

Archuleta County Local Weed Advisory Board Rules and Bylaws

Article I. Meetings

Section 1. The Archuleta County Local Weed Advisory Board (hereinafter "Board") meetings shall be conducted in accordance with Colorado Open Meetings Law 24-6-401, et. Seq.

Regular Meetings. Regular meetings will be held. Regular meetings will occur three times throughout the spray season: one meeting in the spring, one mid summer, and one in the fall.

Annual Meetings. One annual meeting will be held in January of each year at which Election of Officers and designation of notice location shall take place.

Special Meetings. Special meetings and/or hearings may be called by the Chair with concurrence of a majority of the Board. Special meetings must have at least 7 (seven) days advance notice. The Board of County Commissioners (hereinafter "BoCC"), the Public Works Director, or the Weed and Pest Supervisor may also call a special meeting.

Article II. Members

Section 1. Authority is granted by the BoCC by the Colorado Noxious Weed Act 35-5.5. to appoint a local weed advisory board whose members are full-time residents in the municipality or unincorporated region of Archuleta County. Board members will reflect landownership in Archuleta County. Terms shall be limited to four years or until a successor has been appointed. Terms shall be staggered so that at least two members remain on the board.

Section 2. BoCC duties and responsibilities in respect to the Board. The BoCC shall fill vacancies on the Board and provide for removal of a member for nonperformance of duty or misconduct. Regular member attendance is expected at all regular, annual, and special meetings. The BoCC shall have the authority to remove a Board member without cause or for reasons including without limitation, unsatisfactory or nonperformance of duty, misconduct, conflict of interest, or other activities deemed by the Board to be detrimental to the best interest of the county.

Section 3. Regular attendance of members of the Board is expected. It shall be the member's responsibility to notify the Weed and Pest Department as soon as practical but no less than 24 (twenty four) hours in advance if they will be absent from a scheduled meeting.

An attendance report and recommendation for removal may be forwarded to the BoCC if a member is unexcused from 2 (two) consecutive meetings or if a member is absent from 4 (four) or more total meetings during a calendar year.

Article III. Quorum.

Section 1. A quorum shall consist of 3 (three) members.

Article IV. Officers.

Section 1. Officers shall be elected by the Board at the Annual meeting and shall serve for a 1 (one) year term. Officers of the Board include a Chair and a Secretary. An officer may be re-elected to successive or consecutive terms. A vacancy of any officer may be filled by the Board.

Chair.

The Chair's role is to see that the meeting/hearing and debate is conducted in a smooth, orderly, and expeditious manner (see also Meeting Protocol, below). The duties of the Chair include but are not limited to:

- a. Preside over all meetings of the Board and conduct meetings in accordance with these Bylaws, and in conformity with State laws, rules of order and any other rules adopted by the Board.
- b. Call special meetings of the Board, as needed, in accordance with these Bylaws, and in conformity with State Laws.
- c. The Chair may place time limits on debate to preclude or limit public testimony including discussion by the Board members.

Secretary

The Secretary's role is to record Board Minutes to be shared with the BoCC.

- a. Keep minutes of Board meetings.

Chair pro tem.

The chair pro tem will act as Chair in the event that the Chair is absent from a meeting.

Article V. Duties and Authority.

Section 1. According to the Colorado Noxious Weed Act 35-5.5. the Board will be charged with updating the Integrated Pest Management Plan at regular intervals not to exceed three years. The Integrated Pest Management Plan must be approved by the BoCC and accepted by Resolution before it is considered 'in effect'.

Section 2. The Board may make management suggestions to the Weed and Pest Supervisor and voice concerns from the community. However, all treatment decisions will be made at the discretion of the Weed and Pest Supervisor.

Article VI. Vacancies.

Section 1. When a vacancy occurs on the Board, the BoCC shall fill the vacancy through appointment. The BoCC will generally announce vacancies to the local media. Interested citizens may submit an application form and a letter of interest to fill vacancies to the BoCC. The BoCC decides when to advertise vacancies and/or to interview for an appointment.

The appointment shall only be effective for the unexpired portion of the term in which the vacancy occurs. The BoCC, in its discretion, may, at the end of the unexpired term, appoint any member to full term status to fill the vacancy. Members appointed to a vacancy to complete a term which has more than 1.5 (one and a half) years remaining shall only be entitled to serve one additional term.

Section 2. In the event that no satisfactory applicants pursue a position on the board, an additional term may be granted to the Board member whose term had expired.

