

RESOLUTION NO. 2019-02

A RESOLUTION OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO UPDATING THE MEMBERSHIP, ORGANIZATION, PROCEDURE, FUNCTIONS, AND DUTIES OF ALL NON-STATUTORY ADVISORY COMMITTEES

WHEREAS, the Board of Trustees seeks to revise and supplement its uniform set of organizational and procedural Rules for non-statutory advisory Committees; and

WHEREAS, experience with operations since adoption of Resolution 5-17 has illuminated certain changes which would be beneficial to the function and governance of advisory Boards and Commissions; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO THAT Resolution 5-17 is hereby withdrawn, amended and re-enacted to read as follows:

Section 1: The following rules shall govern all non-statutory advisory Committees existing or hereafter created by the Town of Berthoud, except where a separate Resolution (such as the Youth Advisory Board) is approved by the Board of Trustees:

Section 2: ORGANIZATION, MEMBERSHIP AND ROLE

A. Existing Boards, Commissions, and Membership

- (1) The Board of Trustees hereby re-establishes and affirms the mission of the following Committees, each subject to the more detailed statement of mission set forth in Section 4 of this Resolution:
 - a. Under the direction of the Town Board, the Berthoud Tree Advisory Committee works in conjunction with the Town Arborist and the Department of Parks and Recreation to recommend policies, programs and projects to the Board designed to preserve and promote the health and expansion of the urban forest as more fully set out in Section 4(A) of this Resolution;
 - b. Under the direction of the Town Board, the Berthoud Historic Preservation Advisory Committee works in conjunction with the Community Development Department to recommend policies, programs and projects to the Board designed to preserve the historic heritage and character of the Town while harmonizing such preservation with economic development as more fully set out in Section 4(B) of this Resolution;
 - c. Under the direction of the Town Board, the Berthoud Parks, Open Space, Recreation, and Trails (PORT) Committee works in conjunction with the Department of Parks and Recreation to recommend policies, programs and projects to the Board designed to foster diversity and utilization of the parks, open space, trails, and recreation assets of the community as more fully set out in Section 4(C) of this Resolution.
- (2) All members of a Committee shall serve without pay.

(3) All Committees of the Board shall contain at least five (5) and no more than seven (7) appointed members serving staggered terms. No meetings of a Committee shall be held if membership on a Committee drops below four (4).

(4) To create staggered terms that are consistent and easier to manage across all Committees, current Committee member terms are hereby modified as follows:

All Committee members whose terms expire in calendar year 2019, shall expire on September 30, 2019.

All Committee members whose terms expire in calendar year 2020, shall expire on September 30, 2020.

All Committee members whose terms expire in calendar year 2021, shall expire on September 30, 2021.

(5) Membership on each committee shall be approved by motion before the Board of Trustees. Additionally, the following rules shall apply:

- a. All members must reside within the limits of the Town. Any members serving on a Committee as of the date of this Resolution passing that do not live within the limits of the Town shall no longer be eligible for service on the committee. Any new members appointed to fill any vacancy created by the change shall have their initial term set by the Board to create staggered terms on the committee.
- b. If any Town resident appointed as a member ceases to reside in the Town, his or her membership shall immediately terminate.
- c. Terms for all members will be for two (2) years except for appointments made in calendar years 2019, 2020, and 2021 where the Board may choose to appoint members for shorter or longer terms to create consistent and staggered terms for all committees. Any member may serve only three (3) consecutive terms on a Committee. If appointed to fill an unexpired term, that interim appointment shall not count towards the three (3) consecutive terms available to that member. In the absence of enough applications to fill vacancies on a Commission or Committee, the Board may make an exception and extend a term beyond the limitation identified above. Additionally, a member of one Committee that has exceeded the term limit for that Committee shall be allowed to apply for appointment to another Committee for an additional three consecutive terms.
- d. In July of each year, Town staff will publicly advertise all appointments whose terms expire in September of that same year. Applicants for the Committees will be interviewed in August and September and appointments will be made before September 30 of each year.
- e. Any members serving on a Committee as of the date of this Resolution passing that have already served a total of six consecutive years on that Committee, shall fulfill their current terms as modified herein. Upon expiration of said term, the member shall not be reappointed to the Committee which he or she has previously exceeded the term limits established until at least two years have passed.
- f. No person may be a member of more than two Committees at any one time.

