

OLAB BYLAWS revisited

Updates to the June 2015 Adopted Bylaws



~~II. COUNTY VISION~~

~~Larimer County will add value to the lives of its citizens by building partnerships, being customer driven, empowering people to take responsibility, being a fulfilling and enjoyable place to work, and being a good steward of public resources.~~

As pointed out by the Board, including the department's mission statement within Board bylaws is not standard. Upon further investigation, it is not common with other Larimer County Boards either. Recommending removal.

~~III. DEPARTMENT MISSION~~

~~The mission of the Larimer County Department of Natural Resources is to establish, protect, and manage significant regional parks and open lands providing quality outdoor recreational opportunities and stewardship of natural resource values. The Department is committed to fostering a sense of community and appreciation for the natural and agricultural heritage of Larimer County for present and future generations.~~

As pointed out by the Board, including the department's mission statement within Board bylaws is not standard. Upon further investigation, it is not common with other Larimer County Boards either. Recommending removal.

V. OFFICERS

- A. The Open Lands Advisory Board shall elect from among its members a Chair and Vice-Chair at the ~~July~~ June meeting each year. Officers shall assume office ~~upon election in July~~ and serve for one year or until their successors are elected.

An oversight on the previous revision. We want to elect new officers *before* the current Chair is gone at the end of June (end of term), so we have a new Chair in place by the July meeting.

VI. MEETINGS

- F. A quorum at any meeting of the Board shall consist of a majority of the currently appointed members. Any action by those present, provided there is a quorum, constitutes an action of the Board. In the event a quorum is not present at any meeting, the members may adjourn and reschedule the meeting for a later date with required notice. A Board member may participate in the meeting by telephone if necessary to create a quorum or where a quorum is present and a Board member is otherwise unable to attend in person. Telephone participation shall be conducted in a manner that allows the Board member to hear what is being said by all others attending the meeting and for all others attending the meeting to hear the Board member. If the Board member who wishes to participate by telephone is needed to create a quorum and that Board member cannot effectively participate because he/she does not have access to written materials presented during the meeting by staff or members of the public, the meeting may by necessity need to be postponed.

Responding to Board discussion, the proposed (green) text from County Attorney (CA) regarding attending meetings and voting by telephone. Additional comments from CA follow for your information:

- ▶ The Colorado Open Meetings law defines a meeting as "any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication." In my opinion, the General Assembly would not have included reference to "telephone" in the definition unless they contemplated that it was possible for a meeting to occur by telephone. There is no prohibition in the Act that precludes a meeting by telephone so long as the public has access to what is being said by the local public body.
- ▶ Although I have advised that a member of a public body may appear by telephone, I usually ask that this occur as a matter of necessity and not as a matter of routine.

LARIMER COUNTY NATURAL RESOURCES OPEN LANDS ADVISORY BOARD

BYLAWS

I. NAME

The name of this organization shall be the Larimer County Open Lands Advisory Board ("Board").

~~II. COUNTY VISION~~

~~Larimer County will add value to the lives of its citizens by building partnerships, being customer driven, empowering people to take responsibility, being a fulfilling and enjoyable place to work, and being a good steward of public resources.~~

~~III. DEPARTMENT MISSION~~

~~The mission of the Larimer County Department of Natural Resources is to establish, protect, and manage significant regional parks and open lands providing quality outdoor recreational opportunities and stewardship of natural resource values. The Department is committed to fostering a sense of community and appreciation for the natural and agricultural heritage of Larimer County for present and future generations.~~

~~IV.~~ II. BOARD PURPOSE

- A. To make recommendations related to the mission of the Larimer County Open Lands Program, which is to preserve and protect significant open space, natural areas, and wildlife habitat and to develop parks and trails for present and future generations. These open lands provide opportunities for leisure, human renewal and protection of natural and cultural resources.
- B. To make recommendations to the Board of County Commissioners concerning Larimer County's share of the open space sales and use tax; **and to promote public understanding and appreciation of open spaces in Larimer County.** Further, the Board shall recommend acquisition, planning, preservation, jurisdictional transfers, disposal, development, use and management of open space, natural areas, wildlife habitat, regional parks and trails purchased in conformance with the Help Preserve Open Spaces Initiative.
- C. To review, give advice and recommend adoption of draft management plans developed by Open Lands Program staff for lands acquired in conformance with the Help Preserve Open Spaces Initiative.
- D. To function in an advisory capacity by giving advice and recommendations to the Board of County Commissioners, when requested or appropriate, concerning County land use/ownership decisions and open space policy.
- E. To make other recommendations consistent with the mission and enabling legislation.

V.III. MEMBERS

- A. The membership of the Board shall consist of
 1. One elected official or appointee from each of the municipalities of Berthoud, Estes Park, Fort Collins, and Loveland.
 2. One member from the Larimer County Planning Commission.
 3. Seven at-large members appointed by the Board of County Commissioners. These members should reflect a balance in geography, population, and interest.
- B. A member of the Open Lands Advisory Board shall be replaced if that member no longer resides in Larimer County or resigns from the Board. Replacement of a member appointed by one of the municipalities shall be selected by that municipality. The Board of County Commissioners shall select replacement of the Planning Commission member with a recommendation by the Planning Commission. Replacement of at-large members shall be by the Board of County Commissioners. All replacements shall serve for the unexpired term of his/her predecessor.
- C. At the discretion of the Board of County Commissioners or the respective municipality, Board members missing three consecutive regular monthly meetings or four meetings within a calendar year may be replaced. For the purposes of this section, the term "meetings" shall not include special meetings or field trips.
- D. All Board members serve at the pleasure of the Board of County Commissioners. No Board member has an entitlement to or property interest in the continued service. The Board of County Commissioners may terminate the service of any member at any time for any reason in its discretion.

