

# By-laws and Rules of Procedure of the Larimer County Estes Valley Planning Advisory Committee

## Article I – Introduction

### Section 1.

These by-laws and rules of procedure (will be) adopted by the Board of County Commissioners and the Estes Valley Planning Advisory Committee. They are designed and intended to inform community members about the establishment and operation of the Estes Valley Planning Advisory Committee.

### Section 2.

The official title of this Committee shall be the Estes Valley Planning Advisory Committee and shall be referred to below as the Committee.

### Section 3.

The Estes Valley Planning Advisory Committee is a committee of Estes Valley area residents, property owners, and business owners (as designated by the Planning Area in the Land Use Code) appointed by the Larimer County Board of Commissioners, for the purpose of providing an organized forum that is open for public participation and is dedicated to preserving and enhancing the identity and quality of the Estes Valley area.

In support of this purpose, the Committee conducts monthly meetings only as necessary to:

- A. Solicit community involvement, opinion, and active participation.
- B. Communicate to the Board of County Commissioners and County Planning Commission concerns, issues or recommendations regarding development review applications (i.e., more complex reviews including Special Reviews, Rezonings, Special Exceptions, Minor Special Reviews, Public Site Plan Reviews, and subdivisions that create one (1) or more new lots) received by the County for land within the unincorporated area of the Estes Valley area that will involve public hearings.
- C. Advise the Board of County Commissioners on other issues of community concern and interest.
- D. Facilitate communication between Estes Valley community members and Larimer County government.
- E. Develop, refine and promote a vision of the future for the Estes Valley area and provide input to an update to the comprehensive plan for the area whether jointly prepared with the Town of Estes Park or separately prepared for the County's unincorporated area.

## Article II – Membership and Officers

### Section 1.

The Committee shall be comprised of seven (7) members appointed by the Board of County Commissioners on staggered three-year terms. Term limits shall be in accordance with Larimer County Administrative Procedure 100.1. At least five (5) of the members shall be residents from the unincorporated Estes Valley area, and up to two (2) of the members may be residents of the Town of Estes.

**Section 2.**

The officers of the Committee shall be Chair, Vice-Chair, and Secretary.

**Section 3.**

The election of the Chair, Vice-Chair, and Secretary shall be held at the regular meeting of the Committee in October of each year.

**Section 4.**

A vacancy in the office of Chair shall be filled automatically by the Vice-Chair and new Vice-Chair elected at the next regular meeting of the Committee from among the members. A vacancy in the office of Vice-Chair or Secretary shall be filled at the next regular meeting of the Committee by election from among the members. The officers so elected shall serve until the next annual meeting in October.

**Section 5.**

Any member with three (3) absences per calendar year may be recommended to the Larimer County Board of Commissioners for removal from this committee. Requests for excuse from any regular meeting shall be directed to the Chair.

**Section 6.**

All members serve at the pleasure of the Board of County Commissioners. No member has a right or property interest in serving on the Committee. The Board may remove any member at any time with or without cause.

**Article III – Duties of Officers**

**Section 1.**

The Chair shall preside at all regular, special or adjourned meetings of the Committee and shall, subject to these by-laws and rules of procedure, decide all points of procedure unless otherwise directed by a majority of the members there present and in session. The Chair may call special meetings of the Committee in accordance with these by-laws and shall sign all documents of the Committee.

**Section 2.**

The Vice-Chair shall assume the duties and responsibilities of the Chair in the event the Chair is absent or unable to perform.

**Section 3.**

The Secretary shall sign or attest to the signature of the Chair on the documents of the Committee.

**Section 4.**

The County planning director (i.e., Community Development director) shall designate a Recording Secretary. The designated Recording Secretary shall keep the minutes of all meetings of the Committee in an appropriate and designated file, prepare the agenda for all meetings, be custodian of records; inform the Committee of correspondence relating to committee business, and attend to such correspondence as may be required.

## Article IV – Meetings

### Section 1.

The regular meetings of the EVPAC shall be held on the \_\_\_\_ \_\_\_\_ day of the month (as needed) in a place to be announced in Estes Park, Colorado, or after timely notice, at such time and place as the Chair shall designate.<sup>1</sup> Method of notice of meetings shall be determined at the first regular meeting of each calendar year. All meetings and actions shall be in compliance with C.R.S. 24-6-402 regarding open meetings and any subsequent amendments to said statute.

