



BOISE COUNTY

RESOLUTION #2019-15

A BOISE COUNTY RESOLUTION TO ADOPT THE BOARD OF COMMISSIONERS BYLAWS

WHEREAS, the purpose of the Board of County Commissioners of Boise County is to be the governing Board of Boise County and to perform those duties and responsibilities set forth in the Constitution and the Statutes of the State of Idaho, together with the ordinances and resolutions enacted by the Board, and;

WHEREAS, these bylaws shall apply to the Board in its capacity as Commissioners in the conduct of its official duties related to county business, Board of Equalization matters or any taxing district for which the Board has authority over, and;

WHEREAS, the bylaws articles include; membership and officers, meetings, committees and amendments.

NOW THEREFORE BE IT RESOLVED, that the Boise County Board of County Commissioners adopt the bylaws as written, effective as of this date.

APPROVED and **ADOPTED** in Open Session on the 12th day of February, 2019.

BOISE COUNTY BOARD OF COMMISSIONERS

Handwritten signature of Alan D. Ward in black ink.

ALAN D. WARD, Chairman

ABSENT

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 blue ink.

Mary T. Prisco, Clerk to the Board

BYLAWS OF THE BOISE COUNTY BOARD OF COMMISSISONERS

ARTICLE I – PURPOSE

The purpose of the Board of County Commissioners of Boise County (hereafter "Board") is to be the governing Board of Boise County, State of Idaho and to perform those duties and responsibilities set forth in the Constitution and the Statutes of the State of Idaho, together with the ordinances and resolutions enacted by the Board. These bylaws are created to further this purpose pursuant to Idaho Code Section 31-820. Furthermore, it is intended that these bylaws shall apply to the Board in its capacity as County Commissioners in the conduct of its official duties related to county business, Board of Equalization matters or any taxing district for which the Board has authority over.

ARTICLE II – MEMBERSHIP AND OFFICERS

- A. **Membership:** The Boise County Board of County Commissioners shall consist of three (3) members as elected by the voters of the county as provided in Idaho Code Section 31-701. The term of office, for elected Commissioners, shall be consistent with the three district rotation established by Idaho Code Section 31-703. Any vacancy shall be filled in accordance with Idaho Code Section 59-906A. The Boise County Board of County Commissioners shall have jurisdiction and power, under such limitations and restrictions, as are prescribed by Idaho Code Section 31-801 et. seq.
- B. **Officers:** The general officer of the Boise County Board of County Commissioners shall be Chair, who shall hold office for one year or until a successor is elected.
- C. **Election of Officers:** Pursuant to Idaho Code Section 31-705, on the second Monday of January following their election, the Board must elect a Chair. The chair shall preside at all meetings of the Board. In the event of his/her absence or inability to act, another Commissioner shall act as chair until the elected chair is available to perform his/her duties or until a new chair is elected.
- D. **Clerks' Duties:** The Boise County Clerk is the Ex-Officio Clerk of the Board of Commissioners. The Clerk, or individual assigned by the Clerk, shall prepare meeting agendas as provided herein, keep meeting minutes and give notice of all approved by the Board, the Clerk shall prepare the meeting minutes for review and approval at the succeeding Board meeting. Publication of all approved meeting minutes shall occur within thirty (30) days of Board approval. As per Boise County ordinances, it is the responsibility of the Clerk to be custodian of all public records; i.e.: ordinances, resolutions and such other papers and documents as may be delivered into his/her custody by the Board. All records shall be open to the public except as noted in Idaho Code Section 9-311.

ARTICLE III – MEETINGS

- A. **Meetings:** The Board shall meet on a schedule and at such times and places as are set forth in Idaho law or as more particularly identified in any applicable Boise County ordinance or resolution.
- B. **Rules and Regulations for the Conduct of Meetings:**
1. The following meeting rules and procedures are adopted:
 - a. **Procedures for Handling a Main Motion**
 - i.) Seek recognition from the chair.
 - ii.) When you are recognized, say "I Motion....". State your motion clearly, concisely and completely.
 - iii.) Wait for someone to "second" your motion. A "second" does not imply the person making the second agrees with the motion – only that h/she agrees it should be debated.
 - iv.) Wait while the chair restates the motion. Be prepared to provide the motion to the chair in writing, if needed or requested, to insure the chair accurately restates it.
 - v.) Consideration of the motion:
 - Members can debate the motion. Before speaking in debate, members obtain the floor. The maker of the motion has first right to the floor if he/she claims it properly.
 - Debate must be confined to the merits of the motion.
 - Debate can be closed only by the order of the assembly (2/3 vote) or by the chair if no one seeks the floor for further debate.
 - vi.) After discussion is complete, the chair will call for a vote.
 - vii.) Listen as the chair announces the result of the vote.
 - b. **Amending a Motion**
 - i. You want to change some of the wording that is being discussed.
 - After recognition, Chair I move that the motion be amended by adding the following words..."
 - c. **Refer to Committee**
 - i.) You feel that an idea or proposal being discussed needs more study and investigation.
 - After recognition, Chair I move that the question be referred to a committee made up of members (ex: Smith, Jones and Brown)".
 - d. **Previous Question**
 - i.) You think discussion has gone on for too long and you want to stop discussion and vote.
 - After recognition, Chair I move the previous question".
 - e. **Limit Debate**