- g. Each Committee shall meet at least semi-annually with the Board. During said meetings, the Committee will provide a report of its activities and will suggest new policies, programs and projects for the Board to consider, if any. At the meeting, the Board will hear the report and direct the committee to work with Town staff to pursue development of the policies, programs and projects proposed by the Committee or otherwise identified by the Board, if any.
- h. No members of any Committee shall negotiate on behalf of the Town with any outside agencies or individuals regarding any matter before the Town or that Committee without the expressed written consent of the Town Administrator. No member of any Committee shall expend Town funds, or request reimbursement for expenditures, without prior written consent of the Town Administrator.
- i. Members of Committees shall refrain from participating in any decision in which they have a "substantial interest." This includes nonfinancial conflicts, such as close proximity to an area under consideration (three hundred feet), close friendship with one of the parties to a decision, or any other situation which would lead to a clear "appearance of impropriety."
- j. New Committee members are encouraged to meet with the respective staff liaisons to review rules, regulations, role and bylaws prior to serving on the Committee. When possible, exit interviews should be conducted with departing Committee members to determine areas in which the Town can be more helpful to that Committee.
- k. The Town shall strive to provide funding for appropriate in-service training for Committee members. Such training may be requested by individual committee members, or suggested by Town staff, and may be granted upon an affirmative vote of a majority of the Committee and the Town Board.

Section 3: PROCEDURES

A. Meetings, Appointments, Voting.

- (1) Commissions or Committees shall establish a regular schedule of meeting dates, times, and locations for the upcoming year before December 31 of each year. In the absence of any business items for a Committee a meeting may be cancelled with proper notice. Other special meetings may be scheduled throughout the year in order to facilitate review of, and feedback on, specific items but should not be used as a substitute for regular meetings.
- (2) All members of a Committee are expected to attend and be prepared for meetings. Members absent from 3 meetings for any reason in any calendar year, or 3 consecutive meetings, are considered to have resigned from that Committee and will be notified as such by Town staff. Members who are considered to have resigned as stated above may petition the Board for reinstatement to that Commission or Committee by showing legitimate cause for those absences. Excessive tardiness may also be cause for removal from a Committee. Late arrivals to Committee meetings shall be noted in the minutes and at the discretion of the Committee, may be submitted to the Town Board for consideration of removal.

- (3) Except as noted below, any Committee without a regular meeting in any six (6) month period may be disbanded by the Board of Trustees following a staff recommendation to the Board of Trustees.
- (4) All Committee meetings will be noticed as required by any State or local code and will be held at the Town of Berthoud Town Hall unless special circumstances dictate an alternate location and proper notice of the change in location has been provided. The Committee may choose the meeting room at Town Hall but must arrange for all meetings to have an electronic record of proceedings. The use of meeting rooms shall be scheduled in advance with the Town Clerk's office and included on the public notice.
- (5) All Committees will meet at least semi-annually with the Town Board to report on activities and obtain direction for upcoming agendas. Each actual meeting agenda shall be assembled by the Town staff liaison in conjunction with the Chair of the Committee.
- (6) Every attempt will be made by Staff to provide notice of the cancellation of any regular Committee meeting on the Friday of the week prior to that Committee meeting. Cancellation notices will be delivered to interested parties via e-mail, posted at Town Hall in a public place, and posted to the Town's website. Other media outlets may be used at the discretion of the staff liaison.
- (7) Following each regular municipal election, the Board shall vote to appoint one (1) member from the Board of Trustees as a non-voting liaison member to each Committee. The primary function of a board liaison is to be a two-way communication vehicle to and from the board during the period between joint meetings of the Board and the Committees. Board liaisons should attend committee meetings to listen to the proceedings and offer input but should refrain from advocating for a particular position. Liaisons should also share a brief report of what the committee is working on during the Board Member Report portion of regular Board meeting agendas.
- (8) The Board liaison member's term shall be two (2) years with eligibility for subsequent two-year terms for so long as he or she remains a member of the Board of Trustees. Board liaisons are expected to miss no more than three (3) regular meetings of the respective Committee.
- (9) Board Liaison Members of any Committee serve at the pleasure of the Board of Trustees and may be removed at any time by a majority vote of such appointing body.
- (10) The Board of Trustees shall make appointments to any vacancy on the committee by majority vote of the Board. Such appointments will be made after the vacancy is advertised publicly and applications are received by the Town Clerk. Applicants will be interviewed by a nominating committee made up of two (2) Board Members appointed by the Mayor, one (1) Committee Member appointed by a majority vote of the Committee, and the Staff Liaison. Appointees who are appointed to fill an unexpired term shall serve until the end of the term for which they are appointed.
- (11) Each Committee shall, on an annual basis at the first regular meeting after October 1 of each calendar year, elect from within their members officers

including a Chair, Vice Chair and Secretary. Term of each position is one (1) year or until the end of that member's term, whichever is less. While not required, it is encouraged that each committee elect new Officers each year. Officers elected to fill vacancies shall serve until the next regular election of officers. Officer descriptions and duties include:

- (a) Chair who shall preside at all regular and special meetings of the Committee and work with the staff liaison to prepare meeting agendas.
- (b) Vice chair who shall assume the duties and responsibilities of the chair in the chair's absence.
- (c) Secretary who shall keep, or cause to be kept, all records including meeting minutes, of the Committee and shall transmit all appropriate records to the Town Clerk to become part of the official Town Record. The Town will strive to provide an electronic record of each committee meeting however, the written minutes of each meeting as recorded by the Secretary and approved by the Committee, shall be the official record of the meeting.