### Section 2.

The regular meeting in October of each year shall be considered the annual meeting.

### Section 3.

Special meetings may be called by the Chair, or by a majority of the voting members of the Committee or upon request of the Larimer County Board of Commissioners following at least seven (7) calendar days' notice to each member of the Committee. Time and place of special meetings shall be specified with information sent to each member of the Committee notifying them of a special meeting.

### Section 4.

All meetings of the Committee shall be open to the public.

### Section 5.

All meetings of the Committee shall require a quorum to be present and in session before official and formal action can be taken on any matter. A quorum is defined for the purposes of these by-laws and rules of procedure as any four (4) members. The Vice-Chair shall preside in the absence of the Chair. Where both the Chair and Vice-Chair are absent, those members present through a majority vote shall select a member as Chair Pro-Tern to preside over that meeting.

### Section 6.

The Chair may from time to time call work session meetings for the purpose of receiving information, hearing presentations and discussing information provided, however, no formal or informal action may be taken. Public notice must be posed for such work sessions.

### Section 7.

Voting at any regular, adjourned or special meetings shall be by a roll call vote except that procedural matters may be by voice vote. The order of voting will be rotated each meeting except that the Chair shall vote last. Actions shall be by majority vote.

### Section 8.

Any member shall request of the Chair to be excused from discussion and voting on any matter before the Board in which the member feels there is a personal interest or conflict.

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<sup>1</sup> Meetings to be held in Estes Town Hall Board Room, either Wednesday or Thursday evenings. Will confirm and see which dates and times work best for future board members.

**Section 9.**

The order of business for all meetings shall be the order as it appears in the agenda except that the Chair may under special circumstances rearrange the order of business unless otherwise directed by a majority of the members there present and in session.

**Section 10.**

Reconsideration of any decision of the Committee may be held when an interested party documents, to the satisfaction of the Chair, that previous testimony and facts given were erroneous or new evidence has been discovered. Reconsideration shall not be allowed after action on the recommendation has been taken by the Board of County Commissioners.

**Section 11.**

The following procedure will normally be observed in consideration of agenda items. This procedure may be rearranged by the Chair for an individual item if necessary for expeditious conduct of business:

- A. Introduction of the item by the Chair.
- B. County Staff presentation.
- C. Applicant presentation.
- D. Comments from the audience in support of the request.
- E. Comments from the audience in opposition to the request.
- F. Applicant's response.
- G. Final comments.
- H. Motion and second by the Committee (comments of the Committee members and vote).

**Section 12.**

The Chair may declare a continuance of the Committee's agenda if the lateness of the hour would be detrimental to all and fair consideration of any Item.

**Section 13.**

The Chair may allow a "Personal Appearance" at the beginning of each meeting by any community member from area desiring to speak on any matter not scheduled on the agenda. The Committee does not take immediate action on items presented under personal appearances; any statement made shall be relative to the Estes Valley matters and shall be no more than five (5) minutes in duration.

**Section 14.**

The Committee will not consider any material(s) that may result in significant modification to a pending issue unless that material(s) has been submitted at least five working days prior to the Committee's meeting when that issue is to be considered.

**Section 15.**

When necessary because a member of the board is unable to attend in person, one or more members the board may participate in such meetings and may vote through the use of telecommunications devices. Such participation may include but not be limited to the use of a conference telephone, video conferencing or similar communications equipment. Such participation through telecommunications devices shall constitute presence in person at such meeting.

**Article V – Amendments**

**Section 1.**

The by-laws may be amended at any meeting of the Committee by a majority vote of the Committee provided that notice of said amendment is given to each member in writing at least thirty days prior to said meeting. By-law amendments must be approved by the Board of County Commissioners prior to implementation.

**Section 2.**

Roberts Rules of Order may be followed to the extent appropriate to maintain order and decorum.

**Article VI – Compliance with County Policy**

This Committee shall conduct all business in compliance with the Board of County Commissioners adopted policy on Boards and Commissions which is incorporated, by this reference, into these by-laws.

Adopted this 19<sup>th</sup> day of May, 2020.

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Chair

Date: \_\_\_\_\_

\_\_\_\_\_

Secretary

Date: \_\_\_\_\_

Larimer County Board of County Commissioners



Steve Johnson

Steve Johnson, Chair

Attest: [Signature]

DATE 5/14/20  
APPROVE AS TO FORM  
[Signature]  
ASSISTANT COUNTY ATTORNEY