

BANNOCK COUNTY PLANNING AND DEVELOPMENT COUNCIL
BY-LAWS
Bannock County, Idaho

I. NAME

The name of the organization shall be the Bannock County Planning and Development Council, hereinafter called the Council.

II. AUTHORITY

These By-Laws are adopted in compliance with Chapter 65, Title 67, Idaho Code, as amended.

III. DUTIES AND FUNCTIONS

The Council shall perform such duties and functions and promote such purposes as are enumerated in Chapter 65, Title 67, Idaho Code, and in ordinances enacted pursuant thereto including, but not necessarily limited to;

1. Recommend to the Board of County Commissioners policies and measures regarding general planning, traffic circulation, subdivision regulations, parks, schools, public utilities, and open space; and
2. Study and promote such measures as may bring about the development of Bannock County in a manner which will protect the public health, safety, and general welfare.

IV. MEMBERSHIP

Section 1 – Appointments and Qualifications: Members, other than ex-officio members, shall have been residents of Bannock County for two (2) years and must remain a resident of the County during service on the Council. Not more than one-third (1/3) of the members may reside within an incorporated city of 1500 or more in population in the County. At least one-half (1/2) of the members of Council shall reside outside the boundaries of any city's area of impact to comply with Idaho Code Chapter 67-6504. Members shall be appointed by the Board of County Commissioners and the term of each member shall be determined by said appointment and shall commence upon appointment and acceptance thereof by the appointive member. Members shall be selected without respect to political affiliation and may receive such mileage and per diem compensation as provided by the Board of Bannock County Commissioners.

Section 2 – Vacancies: The Board of Bannock County Commissioners shall fill any vacancies occurring on the Council.

Section 3 – Absences: After four (4) or more absences in one calendar year from regular meetings of the Council, the Council Chairperson shall notify the Board of Bannock County

Commissioners, and may recommend removal of said Council member. This provision shall not apply to the ex-officio members of the Council.

Section 4 – Code of Conduct: Members of the Council are expected to conduct themselves in a professional manner that is both civil and cooperative. Due to the public nature of the Council's service, members are exposed to additional public scrutiny in both their public and personal conduct. The Council shall observe Idaho Statute 67-6506 "Conflict of Interest Prohibited". Violations of statute, unethical behavior, unprofessional conduct, or any actions which discredit or dishonor the county may be grounds for removal from Council membership.

Members of the Council may be removed for cause by a majority vote of the Board of Bannock County Commissioners according to Idaho Statute 67-6504(a)(3).

V. OFFICERS

Section 1 – Election and Appointment: The Chairperson and Vice-Chairperson shall be elected from the membership at the first meeting of the Council in January of each year and they shall serve until the next annual election or until the election or the appointment of their successor. The Chairperson shall be empowered to make temporary appointments of officers until an election can be held. All officers shall be voting members of the Council.

Section 2 – Chairperson: The Chairperson shall preside at all meetings of the Council and at all public hearings.

Section 3 – Vice-Chairperson: The Vice-Chairperson, in the absence of the Chairperson or in the event of a vacancy in the office of Chairperson, shall perform all the duties of the Chairperson. The Vice-Chairperson shall perform such duties as the Chairperson may direct.

Section 4 – Clerk: The Director of the Office of Planning and Development Services shall serve as the ex-officio Clerk of the Council. The Clerk shall oversee the keeping of records of all matters considered by the Council.

VI. EX-OFFICIO MEMBERS

Ex-officio members of the Council shall be the Bannock County Commissioners, Bannock County Prosecutor, Planning and Development Services Director, and other person(s) appointed or invited by the Council or the aforementioned ex-officio members.

VII. QUORUM

A quorum shall consist of a simple majority of the total membership of the Council, including the Chairperson, who will be counted in determining the presence of a quorum. No decision or recommendation of any nature will be made at a Public Hearing meeting except on a motion duly made and passed by a vote at a meeting with a quorum present.

The Chairperson shall vote on all matters and his/her vote shall be counted in determining the passage of any motion. If both the Chairperson and Vice Chairperson are absent, the meeting shall be held if there is a quorum. Members present may select a Council member present to act as chairperson for duration of the meeting.

