

**BYLAWS OF THE NEVADA COUNTY  
AGRICULTURAL ADVISORY COMMISSION  
Amended April 2021**

**I. STATEMENT OF PURPOSE AND AUTHORITY**

- A. The purpose of the Agricultural Advisory Commission shall be:
1. To advise the Nevada County Board of Supervisors on matters concerning the agricultural resources of the County;
  2. To develop a framework for cooperation among agencies and institutions, interest groups, individuals, public and private property owners and all others for wise conservation and management of resources to benefit the County's agricultural assets;
  3. To maintain an active Agricultural committee to advise the County on agricultural related matters as set forth in Chapter II, Article 42, Section A-II 42.9.1 through 42.9.7 of the Administrative Code of the County of Nevada.
- B. This Commission is created pursuant to Chapter II, Article 42, Section A-II 42.9.1 of the Nevada County Administrative Code.
- C. In accordance with the above authority, the Nevada County Agricultural Commissioner may provide staff service for the Agricultural Advisory Commission.

**II. DEFINITIONS**

“BOARD” is the Nevada County Board of Supervisors.

“COMMISSION” is the Nevada County Agricultural Advisory Commission.

“STAFF” refers to staff members of the Nevada County Agricultural Commissioner's office.

**III. RESPONSIBILITIES AND DUTIES**

In accordance with the responsibilities assigned by the Board of Supervisors, the Commission shall have the following duties and powers:

- A. Respond to all Board communications and Minute Orders;
- B. Review and make recommendations to the Board on all matters pertaining to agriculture prior to the Board taking action on such matters;
- C. Formulate and recommend to the Board, general policies relating to agriculture in the County including, but not limited to, General Plan Agricultural Element updates;

- D. Keep informed of legislation, current agricultural research and related matters that may affect the agricultural resources of the County;
- E. Independently research and report to the Board on issues beneficially or negatively impacting the County's agricultural resources;
- F. Develop organizational partnerships with the non-agricultural community to raise agricultural awareness;
- G. Provide recommendations, comments, and input on discretionary land use projects on, or adjacent to, agricultural zoned lands to the Agricultural Commissioner. The Agricultural Commissioner will deliver the recommendations, comments, and input in written form to the Planning Department;
- H. At the discretion of the Agricultural Commissioner and in collaboration with the Planning Department, provide recommendations on Agricultural Management Plans for non-agricultural projects on Important Agricultural Lands pursuant to and as defined by Nevada County Land Use and Development Code Chapter II Section L-II 4.3.4;
- I. Represent the interests of Nevada County in agricultural matters before all agencies in a professional manner. If communicating a legislative position, must have the endorsement or approval of the Board of Supervisors;
- J. Notify the Clerk of the Board of any resignations and maintain a current membership roster;
- K. Recommend removal of members for cause; and
- L. Such other functions, powers and duties as the Board shall designate by Resolution.

#### **IV. ORGANIZATION**

- A. This Commission shall consist of nine (9) members appointed by the Board.
- B. Officers of this Commission shall be chosen from and by current members of the Commission and shall consist of the following:
  1. A Chairperson who shall be elected at the January meeting by a vote of the members of the Commission and who shall prepare agendas, preside at Commission meetings, represent the Commission and perform other tasks necessary for the conduct of Commission business. The Chairperson shall not serve more than two consecutive terms unless other members are unwilling to serve as Chair then the current Chair could continue to serve on a year-to-year basis.
  2. A Vice Chairperson who shall be elected at the January meeting by a vote of the members of the Commission and who shall assume the duties of the Chairperson in their absence.

- C. All officers shall serve from day after elected for one (1) calendar year or until the next election.
- D. One (1) member of the Board of Supervisors appointed by the Chair of the Board of Supervisors, as well as the Nevada County Farm Advisor and the Nevada County Agricultural Commissioner shall serve as ex-officio members of the Commission. The ex-officio members serve as advisors and liaisons between the County and the Commission and have no voting privileges.

## **V. MEMBERSHIP**

### **A. COMPOSITION OF COMMISSION AND QUALIFICATIONS OF MEMBERS**

- 1. All members shall be appointed by the Board of Supervisors. Membership shall include a balanced representation of the industries within the County. Representatives from the following industries are preferred and include:

- Forest and related industries,
- The cattle industry,
- The equine industry,
- Livestock other than the cattle and equine industries,
- The farming industry,
- The viticulture industry, or
- Other agricultural interests.

No more than two (2) members from any single industry listed above shall serve at the same time to maintain a balanced industry representation.

- 2. Members must meet the following qualification requirements during tenure on the Commission:
  - a. Be knowledgeable of County agricultural interests and hold an appreciation of their role in the economic and social structure of Nevada County;
  - b. Desire to assist the Board in ongoing development of agriculture enterprises in the County;
  - c. Have experience and knowledge in the industry segment they represent, except that the representatives for “other agricultural interests” may be active practitioners in any industry segment, separately represented or not; and
  - d. Willing and able to dedicate the time necessary to attend meetings, actively participate in Commission matters and otherwise perform duties enumerated in these Bylaws and assigned by the Commission.

