

CITY OF GRAND JUNCTION

RESOLUTION NO. 14- 16

**A RESOLUTION ADOPTING THE
GRAND JUNCTION FORESTRY BOARD BYLAWS**

The Grand Junction Forestry Board ("Board") was established in 1981 to act as a reviewing body for the purpose of determining professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees by giving written, oral and practical license examinations. The Board also recommends to the City Council adoption of rules and regulations pertaining to the tree service business in the city, and it may hear complaints from any citizen of the city, including any of its own members, relating to the tree service business.

Bylaws provide rules and guidance to the board where none currently exists. Some of the provisions include ethical standards, majority recommendation for the removal of any member, and the requirement for regular meetings. The proposed bylaws allow for participation of members via telephone or video conference, and require compliance with the Open Meeting and Open Records laws.

It has been the preference of the City that all of the City's volunteer boards and commissions have bylaws in place.

NOW THEREFORE, BE IT RESOLVED THAT the Bylaws for the Grand Junction Forestry Board are hereby adopted and are attached.

Adopted this 20th day of April, 2016.

ATTEST:



Stephanie Yuen
City Clerk

Quyllis Norris
President of the Council

Bylaws of the City of Grand Junction Forestry Board

Article 1 – Purpose, Board, Place of Business

A. The Grand Junction Forestry Board reviews and determines professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees. The Board, in accordance with City ordinances, gives written, oral and practical license examinations and issues licenses to qualified applicants. In addition, the Forestry Board serves in an advisory capacity to the Parks and Recreation Department Forestry Division by making recommendations to the City Council for the adoption of rules and regulations pertaining to the tree service business in the City. The Board may hear complaints from citizens relating to the tree service business. The Board may engage in community outreach and education in the area of trees and the urban forest.

B. The business and affairs of the Forestry Board shall be managed by a five (5) member board with up to two (2) alternate members, appointed by the Grand Junction City Council. Service on the Board shall be consistent with these bylaws and the ordinances adopted by the City Council for the Forestry Board. Alternate members shall serve when a vacancy occurs. Alternate members shall be designated “first alternate” and “second alternate” and shall be caused to serve in order.

C. The Forestry Board shall meet monthly on a date determined by the Board at a designated location.

Article 2 – Ethical Conduct

Board members shall comply with the City of Grand Junction Resolution No. 79-06, and as subsequently amended, which establishes ethical standards for members of the City’s boards, commissions and similar groups.

Article 3 – Appointment of Members

A. The Grand Junction Forestry Board shall consist of five (5) voting members and up to two alternates who shall be appointed by the City Council.

B. Composition and selection:

1. The members of the Board shall be appointed by the Grand Junction City Council for individual terms of three (3) years.

2. Members shall be selected without regard to race, color, religion, sex, age, sexual orientation, national origin, marital status, or physical handicap.

3. Three (3) of the five (5) voting members and at least one alternate shall be selected from any of the following categories: professional arborist, nursery professional, landscape designer, pesticide applicator or otherwise trained or certified in

a plant health industry. One member should be a representative of the Colorado State Forest Service if possible. Two (2) of the members of the Board may be lay persons.

4. A representative of the City Parks and Recreation Department Forestry Division shall be a non-voting member of the Board and shall act as or designate a secretary of the Forestry Board. The City Financial Operations Director or his/her designee shall act as treasurer of the Board.

C. If requested by the Grand Junction City Council, the Board shall make a recommendation to the appointing body as to the expertise needed. The appointing body may consider this recommendation when making appointments.

Article 4 – Vacancies

Vacancies to the Forestry Board shall be filled in the manner set forth herein, following policies and procedures set forth by the City Council for the recruitment of potential candidates.

Article 5 – Officers

A. At the first meeting of the Forestry Board each calendar year, members of the Board shall elect a chairperson and a vice-chairperson. Election of officers shall be held annually.

B. The chair shall be a member of the Board, serve as head of the Board and preside at meetings of the Board. In the absence of the Board chairperson, the vice-chairperson shall preside at the Board meeting and perform the duties of the chair and when so acting, shall have the authority and duties of the chair.

