

BLAINE COUNTY LEVY ADVISORY BOARD
11/19/09

ARTICLE I. AUTHORITY AND PURPOSE:

A. The Blaine County Levy Advisory Board is established by the authority granted by the passage of Proposition One, the Land, Water and Wildlife Levy, on November 4, 2008, as defined in Blaine County Resolution 2008-71.

B. According to BC Resolution 2008-71, the purpose of the Levy Advisory Board is "to recommend to the Board of County Commissioners the highest and best use of the funds to achieve optimal conservation value and public benefits as well as a standardized and transparent process for the consideration of eligible expenditures." The Levy Advisory Board shall help the Board of County Commissioners, county staff and interested partners create and manage an efficient, effective, accountable and successful program for carefully investing the public's money in priority conservation projects involving the protection of land, water and wildlife, while preserving public access and recreational opportunities for the citizens of Blaine County.

C. These bylaws shall remain in effect for as long as funds remain from Proposition One or from a subsequent funding measure with comparable purposes.

ARTICLE II. DEFINITIONS:

- A. Board: The Blaine County Board of County Commissioners.
- B. LAB: The Blaine County Levy Advisory Board.
- C. Staff: Paid employees of the Blaine County Planning Department.

ARTICLE III. LAB MEMBERSHIP:

A. The LAB is comprised of seven to nine members appointed by the Blaine County Board of County Commissioners. The application and nomination process for LAB membership is a duly noticed public process that allows for a period of at least one month of posted, open, notification within Blaine County. After the close of public notice, the Board has the discretion to take recommendation from a task force or nominating committee towards selection, select without advisement or re-open the application process for at least one month, to draw from a broader pool of applicants. Upon selection, the LAB member(s) shall be approved and established as a full member of the LAB at the next regular meeting.

B. Initial LAB terms of service are for staggered two and three-years. Any subsequent terms shall be for two years. A member's term shall be continued until the Board acts on reappointment or replacement of the member.

C. Nominating committee: The LAB shall have the power to recommend to the Board qualified persons for appointment to the LAB whenever there is a vacancy in order to augment the skills and experience of the current membership and maximize the LAB's effectiveness. The current LAB is also authorized to secure the assistance of others who are familiar with the levy and its purposes to create a list of suggested candidates for consideration by the Board.

D. Every member should be present at seventy-five percent (75%) of all meetings of the LAB for the calendar year. Failure to do so for reasons other than illness may be cause for termination of membership by the Board.

E. Members may be removed for cause.

F. Members shall be limited to three consecutive terms.

G. In the event that a member wishes to resign prior to the end of their current term that member shall give notice of resignation in writing to the Chair, which will be entered into record at the following regular meeting, whereupon, notification of vacancy will be given to the Board.

ARTICLE IV. LAB ORGANIZATION:

A. Officers: The officers of the LAB shall be a Chairperson, Vice-Chairperson, and Secretary. Any member shall be eligible for nomination as an officer. Each term of office is for one year and shall be eligible to serve a second term upon approval of LAB.

Chair: The Chairperson shall develop and prepare agendas in coordination with the Vice-Chairperson or Secretary for upcoming LAB meetings, shall preside at, and maintain the decorum of the meetings of the LAB, shall with the advice of the LAB appoint sub-committees and members thereto as required to promote the interests of the LAB, and shall act as spokesperson for the LAB in official correspondence, reports and recommendations of the LAB.

Vice-Chair: whenever the Chairperson is unable to act, or has requested in writing that the Vice-Chairperson to act on behalf of the Chairperson at a LAB meeting or otherwise.

Secretary: The Secretary shall keep the records of the LAB, including a current membership, mailing list and e-mail list, and shall take minutes of all voting that occurs at LAB meetings. The Secretary may edit a newsletter for communication of the LAB's activities. The Secretary shall have the assistance of Staff to assist with the logistics of planning, scheduling and noticing LAB meetings, and in distributing agendas and other materials related to LAB meetings. Secretarial duties may be shared or administered through appropriate staffing.

B. Election of officers shall take place as soon as is feasible after the LAB is seated and thereafter on the first meeting after October 1st of each year.

C. The LAB may establish sub-committees and technical advisory committees to advise and assist in carrying out the responsibilities under these bylaws.