## B. TERM

Members shall be appointed and serve four (4) year terms and until the appointment and qualification of their successor. Members serve at the pleasure of the Board of Supervisors and may be removed without cause or by resignation.

## C. VACANCIES

Any vacancy which is created during a term shall be filled by the Board of Supervisors for the remainder of the unexpired term.

# VI. CONDUCT OF BUSINESS

## A. QUORUM

1. Five (5) members of the Commission present in person shall constitute a quorum and the actions of this quorum shall stand as the actions of the Commission.
2. If there is not a quorum at any meeting of the Commission, the Chairperson may adjourn the meeting or continue the meeting and refrain from discussion or action on items that require a vote. Items requiring a vote will automatically be placed on the agenda at the next regularly scheduled meeting.

## B. MEETINGS

1. The Commission shall hold a regular meeting on the third Wednesday in the months of January, March, May, July, September and November. If a regular meeting date is a County holiday, then the regular meeting date shall be the next business day thereafter.. Meetings are held at the Eric Rood Administrative Center, 950 Maidu Avenue, Nevada City, California unless otherwise noted or stated in written notice of meeting. All meetings convene at 6:00 p.m.
2. A special meeting may be called by the Chairperson or by a majority of the members of the Commission. Written notice of the special meeting shall be made, either by personal delivery or mail, and shall be received at least twenty-four (24) hours prior to the special meeting, by each member of the Commission and each local newspaper of general circulation, radio and television station requesting such notice in writing. Such written notice shall be posted at least twenty-four (24) hours prior to the special meeting on the public notice board at the Eric Rood Administrative Center, 950 Maidu Avenue, Nevada City, California.
3. The notice shall specify the time and place of the special meeting as well as the business to be transacted or discussed.

4. At all meetings, personal conduct of Commissioners and Commission communication shall reflect high professional standards.

#### C. OPEN MEETING LAW AND AGENDA

1. This Commission is subject to the provisions of Government Code Sections 54950-54962 (the Ralph M. Brown Act) and the Political Reform Act, Government Code Sections 81000, et seq.
2. Agendas will be published and distributed at least seventy-two (72) hours before all regularly scheduled meetings.

#### D. CONFLICT OF INTEREST

1. No Commission member shall cast a vote on any matter that directly affects any of their personal financial interests as described in the Political Reform Act, Government Code 81000 et seq.
2. All Commission members are required to file Conflict of Interest disclosure statements with the Clerk of the Board of Supervisors, in accordance with Nevada County Administrative Code Section A-II 22.4.
3. Members shall serve without compensation, reimbursement or remuneration of any kind and will not receive any compensation and therefore are exempt from the AB 1234 requirement.

#### E. BOARD/COMMISSION COMMUNICATION

Communication from the Commission to the Board shall be accomplished as expeditiously, clearly and completely as possible. Available means for communication are as follows and shall be used as time and circumstances require, but typically in the following order:

1. Minutes prepared by staff, provided to the Clerk of the Board upon approval by the Commission;
2. Periodic verbal and/or written reports to the Clerk of the Board;
3. Ad-hoc information exchange meetings between a Commission representative(s) and a Board representative(s);

### **VII. SUBCOMMITTEES OF THIS COMMISSION**

There are no standing committees of this Commission. If constituted, committees shall be advisory to the Commission and operate under the same provision of these bylaws unless otherwise noted. The Chair of the Commission may appoint no more than three (3) members to serve on an ad-hoc committee.

**VIII. AMENDMENTS**

A. Amendments to these bylaws may be made as follows:

- 1. The proponent shall send the text of any proposed amendment to the Commission Chairperson prior to any regularly scheduled meeting. The Chairperson shall agendize the proposed bylaw amendment and shall read and distribute copies to the Commission at the meeting. The proponent shall have scheduled time to present arguments followed by discussion. The Commission may, by majority vote, refer the amendment to a subcommittee of the Commission. Upon adoption, the bylaws shall be submitted to the Board for approval.

**IX. APPROVAL OF BYLAWS**

- A. These bylaws may be altered, amended or repealed only upon approval and ratification of the Board of Supervisors.
- B. Upon ratification of these bylaws by the Board, an original and signed copy shall be filed with the Clerk of the Board of Supervisors.

**APPROVAL:**

\_\_\_\_\_  
 Brad Fowler, Chair  
 Nevada County Agricultural  
 Advisory Commission

Dated: \_\_\_\_\_

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 Chris de Nijs  
 Nevada County  
 Agricultural Commissioner

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Kit Elliott  
 County of Nevada County Counsel

Dated: \_\_\_\_\_

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 Dan Miller, Chair  
 County of Nevada Board of Supervisors

Dated: \_\_\_\_\_