C. The secretary shall record the affairs of the Board and shall see to the correspondence of the Board.

Article 6 – Terms, Conditions

A. The term of each individual board member shall be three (3) years and the terms shall be staggered. Members shall serve until their successors have been appointed. A Board member may be appointed for two terms. An appointment to fill a partial term shall only be for the remainder of the full term. Alternates may be appointed to fill vacancies at the discretion of the Grand Junction City Council. Time served as an alternate does not impact a board member's ability to serve two full terms.

B. A majority of the total members of the Board may recommend to the City Council that a member be removed upon such member's failure to routinely attend the meetings of the Board or to participate in the work and mission of the Board.

C. A member of the Board that is unable to attend meetings or has missed three (3)

consecutive meetings may be asked, in writing, to resign from the Board. A special meeting will be scheduled for the purpose of discussing the request with all Board members in attendance.

Article 7 – Conflicts, Compensation, Expenses

A. No compensation shall be paid to any member of the Board for his/her services. The Board shall not enter into any contract with any member or pay or authorize any remuneration to any member. The rules and requirements of the City Charter and state law that apply to volunteer board members regarding conflicts of interest, disclosure, gifts and appearances of impropriety, as well as the City Resolution referred to in Article 2, shall apply to each member of the Board.

B. In accordance with the rules and requirements of the City, a member may be reimbursed for his reasonable expenses that are allowed by motion of the Board prior to being incurred. Expenses so authorized must be incurred in the performance of the Board member's duties. All such expenses shall be paid with Board funds.

Article 8 – Meetings, Notice, Open Meetings

A. Regular meetings shall be held at least once a month, at the place designated by the Board. Regular meetings may be canceled at the discretion of the Board.

B. Any member may call a special meeting and it shall then be the duty of the secretary to cause notice of such meeting to be properly given. Special meetings may be held at any place within the City of Grand Junction.

C. Notice of any meeting of the Board, including the purpose thereof, shall be made in writing to each member by mail, facsimile, or e-mail at least 72 hours before the scheduled meeting. Attendance by a member at any meeting of the Board shall be acceptance of notice by him/her of the time, place, and purpose thereof. Any lawful business of the Board may be transacted at any meeting for which proper notice has been given.

D. Any meeting may be held by telephone or video conference call upon arrival of a majority of the Board.

E. Affairs of the Board shall be governed by the Open Meetings Law and the Open Records Act, as amended, including but not limited to the posting of notices, designating annually the location for the posting of notices, and the taking of minutes.

Article 9 – Quorum

A majority of the voting members of the Board shall constitute a quorum for the transaction of business; however, if at any meeting a quorum is not present and available to vote, a majority of those present may adjourn the meeting. Alternate members shall be considered in determining a quorum. The act of a majority of the members present at a meeting in which a quorum is present shall be the act of the Board.

Article 10 – Contracts, Expenditures

The Board and its members do not have authority to bind the City, unless the City Council has specifically granted such authority in writing. Authority to bind the City shall be limited to the specific act(s) described in such writing. Expenditures on behalf of the Board and its work shall be granted such authority exclusively through the City Finance Department.

Article 11 – Notices

Any notice of claim, demand or other legal process served on or received by the Board or any of its members should be immediately delivered to the City Clerk or the City Attorney.

Article 12 – Legal Advice, Finances and Insurance

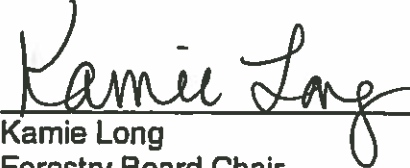
The City Attorney shall serve as the legal advisor for the Board. The City's Financial Operations Director shall serve as the treasurer for the Board. The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member's actions are not malicious, criminal, or with deliberate intent to violate a law or regulation or with intent to injure. A Board member shall immediately contact the City Attorney if such losses, cost or expenses arise or if there are any questions about coverage.

Article 13 – Amendment of the Bylaws

The Board may, by the affirmative vote of a majority of its members, amend or alter the bylaws of the Board provided that no such alteration or amendment by the Board shall increase the powers of the Board or expose the City to any additional liabilities, responsibilities or expenses. The secretary of the Board, or any member, shall send a copy of proposed changes to the bylaws to the City Clerk prior to adoption by the Board.

Recommended for approval by the Grand Junction Forestry Board at a regular meeting on April 7, 2016.

Adopted by the City Council this 20th day of April, 2016 by Resolution No. 14-16



Kamie Long
Forestry Board Chair

Attest:



Darcy Austin, Board Secretary