to complete a criminal background check. Applications may be obtained online at the Delta County Fair Website at www.deltacountyfair.com. Letters and applications are due to the Fair Secretary via email and/or US Mail by August 30th of each year. The Board Secretary and/or Delta County Administrator will conduct a CBI Background check on all applicants.
- (b) The Board shall not exceed eighteen (18) persons. Six persons will be nominated for a three-year (3) year term at each September meeting. Those nominees shall be submitted to the BoCC, who will appoint six (6) members each year.
- (c) The Board will solicit and make nominations from within the three commissioner districts of Delta County as well as the surrounding areas served by the Fair. Each commissioner district shall have four (4) representatives on the Board but no more than eight (8) and there will be six (6) board members at large.
- (d) To maintain an eighteen (18) member Board with equal representation across each commissioner district, if the Board doesn’t receive applicants from a given district, and qualified applicants are available from another district, which exceeds eight (8) members, the Board, with approval of the BoCC, may appoint representatives to the district, which are willing to serve.
- (e) After a vote by the Board, the final six Board members shall be submitted to the BoCC for final appointment in October. If approved by the BoCC, new members shall be appointed to a three (3) year term on a staggered basis to retain continuity of the Board.

Section 3.02 **Minimum Requirements**

- (a) Board members must be minimum of 18 years old, have no felony convictions, and shall not have been charged with or convicted of a sexual offense, forgery, embezzlement, public corruption or related charges in federal court or any state court.

Section 3.03 **Resignation and/or Removal**

- (a) Any Board member may resign by submitting a written resignation letter either at a meeting of the membership of the Board or by mailing to the BoCC. Such resignation shall become effective immediately without need of acceptance, unless otherwise specified in these by-laws.
- (b) Except as required by law, any Board member may be removed from membership by a majority vote of the members after a quorum of membership has been established at any regular or special meeting called for that purpose related to conduct deemed prejudicial to the Board. Such removal recommendation must be approved by the BoCC.
- (c) The BoCC shall have the right to suspend or remove a Board member for up to the remainder of his or her term for conduct unbecoming of the member or actions taken that are deemed prejudicial to the Board; so long as the member is provided an opportunity to appear before the BoCC to address the proposed suspension or removal.
- (d) Attendance at Board meetings is expected. If a member is unable to be at a meeting because of a work related issue or illness of self or a family member, the member needs to contact the Secretary prior to the meeting for an excused absence. All other absences will be considered unexcused. Upon the fourth (4th) unexcused absence within the year after the annual election, the member will be automatically removed from the Board for the balance of his/her appointed term effective with the meeting of the fourth absence. A majority of the Board may affirmatively retain the member if in the best interests of the Board.
- (e) The member will not be eligible for reinstatement until the term to which he/she was originally appointed has expired. A vacancy shall be filled by the Board for the remainder of the term subject to the approval by the BoCC.

Article IV. QUORUM

Section 4.01 A quorum shall be formed when at least 51% of appointed members are assembled. A quorum of members is required to hold any votes, conduct any business or to conduct elections.

Article V. OFFICERS

- (a) The Board shall elect five (5) officers at the October meeting. Officers shall serve for one year. The officers shall be as follows: President, Vice President, Secretary, Treasurer, and Member-At-Large.

Article VI. DUTIES OF OFFICERS

Section 6.01 **President**

- (a) The President, shall:
 - (i) When present, preside at all meetings of the Board and/or Executive Committee.

- (ii) Approve all committees,
- (iii) Designate responsibilities and perform such duties that the Board may from time to time prescribe and all other acts incident to his/her office.
- (iv) Check on the progress of committees and ask for reports from committee chairs when necessary.

Section 6.02 Vice-President

- (a) The Vice-President shall:
 - (i) Perform all duties belonging to the President, in the absence of the President.
 - (ii) Perform duties as requested by the Board.

