

RESOLUTION NO. 5-17

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

WHEREAS, the Board of Trustees seeks to create a uniform set of organizational and procedural Rules all advisory Boards and Commissions; and

WHEREAS, absence of uniform and consistent rules have contributed to conflicts and difficulty recruiting and retaining citizen volunteers for Boards and Commissions formed to advise the Board of Trustees on matters of significant importance to the Town as a whole; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO THAT:

Section 1: The following rules shall govern all non-statutory advisory Committees and Commissions now existing or hereafter created by the Town of Berthoud, except where a separate Resolution (such as the Youth Advisory Board) or specific variance from these rules and procedures 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 and Commissions, each subject to the more detailed statement of mission set forth in Section 4 of this Resolution:
 - a. The Berthoud Tree Advisory Committee is hereby re-affirmed as an advisory body to the Board, to work in conjunction with the Municipal Planner, Arborist and the Department of Parks to advise the Town on policies designed to preserve and promote the health and expansion of the urban forest;
 - b. The Berthoud Historic Preservation Advisory Committee is re-affirmed as an advisory body to the Board, to work in conjunction with the Planning department and the Parks Department to advise the Board on policy designed to preserve the historic heritage and character of the Town while minimizing impact on economic development;
 - c. The Berthoud Parks, Open Space, Recreation, and Trails Committee is hereby established as an advisory body to the Board to work in conjunction with the Town Parks Department and Planning Department to bring forth recommendations to the Board of trustees designed to foster diversity and utilization of the parks, open space, trails, and recreation assets of the community.
- (2) All members of a Commission or Committee shall serve without pay.
- (3) Initial Membership on each committee shall be approved by motion before the Board of Trustees. Thereafter, governance, terms of service, and meeting

(4) process may be established or altered at any time by the vote of not less than two-thirds of the appointed members, failing which the following rules shall apply:

- a. At least 70% of members must reside within the limits of the Town, and the balance must have substantial ties to the Berthoud Community unless the Board of trustees specifically approves a waiver of this requirement;
- b. Anyone not residing within the greater Berthoud area or within the Berthoud Fire District boundaries may demonstrate substantial ties to the Berthoud community through employment, property ownership, or operation of a business within the Town;
- c. If any Town resident appointed as a member ceases to reside in the Town, his or her membership may revert to an open rural representative/substantial ties position at the discretion of the Board (Board action) for the duration of that term, or if the rural representative/substantial ties positions are filled, that members appointment shall immediately terminate.
- e. Terms for all Commission or Committee members will be for three (3) years and any member may serve only two (2) consecutive terms on any Commission or Committee in any capacity. After a one (1) year absence a person may begin another term or terms on the Commission or Committee that they had previously served on. If appointed to fill an unexpired term, that interim appointment shall not count towards the two (2) consecutive terms available to that member. In the absence of enough applications to fill vacancies on a Commission or Committee, any Committee or Commissions may make an exception and extend a term beyond the limitation identified above.
- f. If more than two members of any Committee or Commission also serve on either the Town Board of Trustees or the Town Planning Commission, all meetings of the Committee or Commission attended by such members shall occur only after posting of notice as a public meeting in the manner required by the Colorado Open Meetings Law.
- g. Except as noted below, no person may be a member of more than two Committees at any one time.
- h. Each Commission or Committee shall submit a written Annual Report outlining the previous year's accomplishments of that Commission or Committee by February 1 of the following year. Such annual report is to include a section on the proposed work program of the Commission or Committee for the current year.
- i. Except as noted below, the role of each Commission or Committee is to review material presented to it by staff of the Town of Berthoud and provide recommendations on that material to staff. Staff will then provide that recommendation to the Planning Commission and/or Town Board as appropriate. At times, the staff recommendation may differ from the recommendations of the Commission or Committee, and the Board of Trustees may take action contrary to both.
- j. No members of any Commission or Committee shall negotiate on behalf of the Town with any outside agencies or individuals regarding any matter before the Town or that Commission or Committee without the expressed written consent of the Town Administrator.

k. Members of any Commission or Committee 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."

l. Members of any Commission or Committee shall refrain from acting on or discussing, formally or informally, a matter before the Town, if acting on the matter - or failing to act on the matter, may personally or financially benefit any of the persons or entities listed above. Such an official or employee should join the public if the recusal occurs at a public meeting, or leave the room if it is not a public meeting.

m. New Commission or Committee members are encouraged to meet with the respective staff liaisons to review rules, regulations, role and bylaws prior to serving on the Commission or Committee. When possible, exit interviews should be conducted with departing Commission or Committee members to determine areas in which the Town can be more helpful to that Commission or Committee. The Town shall strive to provide funding for appropriate in-service training for Commission or Committee members.