- i.) You think discussion is getting long but you want to give a reasonable amount of time for consideration of the question.
 - After recognition, Chair I move to limit discussion to two minutes per speaker”.
- f. Point of Parliamentary Inquiry
 - Without recognition, “Point of Parliamentary Inquiry”.
- g. Unanimous Consent
 - i.) A request for unanimous consent, unless objected to by one Commissioner, has the effect of a motion duly made and passed.
 - ii.) Such requests may be made by any Commissioner and are non-debatable.
 - iii.) Such requests are routinely used for minor actions; such as, a recess or adjournment at the completion of the meeting.
- h. Voting
 - i.) The Chair shall be permitted to vote on all questions.
 - ii.) A decision is made and a motion passed when a quorum is present and more than half the votes are affirmative.
 - iii.) No votes shall be accepted unless the member is present or a recognized participant in the meeting (e.g. telephonically or electronically).
 - iv.) All votes shall be made in open session and duly recorded by the Clerk.
 - v.) Any member, who would benefit personally from a decision, may participate in the discussion but should voluntarily refrain from voting. Any conflicts of interest shall be disclosed and handled in accordance with Idaho Code Section 59-704.
 - vi.) A roll call vote shall be held for all decisions related to amending the agenda, entering executive session, adopting resolutions and ordinances, final personnel decisions and the approval of the annual county budget.
 - vii.) Any member may call for a roll call vote for any motion.
- i. Agenda
 - i.) An agenda, for each meeting of the Board, shall be prepared by the County Clerks’ Office.
 - ii.) Any and all agenda requests are to be turned in to the Clerks’ Office in writing (on the attached form) or by email. Requests are discussed with the Chair for placement on a future agenda at the earliest available time, with due consideration to the complexity of the issue to be discussed and the amount of time available for discussion.
 - iii.) The deadline for any agenda requests to be on an agenda are to be in to the Clerks’ Office by no later than 4pm the Friday before the next scheduled meeting.
 - iv.) The Clerks’ Office shall provide the agenda to the Chair to be reviewed, approved or modified the Thursday evening before the

next scheduled meeting. Finalization of the agenda will come from the Chair and will be posted by the Clerks' Office no later than 5pm the Friday before the next scheduled meeting or as appropriate for special meetings.

- j. Rule Suspension. The rules of order may be suspended upon appropriate motion and upon the unanimous vote of the Board of Commissioners.
 - k. Electronic meetings. These rules can be used for telephone or video conference meetings and for computer connected meetings in which discussions and voting are done electronically.
2. The Board shall comply with the provisions of the Idaho Open Meetings Law (Idaho Code Section 74-201 through 74-208 set seq.) as it is now or may hereafter exist, unless otherwise provided by law.
 3. Hearings on matters subject to review, pursuant to the Idaho Administrative Procedures Act and the Idaho Local Land Use Planning Act, shall be conducted pursuant to the applicable Boise County ordinance provisions unless otherwise provided by law.
 4. All indigent meetings and indigent appellant hearings conducted, pursuant to Chapters 34 and 35 of Title 31, Idaho Code, shall be conducted in executive session. The Board shall cause a transcribable record to be made of such hearings and shall adopt findings of fact and conclusions of law at the conclusion of such hearings, if required by law.
 5. Having determined that county affairs require regular meetings of the Board of County Commissioners at more frequent intervals than the statutory minimum (i.e. second Monday of each month), the Board of Commissioners of Boise County, in accordance with the ordinance (2013-01) adopted herewith, shall meet every Tuesday, between 9:00 a.m. and 5:00 p.m. Meetings duly scheduled within these designated times may commence or continue that same day or into the evening without further notice and such shall be deemed a continuation of the regular meeting of the Board.
 6. Meetings shall be held on any of the above days when such day is designated a holiday pursuant to Idaho Code Section 73-108 except as may be otherwise authorized by law (i.e. emergencies). Whenever a regular meeting date falls on a legal holiday the Board may hold its regular meeting on the next succeeding business day and such shall not be considered a special meeting.
 7. Adjournment, special meetings and executive sessions may be held as provided in Idaho Codes Sections 31-710, 74-201 through 74-208 and public hearings or other required meetings may be held at other times as provided by law, upon due notice thereof.
 8. Special meetings may be called by a majority of the Board. No special meeting shall be held without at least a twenty-four (24) hour meeting and agenda notice, unless an emergency exists. An emergency is a situation involving injury or damage to person or property or immediate financial loss or the likelihood of such injury, damage or loss, when the notice requirements of the section would make such notice impracticable or increase the likelihood or severity of such injury, damage or loss and the

reason for the emergency is stated at the onset of the meeting. A written notice stating the time, place and purpose of such meeting shall be in accordance with Idaho Code Section 74-204. No business shall be transacted except that mentioned in the notice of the special meeting, unless moved and passed by a majority vote of the attending Commission.

9. A majority of members of the Board shall constitute a quorum.

ARTICLE IV – COMMITTEES

A, The Board may, by resolution, create such standing and special committees not otherwise provided by law, as it deems necessary to assist the Board in fulfilling its duties.

B. Members of the Board, appointed to serve on said committees, shall be approved by a majority vote of the Commissioners.

C. Persons who are not members of the Board of Commissioners shall be appointed by the Chair of the Board of Commissioners, provided that such appointments are approved by the majority of the Board of County Commissioners.

ARTICLE V – AMENDMENTS

These bylaws can be amended at any regular meeting of the Board, by a majority vote, provided that the amendment(s) has been submitted in writing at the previous regular meeting or included in the agenda of the next regular meeting.

BOISE COUNTY BOARD OF COMMISSIONERS



ALAN D. WARD, Chairman

ABSENT

ROGER B. JACKSON, Commissioner



LAURA L. BAKER, Commissioner