Section 6.03 Secretary

- (a) The Secretary shall:
 - (i) Be present at all meetings of the Board and/or Executive Committee Meetings.
 - (ii) Keep proper records of the proceeding of meetings.
 - (iii) Give Proper notice of all meetings.
 - (iv) Prepare and keep books and records of the Board.
 - (v) If absent from a meeting should designate another Board Member to take minutes.

Section 6.04 Treasurer

- (a) The Treasurer shall:
 - (i) Be the custodian of the funds of the Board and maintain the official Fair Board account.
 - (ii) Keep records of all financial transactions of the Board.
 - (iii) Perform all financial transactions through the account(s) of the board.
 - (iv) Records shall be open at all times for inspection by the Board.

Article VII. EXECUTIVE COMMITTEE

Section 7.01 An Executive Committee shall be formed consisting of the four (4) officers and one Member-at-Large elected by the Board at its October meeting. Said committee shall have the authority of supervision and general management of the affairs of the Board consistent with the policies and directions of the Board. The committee shall have said authority only in quorum. Quorum shall consist of three (3) Members.

Article VIII. MEETINGS

Section 8.01 The meetings of the Board will be:

- (a) Held the first Tuesday of each month and be open to the public.
- (b) Can be called at any time by the President or by request in writing by any two members.
- (c) A meeting schedule will be posted to the Fair’s website at www.deltacountyfair.com and Delta County Fair Facebook page and will be available on the Delta County Event Calendar at the Courthouse.
- (d) Held at the following locations on a set rotation to include the following time schedule:

- (i) **June, July, August, September** – Hotchkiss at the Maloney House at 7:30 pm
- (ii) **October, December, February & April** – Delta County Courthouse at 7:00 pm
- (iii) **November, January, March & May** - Cedaredge at the Stolte Shed at 7:00 pm

Article IX. BUDGET, FUNDS AND ASSETS

Section 9.01 The Board will meet to prepare a draft budget for the Delta County Fair for the following year in September of each year and will approve the annual budget by a majority vote of members present at the October meeting. The approved budget will be submitted to the Delta County Administrator, according to the budget calendar set by the Delta County Finance Department. The Board President and/or Treasurer shall assist the County Administrator or his/her designee(s) in presenting the proposed budget to the BoCC if needed. The annual budget for the Fair will be approved by the BoCC.

Section 9.02 All revenues received and assets purchased and/or used in the conduct of the Fair are the property of Delta County, Colorado. No part of the income of the Fair and no physical assets of the County shall benefit any Board Member or Officer, except that the Board may reimburse Board members for reasonable, actual expenses incident to their duties as Board members.

Section 9.03 All bills to be paid will be presented in written form at a Board Meeting. All bills will be paid only after have been approved by a majority vote from the Board Members. With the exception of the week of the annual county fair, bills under \$50 can be paid at the Treasurer’s discretion, but must be documented with all the proper paperwork and presented to the Board at the following regularly scheduled meeting. Bills approved to be paid at Board meetings will be paid in a timely manner by the Treasurer using Board funds.

Section 9.04 No Board member, officer or any private individual shall be entitled to share in the distribution of any County assets on dissolution of the Board or termination of the Fair events. Public fund distribution is controlled by the Colorado Revised Statutes.

Article X. SUPERINTENDENTS

Section 10.01 To assist in the management of the Delta County Fair and regulation of divisions that comprise the Fair, the Board shall appoint individuals as superintendents of specific subject areas.

Section 10.02 Qualifications of Superintendents

- (a) Individuals desiring to become a superintendent who are not already appointed as members of the Board must meet the following qualifications:
 - (i) Must be at least 18 years of age and reside in Delta County, Maher & outlying areas of Crawford (Montrose County) or Somerset (Gunnison County) and have experience and/or knowledge related to the area which they are applying to be a superintendent.
 - (ii) Community members, 4-H/FFA Leaders and parents wishing to become superintendents must complete an application outlining why they wish to become a superintendent and their qualifications. Applications will be available on the Fair’s official website (www.deltacountyfair.com) and are due to the fair board Secretary by October 30th of each year. Superintendent applications will be reviewed and individuals selected by a majority vote of Board members present at the December Board Meeting.

