



# BOISE COUNTY

## RESOLUTION #2019-02

### A BOISE COUNTY RESOLUTION REPEALING RESOLUTION 2017-22, ESTABLISHING REVISED BY-LAWS FOR THE PLANNING AND ZONING COMMISSION, IN ACCORDANCE WITH THE BOISE COUNTY UNIFIED LAND ORDINANCE

**WHEREAS**, the Boise County Unified Land Use Ordinance requires By-Laws be established for the Planning and Zoning Commission and adopted by the Board of County Commissioners; and,

**WHEREAS**, the Planning and Zoning Commission has conferred with legal counsel on proposed By-Laws; and,

**WHEREAS**, the Planning and Zoning Commission presented to the Board of Boise County Commissioners, the Planning and Zoning Commission's approved By-Laws.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Boise County Commissioners do hereby approve the By-Laws for the Boise County Planning and Zoning Commission, attached as Exhibit A to this resolution.

**APPROVED and ADOPTED** in Open Session on this 2<sup>nd</sup> day of October, 2018.

#### BOISE COUNTY BOARD OF COMMISSIONERS

Handwritten signature of Alan D. Ward in black ink.

Alan D. Ward, Chairman

Handwritten signature of Roger B. Jackson in black ink.

Roger B. Jackson, Commissioner

Handwritten signature of Laura L. Baker in black ink.

Laura L. Baker, Commissioner

**Attest:**

Handwritten signature of Mary T. Prisco in black ink.

Mary T. Prisco, Clerk to the Board

**BYLAWS OF THE BOISE COUNTY PLANNING AND ZONING COMMISSION  
(ULO #2016-01, Section 2.2)**

**ARTICLE I**

**OFFICERS:** The general officers of the Boise County Planning and Zoning Commission shall be Chairperson and Vice-Chairperson, who shall hold office for one year or until their successors are elected. Officers may hold successive terms.

Section 1: Annually, at the first regular meeting of the calendar year, the Boise County Planning and Zoning Commission shall elect a Chairperson and Vice-Chairperson, who will take office immediately after being elected. Vacancies in these offices occurring during the course of the year will be filled by election at the next regular meeting. The elected should have at least one (1) year of their term remaining.

Section 2: The Boise County Planning and Zoning Administrator, or individual appointed by the Zoning Administrator shall serve as the secretary of the Commission.

Section 3: The Chairperson shall conduct all meetings and to assure civility and decorum. The Chairperson shall have general supervision of the affairs of the Boise County Planning and Zoning Commission. The Chairperson shall make such appointments as may be required, subject to approval of the Commission membership. The principal duties of the Chairperson, are as outlined;

- A) To preside at all meetings of the Commission.
- B) To call special meetings of the Commission in accordance with the Bylaws.
- C) To sign documents of the Commission.
- D) To see that all actions of the Commission are properly taken.

Section 4: During the absence, disability or disqualifications of the Chairperson, the Vice-Chairperson shall assume all duties and responsibilities of the Chairperson.

Section 5: It is the responsibility of the County Clerk to be custodian of all public records, ordinances, resolutions and such other papers and documents as may be delivered into his/her custody. All records of the Planning and Zoning Commission are subject to the Public Records Act, Title 74, Chapter 1, Idaho Code.

Section: 6: The Planning and Zoning Administrator, or individual assigned by the Planning and Zoning Administrator, shall give notice of all meetings and public hearings in accordance with the Idaho Open Meeting Law in Title 74, Chapter 2, Idaho Code. It shall also be the duty of the Planning and Zoning Administrator to provide the Commission with all essential documentation regarding items under their review.

Section 7: Any Commission member with three (3) consecutive absences from regularly scheduled meetings of the Commission, or any Commission member with six (6) or more unexcused absences in any twelve (12) month period from regularly scheduled meeting for the Commission may be recommended for dismissal to the Board of County Commissioners.

## **ARTICLE II**

### **MEETINGS:**

All meetings of the Planning and Zoning Commission shall adhere to the Idaho Open Meeting Act, Title 74, Chapter 2, Idaho Code.

Section 1: The Boise County Planning and Zoning Commission shall hold its regular meetings on the third Thursday of each month at 6:30 p.m. If a holiday falls on the Thursday scheduled for the Commission meeting, the meeting shall be held on the following Thursday.

Section 2: Special meetings may be called at any time by the Chairperson, the Planning and Zoning Administrator or by the request of three (3) or more members of the Commission.

## **ARTICLE III**

**PARLIAMENTARY AUTHORITY:** The rules contained in the current and authorized edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules of order the Commission may adopt, or any federal, state, or county ordinances or resolutions applicable to the Commission.

## **ARTICLE IV**

### **VOTING:**

Section 1: A decision is made and a motion passed when a quorum is present and more than half the votes are affirmative. All votes shall be made in open session and duly recorded. A roll call vote shall be held for all decisions related to amending the agenda, land division applications, conditional use permit applications, and variances. Any member may call for a roll call vote for any motion. Any conflicts of interest shall be disclosed and handled in accordance with Idaho Code §67-6506. If a Commission member perceives bias by another commissioner, said commissioner may make a motion to convene an executive session in accordance with the Idaho Open Meeting Act in Title 74, Chapter 2, Idaho Code.

Section 2: A majority of currently appointed voting members of the commission shall constitute a quorum. Should one (1) or more Commission member(s) abstain from voting, the decision shall be based on the vote of the simple majority vote of the remaining voting members.

Section 3: In the event of a tie vote, a motion fails for lack of a majority; and, therefore the motion is denied.

## **ARTICLE V**

### **AMENDMENT OF BYLAWS:**

Section 1: The Commission shall review the Bylaws on an annual basis to ensure consistency with county ordinances and state laws for the transaction of business of the Commission.

Section 2: Amendments to the Bylaws may be proposed by any member of the Commission provided that all such amendments are presented in writing at a regular meeting.

Section 3: All members are given proper notice of proposed amendments.

Section 4: Voting shall take place at the next regular meeting following the proposal of an amendment.

Section 5: Proposed amendments to the Bylaws shall be submitted to the Board of County Commissioners to adopt by Resolution in an open meeting.