Article VII. Notices.

Section 1. The Weed and Pest Supervisor will notify the Board of the location of Meetings. The Weed and Pest Supervisor will also prepare and distribute all agendas. Documents requiring posting, in compliance with C.R.S. 24-6-402, will be forwarded to the Administration Department for posting.

Article VIII. Agendas.

Section 1. The Agenda for the Board's meeting shall be prepared by the Weed and Pest Supervisor and include but not be limited to:

- a. Type of meeting
- b. Date
- c. Time
- d. Location

Items for consideration may include, but not be limited to: Approval of prior meeting minutes, Old Business, New Business, Announcements and other items as deemed appropriate by the Weed and Pest Supervisor or the Chair.

Article IX. Conflict of Interest.

Section 1. A Board member has an obligation to carry out his/her duties to the benefit of the people and accordingly should promote public confidence to avoid the impropriety of a conflict of interest. Conflicts of interest and ethics are addressed in Title 24, Article 18 of the Colorado Revised Statutes. Examples of possible conflicts of interest are:

- a. One who acquires or holds a direct personal interest in a business or undertaking and could be directly or substantially affected economically.
- b. Financial interest in the matter.
- c. Accepting a gift of substantial value or economic benefit, which could be viewed as a bribe.
- d. Using confidential information to further one's personal financial interest.
- e. A personal or private interest in the matter.

Section 2. If a Board member has a private, personal, or financial interest in a matter pending before the Board, the member shall:

- a. Disclose the interest prior to the matter being heard at the meeting.

- b. Abstain from voting on the item and shall leave the hearing room until the matter has concluded.
- c. Refrain from influencing the outcome of the vote.
- d. Under no circumstance should an announcement of a conflict be interpreted as a means to declare loss of quorum.

Section 3. If a Board member's participation is necessary to maintain a quorum or to otherwise enable to Board to act he/she may participate if he/she complies with the following disclosure requirements:

- a. Disclose and summarize the nature of interest prior to the matter behind heard at the meeting.

Section 4. The Board member should not should not obtain employment within six months of government service, which would allow the Board member to take direct advantage over others based on his/her direct involvement/decision making powers as a Board member in a given manner.

Article XI. Meeting Protocol.

Section 1. The order of business may be altered by the Chair or by a majority consensus of the Board at the beginning of the meeting and as circumstances arise.

Section 2. The Chair may allow citizen comment on any matter not scheduled on the agenda, and comments may be limited by the Chair. The Board may not take immediate action on citizen comments not properly scheduled before the Board.

Section 3. The Chair may request Board members and/or speakers to confine comments to the issue(s) under consideration, offer factual information, and to refrain from offering repetitive and cumulative evidence.

Section 4. To avoid over-crowding, the Chair may direct crowds or gatherings as necessary. Groups of citizens may be asked to select a spokesperson to be admitted to speak on their behalf.

Section 5. To maintain decorum and a businesslike atmosphere, the Chair shall establish what types of language and comments will not be considered acceptable. Generally, clapping, shouting and/or other outbursts are inappropriate and may not be tolerated; picket signs are prohibited. The Chair is responsible for enforcing the rules and may interrupt the speaker, and remind the speaker of the rules. If the speaker refuses to cooperate and persists in inappropriate behavior, the Chair may call a recess and have the offending party escorted from the hearing room.

Section 6. The Chair shall decide all questions of order, subject to appeal of the Board. In case of an appeal from a ruling of the Chair, the question shall be: "shall the decision of the Chair stand as the decision of the Board?" If a Board member violates the rules, the Chair shall call such member to order, in which case the member shall be silent unless permitted to explain.

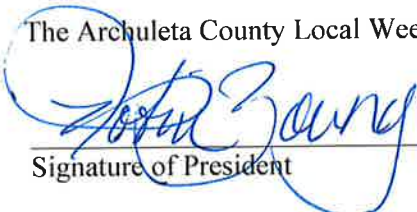
Article XII. Severability.

Section 1. If any section, subsection, sentence, or phrase of these Bylaws is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of these Bylaws.

Article XIII. Amendments.

Section 1. These bylaws may be amended by majority vote of the Board, subject to review and approval by the BoCC.

Approved by the Archuleta County Local Weed Advisory Board this 18 day of January,
2023.

The Archuleta County Local Weed Advisory Board


Signature of President

Approved by the Board of County Commissioners this _____ day of _____, 20__.

Archuleta County Board of County Commissioners

Signature of Chairman