(11) A quorum of the full membership is necessary to open any meeting and conduct the business of any Commission or Committee. When vacancies exist on the Committee, a quorum shall be defined as a majority of the current membership but at no time shall less than four constitute a quorum. An affirmative vote of a majority of the voting members present shall be necessary for passage of any recommendation or action item.

Section 4: SPECIFIC COMMITTEES AND SPECIAL PROVISIONS

A. Tree Advisory Committee

- (1) The Tree Advisory Committee shall make recommendations to the Town of Berthoud concerning policies, rules, regulations and specifications concerning tree augmentation, the trimming, spraying, removal, planting, purchase, disposition, pruning, preservation and protection of trees, shrubs, vines, hedges and other plants upon the public right-of-way of any street, alley, sidewalk or other public place in the Town or upon privately owned property in the Town.
- (2) The Tree Advisory Committee shall work in conjunction with the Town Arborist's efforts to:
 - (a) Coordinate volunteer activities
 - (b) Manage and maintain Berthoud's Tree City USA standing
 - (c) Develop grant opportunities related to its tasks listed above
 - (d) Develop and operate annual activities related to Arbor Day
 - (e) Develop and maintain a tree inventory for the community
 - (f) Maintain a community forestry management plan

B. Historic Preservation Advisory Committee

- (1) The Historic Preservation Advisory Committee shall support the Town's efforts to maintain Berthoud's Certified Local Government status with the State of Colorado and Colorado Historical Society.

(2) The Historic Preservation Advisory Committee shall also make recommendations to the Town concerning:

- (a) Criteria for review of historic resources and for review of proposals to demolish designated resources.
- (b) Resources to be nominated for designation as either a historic structure or historic district and designation of those resources qualifying for such designation.
- (c) Application for alterations to the exterior of designated historic structures or historic districts.
- (d) Application for moving or demolishing an historic structure.
- (e) Advice and assistance to owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, including nominations to the Local, State or National Registers of Historic Places within both the Town and the greater Berthoud area.
- (f) Public education programs including, but not limited to, walking tours, brochures, marker programs for historic properties, lectures and conferences within both the Town and the greater Berthoud area.
- (g) conduct surveys of historic properties for the purpose of defining those of historic significance, and to prioritize the importance of identified historic properties and areas.
- (h) Matters related to preserving the historic character of the Town.
- (i) Support of financial assistance for preservation-related programs.
- (j) Removal of properties from the register for reasons including, but not limited to, acts of God, undue hardship and public health/safety concerns.
- (k) Application fees for applications made by citizens applying for historic designation or who are applying to alter or demolish a historically designated property.

C. PORT Committee

(1) The PORT Committee shall provide recommendations to the Town regarding:

- a. Development and utilization of Parks and Recreation amenities
- b. Areas that should be preserved as open space
- c. The establishment of bikeways and trail systems
- d. New areas for parks
- e. Completion or updating of parks master plans
- f. Upgrading of the existing parks facilities
- g. Ideas to increase parks and open space utilization.

Section 5: AD HOC COMMITTEES

- (1) From time to time, the Board may establish ad hoc committees to review and provide recommendations for specific key issues or projects. These ad hoc committees shall be dissolved upon completion of the tasks given at formation or upon a majority vote of the Board. Such committees shall not be bound by the rules and regulations set forth for standing committees in Sections 1 through 4 of this resolution.
- (2) All ad hoc committees shall be established by a majority vote of the Board and members of the committee will be appointed by a majority vote of the Board. All members serve at the pleasure of the Board and may be removed at any time upon a majority vote of the Board.
- (3) Ad Hoc committees may be established from time to time as needed by a majority of the Town Board. The members of such committee shall elect a chair at the first meeting of said committee. Members of standing committees may be appointed to serve on ad hoc committees. Any number of members may be appointed by the Board but in no instance shall there be more than seven (7) members of an ad hoc committee.
- (4) Meeting dates and times shall be established by the chair. Agendas shall be prepared by the chair. A secretary shall be appointed by the committee and a written record of the meetings shall be kept. Electronic recordings are preferred as an alternative to written minutes.

PASSED, ADOPTED AND APPROVED THIS 20th, day of February, 2019.

TOWN OF BERTHOUD

BY: William Karspeck

William Karspeck, Mayor

ATTEST:

Christian Samora, Town Clerk