VIII. MEETINGS

Section 1 - General Rules: All meetings of the Council shall be open meetings held in accordance with Chapter 65, Title 67, Idaho Code and with Idaho's Open Meeting Act Section 67-2340, et. seq., Idaho Code.

Council members shall disclose any site visit, communication, and/or conflict of interest at the beginning of each meeting, during roll call. If a Council member feels they cannot be impartial, that Council member will recuse themselves from that agenda item.

Section 2 - Time of Meetings: In accordance with Zoning Ordinance 1998-1 Section 580.5, the Council shall adopt a meeting schedule for the calendar year and regular meetings. Generally, the Council shall meet regularly on the third Wednesday of each month.

Cancellation of a meeting or suspension of meetings for a period of time shall be permissible provided, however, that one regular meeting shall be held each month for at least nine (9) months in a calendar year. Such cancellation or suspension shall be for cause and shall require the approval of a majority of the voting membership.

Additional meetings may be scheduled upon the request of the Council's Chairperson or a majority of the Council's voting membership.

Section 3 – Public Hearings: Any public testimony shall be submitted to the Planning and Development Staff eight (8) days prior to the scheduled meeting. Any written testimony not received by the due date shall be brought to the hearing and must be read into the record.

All written testimony shall be restricted to a 2-page max limit written in Times New Roman 12pt Font.

If a person submits written testimony for the packet, they cannot also give oral testimony, unless they are reading their previously submitted written testimony for the record.

Section 4 - Special Meetings: In accordance with the Bannock County Zoning Ordinance, meetings that are held in addition to the Council's regular monthly meetings and meetings scheduled on a day of the month other than the day adopted by the approved schedule are considered special meetings.

Official business may be conducted at a special meeting only if advance notice is given prior to the meeting. Notice shall be provided by publication in the paper of record stating the

date, time, location, and subject matter to be considered at the special meeting. Special meetings shall comply with Idaho Open Meeting Law requirements.

The Council may hold informal work sessions for the purpose of educating itself or clarifying issues of concern to it. No official action may be taken and no final decision may be made at an informal work session.

Notice of special meetings shall be provided to each Council member by electronic mail. Said notice of a special meeting shall be e-mailed to each Council member at least seven (7) days prior to the meeting date.

Section 5 – Site Review: When necessary or when requested by the Planning and Development Council Chairperson, the Planning Director shall arrange for an on-site review of the item(s) under consideration at the upcoming regular or special meeting, and shall notify each Council member of said arrangements prior to the on-site review.

IX. MINUTES, NOTICE, AGENDA

A copy of available minutes from past meeting(s), a notice and agenda for the next meeting, and other attachments that are pertinent to the items scheduled for consideration at the next meeting shall be e-mailed to each Council member at least seven (7) days prior to the scheduled meeting.

X. AMENDMENTS

These By-Laws may be amended at a regular meeting of the Council by a majority vote of the members present, providing that the proposed amendment is presented to the membership at a regular meeting prior to the meeting at which the vote for the amendment is taken on the proposed amendment. On the day following said presentation at said regular meeting, a written copy of the proposed amendment shall be mailed to all members.

We, the undersigned, being all of the Officers of the County Planning and Development Council, County of Bannock, Idaho, and having been duly elected and appointed as such, hereby certify that the foregoing By-Laws were duly and regularly adopted by the affirmative vote of the majority of the members of said Council at a meeting thereof, duly called and held on the day of August 17, 2022.

See original document for signature

Wade Egan, CHAIRPERSON

See original document for signature

Edward Ulrich, VICE-CHAIRPERSON

I hereby certify that the above By-Laws were approved by a majority vote of the Planning and Development Council of Bannock County at a recorded meeting thereof and such approval is recorded in the minutes of the meeting held on the day of August 17, 2022.

EFFECTIVE DATE:

These By-Laws shall be in full force and effect upon passage and approval.

Approved this 9th day of August 2022.

BOARD OF BANNOCK COUNTY COMMISSIONERS

See original document for signature

Ernie Moser, Chairman

See original document for signature

Terrel N. Tovey, Member

See original document for signature

Jeff Hough, Member

ATTEST: See original document for signature

Jason C. Dixon, Clerk