Section 3: PROCEDURES

A. Meetings, Appointments, Voting.

- (1) Commissions or Committees shall establish a regular schedule of meeting date(s) each month as need dictates. In the absence of any business items for a Commission or Committee a meeting may be cancelled with proper notice.
- (2) All members of any Commission or Committee are expected to attend and be prepared for meetings. Members absent from 4 meetings in any calendar year, or 4 consecutive meetings, are considered to have resigned from that Commission or Committee. 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.
- (3) Except as noted below, any Commission or 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 Commission or Committee meetings, except as properly noticed by the Town Clerk, will be held at the Town of Berthoud Town Hall.
- (5) All Commission or Committee agendas will be developed by staff liaisons and provided to the Town Clerk before 11:00 a.m. on the Monday of the week prior to the meeting.
- (6) Every attempt will be made by Staff to provide notice of the cancellation of any regular Commission or Committee meeting on the Friday of the week prior to that Commission or Committee meeting.

- (7) Except as noted below, after obtaining approval of the Board of Trustees the Mayor shall appoint one (1) member from the Board of Trustees as a non-voting liaison member to each Commission or Committee. 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 Commission or Committee annually.
- (8) Board Liaison Members of any Commission or 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.
- (9) The Board of Trustees shall make such appointments as necessary to fill the unexpired terms of vacancies that may occur on any Commission or Committee with the exception of any vacancy left by the non-voting Board liaison member, which shall be filled by appointment by the Mayor.
- (10) Each Commission or Committee shall, on an annual basis at the first regular meeting 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. Officer vacancies shall be filled at the next regular meeting of the Commission or Committee by election of the members. 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 Commission or Committee and shall decide all points of procedure.
 - (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 Commission or Committee and shall transmit all appropriate records to the Town Clerk to become part of the official Town Record.
- (11) A quorum of the full membership is necessary to open any meeting and conduct the business of any Commission or Committee. 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 (Existing)

- (1) The Tree Advisory Committee shall make recommendations to staff of 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 with staff of the Town to:
 - (a) Coordinate volunteer activities related to its tasks listed above
 - (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 a tree inventory for the community
 - (f) Maintain a community forestry management plan

B. Historic Preservation Advisory Committee (Existing)

- (1) The Historic Preservation Advisory Committee shall conduct all activities necessary and appropriate 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 staff of the Town of Berthoud 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. P.O.R.T. Committee (Re-Established)

- (1) The Parks, Open Space, Recreation and Trails Advisory (P.O.R.T.) Committee is hereby re-established. It shall advise and provide recommendations to staff regarding development and utilization of Parks and Recreation amenities, advising on such matters as areas that should be preserved as open space, the establishment of bikeways and trail systems, identifying new areas for parks, assisting with review of annual budgets, completion or updating of parks master plans, maintenance and upgrading of the existing parks facilities, and reviewing development proposals with regard to their projected impact upon parks and open space utilization.
- (2) The P.O.R.T. Committee shall initially consist of seven members, appointed by the Board of Trustees, each either a Berthoud Resident or with substantial ties to the Berthoud Community. The Committee shall, at its first meeting, establish its schedule of meetings, its agendas, and any desired Rules of Procedure. The Town Planner and Parks Director shall at all times be Ex Officio members of such Committee.

PASSED, ADOPTED AND APPROVED THIS 25th, day of April, 2017.

TOWN OF BERTHOUD

BY: Steve Mulvihill
Steve Mulvihill, Mayor

ATTEST:



Tamiko Brewster, Deputy Town Clerk