VI.IV. TERMS

- A. Member terms shall be for three (3) years. To the extent possible, terms shall be staggered to maintain membership requirements.
- B. Term limits shall be in accordance with Larimer County Administrative Procedure 100.1.

VII.V. OFFICERS

- A. The Open Lands Advisory Board shall elect from among its members a Chair and Vice-Chair at the ~~July~~ June meeting each year. Officers shall assume office ~~upon election in~~ July and serve for one year or until their successors are elected.
- B. Duties of each of the officers are:
 1. Chair: The Chair shall preside over all meetings of the Open Lands Advisory Board and shall be the official spokesperson for the Board.
 2. Vice-Chair: The Vice-Chair shall preside in the absence of, or at the request of the Chair.
- C. The Board of County Commissioners shall be notified when a new chair is elected.
- D. Natural Resources staff shall serve as the Secretary for the Board.

~~VII~~. VI. MEETINGS

- A. Regular meetings shall be held once a month at a date, time and location to be announced. Special meetings may be called at any time by the Chair, Larimer County Commissioners, Natural Resources staff, or by four members of the Board. Regular and special meetings are open to the public and shall be held only after required notice.
- B. Field trips and work sessions will be conducted so that Board members can become familiar with properties prior to voting on a recommendation to expend funds. Field trips shall be conducted only after required notice.
- C. Executive sessions may be called by a majority vote of the membership present at any meeting for the purpose of discussing any of those matters set out in CRS 24-6-402 (4). The Board shall take no formal action at such sessions.
- D. All executive session discussions are confidential.
- E. The Chair and Natural Resources staff shall prepare the meeting agenda and mail, email or fax it together with the minutes of the previous meeting and any other needed reports or information to the members at least four business days preceding the regularly scheduled meeting. Reports or materials handed out at meetings shall be sent to members who were absent.
- F. A quorum at any meeting of the Board shall consist of a majority of the currently appointed members. Any action by those present, provided there is a quorum, constitutes an action of the Board. In the event a quorum is not present at any meeting, the members may adjourn and reschedule the meeting for a later date with required notice. **A Board member may participate in the meeting by telephone if necessary to create a quorum or where a quorum is present and a Board member is otherwise unable to attend in person. Telephone participation shall be conducted in a manner that allows the Board member to hear what is being said by all others attending the meeting and for all others attending the meeting to hear the Board member. If the Board member who wishes to participate by telephone is needed to create a quorum and that Board member cannot effectively participate because he/she does not have access to written materials presented during the meeting by staff or members of the public, the meeting may by necessity need to be postponed.**

~~VII~~. VII. ADMINISTRATIVE POLICY AND PROCEDURE

- A. The Board shall conduct its business in a manner consistent with the conditions adopted by the Board of County Commissioners, included in Larimer County Administrative Policy and Procedure 100.1E as amended.

~~VIII~~. VIII. COMMITTEES

- A. Committees may be appointed by the Chair from the Board membership from time to time to work on special projects and report their findings at regular meetings. Upon completion of the assigned task, the chair shall dissolve the committee.

~~XIX.~~ PARLIAMENTARY AUTHORITY

- A. Each member of the Open Lands Advisory Board may vote on a recommendation proposed to be made to the Board of County Commissioners. A roll call vote shall be taken on all votes if not unanimous. No proxy votes shall be allowed.
- B. Business, including presentations, discussions, motions and voting, shall be conducted in an orderly manner following such processes and procedures as the Board may determine effective. Robert’s Rules of Order shall not apply.

~~XIX.~~ CODE OF ETHICS

- A. A member shall recuse him/herself from discussion and voting if an actual or potential conflict of interest exists.
- B. A conflict may result where a member has a personal or private interest in a matter proposed or pending before the Board; where a member stands to gain or lose financially as a result of a position taken by the Board; or where a member believes he/she cannot fairly and impartially discharge his/her duties.

~~XIX.~~ AMENDMENTS

- A. These Bylaws may be approved or amended in whole or in part by a 2/3 vote of the Larimer County Open Lands Advisory Board members, subject to approval by the Board of County Commissioners. This shall occur during a regularly scheduled meeting provided any proposed changes to the Bylaws are distributed in written form to all members at least seven days prior to the meeting at which action is taken on the proposed changes.

Approved by the Open Lands Advisory Board this ~~25th~~-~~24th~~ day of ~~June~~September 2015.

Larimer County Open Lands Advisory Board

By: _____
~~Peter Kast~~Nancy Wallace, Chair

Approved by the Board of County Commissioners this _____ day of _____ 2015.

Board of Commissioners of Larimer County, Colorado

By: _____
Chair

Open Lands Advisory Board Bylaws

Final Draft for Adoption

LARIMER COUNTY NATURAL RESOURCES OPEN LANDS ADVISORY BOARD

BYLAWS

I. NAME

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II. BOARD PURPOSE

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members shall be by the Board of County Commissioners. All replacements shall serve for the unexpired term of his/her predecessor.

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Approved by the Open Lands Advisory Board this 24th day of September 2015.

Larimer County Open Lands Advisory
Board

By: _____
Nancy Wallace, Chair

Approved by the Board of County Commissioners this _____ day of _____ 2015.

Board of Commissioners of
Larimer County, Colorado

By: _____
Chair