- (b) Applicants and selected superintendents shall have no felony convictions, and shall not have been charged with or convicted of a sexual offense, forgery, embezzlement, public corruption or related charges in federal court or any state court. Applicants will be subject to a Criminal Background check.

Section 10.03 Appointment of Superintendents

- (a) The length of the term will be two calendar years from the date of appointment and then must re-apply.

Section 10.04 Duties of Superintendents

- (a) Each superintendent shall attend the July & August Fair Board Meetings to ensure their division(s) is ready for the up-coming Fair.

Article XI. COMMITTEES

Section 11.01 The Board shall form committees chaired by one or more active Board members annually at the December meeting. Committees should be formed to handle various tasks related to the successful planning and operation of the Delta County Fair.

Section 11.02 Open Committees with By-Laws

- (a) Junior Market Livestock Sale Committee
 - (i) The Junior Market Livestock Sale Committee shall promote and conduct the sale, by auction, associated with the Junior Market Livestock Shows at the Delta County Fair. The committee is responsible for the development and enforcement of rules regarding the sale of 4-H/FFA division entered animals at the Delta County Fair.
 - (ii) The Junior Market Livestock Sale Committee shall be governed by the by-laws set forth by members of such committee. A copy of these by-laws should be maintained by the Board Secretary.
 - (iii) Recommendations from the Junior Market Livestock Sale Committee should be referred to the entire Board at a regularly scheduled meeting for a majority vote of members present to accept or reject the Livestock Committee's recommendations.

Article XII. SETTING FAIR DATE AND EVENTS

Section 12.01 The annual Delta County Fair shall be the first full calendar week of August each year. The exact dates of the Fair and resolution of any conflicts with other events will be addressed by the Board at the July meeting.

Article XIII. ETHICS

Section 13.01 Board members serve in a position which carries with it public trust and all Board members shall carry out their duties for the benefit of the people of Delta, County. Board members shall promote public confidence by avoiding conflict of interest, impropriety and the appearance of impropriety.

Section 13.02 No Board member shall perform an official act, which may have a direct economic benefit on a business or other undertaking in which such Board member has a direct or substantial financial interest per § 24-18-108.5, Colorado Revised Statutes.

Section 13.03 Board members agree to adhere to the following Code of Ethics:

- (a) Board members shall attend and actively participate in all regular and specially scheduled meetings.
- (b) No Board member shall *in their official capacity as a Board member*, take any public position regarding a political candidate, or political issue.
- (c) Board members shall represent the interest of all the citizens of Delta County with respect to the annual County Fair.
- (d) Board members shall keep all confidential information they learn during the course of their appointment confidential.
- (e) Board members shall do nothing to violate the trust of the BoCC.
- (f) Board members shall ensure the purposes of the Board as described herein these by-laws are fulfilled.
- (g) Board members shall do nothing to violate any local, state or federal law or regulation in the course of their service on the Board.

Article XIV. AMENDMENTS TO THE BY-LAWS

Section 14.01 These by-laws may be amended at any regular or special meeting of the Board, by an affirmative vote of 2/3 of the members of the Board. Before a vote may be conducted on any proposed amendments to the by-laws, written notice of the specific language being added/subtracted must be provided in writing to each member of the Board, the County Administrator, and the County Attorney at least twenty-one (21) days before the meeting where the vote is conducted. These by-laws and any amendments thereto, are also subject to prohibition or rejection (veto) by the BoCC at any time and to any extent.

APPROVED ON _____, 2018

President – Lance Kappel

Vice-President- Ryan Bates

Secretary – Kristi St. Clair

Treasurer – Kelly Korth

Board Member at Large – Jarod Keller