ARTICLE V. MEETINGS:

A. Regular meetings will be held twice a month, with subsequent modification to this schedule at LAB discretion. Unless notification of a date certain is given, the LAB shall meet at least once a month. All regular monthly meetings shall be held in the evening of the first and third Thursdays of the month in a place of public access and shall be open to the public. All special, additional, or workshop meetings shall be held as determined by the LAB in a place of public access and shall be open to the public.

B. The agenda will be posted prior to the meeting in accordance with Idaho Open Meeting Law 67-2343.

C. Every attempt will be made to make amendments prior to the posting of the agenda. All amendments to the agenda must be made according to Idaho Open Meeting Law 67-2343

D. Every attempt will be made to post meeting cancellations at least 24 hours prior to the scheduled meeting. All meeting cancellations will be posted.

E. Procedures:

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i. The Chairperson shall preside at all LAB meetings and have the powers generally assigned such office in conducting the meetings. It shall be the chairperson's responsibility to see that the transaction of LAB business is in accord with law and with these bylaws.

ii. The vice-chairperson shall assume the duties and powers of the chairperson in his or her absence. If both the chairperson and the vice-chairperson are absent, the members may elect an acting chairperson by majority vote.

iii. The presiding officer shall verify that a quorum exists. The presence of a majority of the currently serving members of the LAB shall constitute a quorum. The quorum must be established at the beginning of the meeting in order to conduct business. However, the quorum need not be present or able to vote on every item heard during that meeting.

iv. The publication, "Robert's Rules of Order," shall be used by the chairperson or presiding officer as a reference for the conduct of the meeting.

v. All meetings and records shall be open to the public. The agenda will allow for a public comment period. The record of meetings and recommendations shall be maintained in the Planning Office and will also be posted online on the County's website.

ARTICLE VI. VOTING:

A. Before a new member can vote, they shall be given an orientation on the Land, Water and Wildlife measure, area conservation priorities and program procedures by a member of the Staff, or Chair of the LAB and must sit in a non-voting capacity at a regularly scheduled meeting.

B. All members shall have voting rights. Electronic participation may be conducted through 67-2342 of Idaho Open Meeting Law. Proxy votes of members not present are not valid votes.

D. If a person believes that they have a potential conflict of interest, as defined in Idaho Code 26-2720, no matter how insubstantial, it is best to err on the side of caution by giving full disclosure. Full disclosure and any abstention shall be given prior to deliberation of an item. Advice on abstention may be sought from legal counsel.

ARTICLE VII – CONFLICT OF INTEREST:

A. Pursuant to the Ethics in Government Act of 1990 (I.C. §59-701), a public official shall not take any official action, or make a formal decision or formal recommendation concerning any matter where they have a conflict of interest and have failed to disclose the conflict of interest.

B. Although the LAB is not governed by the Local Land Use Planning Act, the LAB shall prohibit conflicts summarized in 67-6506 of I.C.:

A member or employee of a governing board, commission, or joint commission shall not participate in any proceeding or action when the member or employee or his employer, business partner, business associate, or any person related to him by affinity or consanguinity within the second degree has an economic interest in the procedure or action.

ARTICLE VIII. STAFF RESPONSIBILITIES:

- A. The staff is, in part, to provide services to the LAB including:
 - 1. Information and reports as required.
 - 2. Presentations at regular and special meetings on topics related to the work of the LAB.
 - 3. To conduct the day-to-day duties of the program, once it is developed.
- B. Staff shall consult with the Chairperson on the order of the agenda for the meetings.
- C. Every application for funding shall be certified by the staff before review by the LAB.

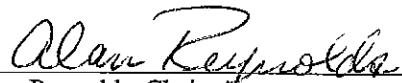
ARTICLE IX EXPENDITURES AND STAFF:

A. With approval of the Board, the LAB may receive and expend funds, goods, and services from federal, state, or local government agencies, or from civic and private sources. Expenditures by the LAB shall be within the amounts appropriated by the Board.

ARTICLE X. AMENDMENT AND ADOPTION:

- A. These initial bylaws shall be adopted by a two-thirds (2/3) majority vote of the LAB.
- B. These bylaws can be amended by a two-thirds (2/3) majority vote of the LAB. Amendments may be proposed by any member of the LAB or any member of the Staff.

These By-Laws of the Land, Water & Wildlife Levy Advisory Board are hereby,
ADOPTED, this 19~~th~~ day of November, 2009.


Alan Reynolds, Chairman