



See Res. 77-422
77-447
87-183

RESOLUTION No. 92570

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA NEVADA COUNTY FISH AND WILDLIFE COMMISSION BYLAWS

WHEREAS, Resolution No. 77-422 formed the Nevada County Fish and Wildlife Commission, and

WHEREAS, on April 7, 1992, at their regularly scheduled meeting, the Nevada County Fish and Wildlife Commission approved the First Draft of the Commission Bylaws, and

WHEREAS, the Nevada County Fish and Wildlife Commission, at their August 11, 1992 meeting, approved the Final Draft of the Commission Bylaws, and

WHEREAS, County Counsel's office has reviewed the Final Draft of the Commission Bylaws.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT the Board of Supervisors approved the submitted Final Draft Bylaws of the Nevada County Fish and Wildlife Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 1st day of September, 19 92, by the following vote of said Board:

Ayes: Supervisors Todd Juvinall, Jim Callaghan, Jim Weir
"G" "B" Tucker.

Noes: None.

Absent: Bill Schultz.

Abstain: None.

ATTEST;

CATHY R. THOMPSON

Clerk of the Board of Supervisors

By Cathy R. Thompson

Jim Callaghan
Vice Chairman

DATE	COPIES SENT TO
9-2-92	NCFWC c/o Ray Butler
	A-C 4
	Counsel <u>94</u>
11-17-92	Ag Comm

BYLAWS
OF THE
THE NEVADA COUNTY FISH AND WILDLIFE COMMISSION

August 11, 1992

I. STATEMENT OF PURPOSE AND AUTHORITY

- A. The purpose of the Fish and Wildlife Commission shall be:
 - 1. to advise the Nevada County Board of Supervisors on matters concerning the fish and wildlife resources of Nevada 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 utilization, conservation, research, education and management to benefit the County's fish and wildlife assets,
 - 3. to maintain an active Wildlife Committee to advise the County on wildlife-related matters and assist in the allocation of State Department of Fish and Game Funds (1980 Nevada County General Plan; Chapter IV, Conservation and Open Space Element, Policy 5, III-8).
- B. The authority for the formation of this Commission is Board Res. 77-422, 77-447, and 87-183. (Previous authorities may exist-see Ray Conway's appt.)
- C. In accordance with the above authority, staff to the Commission shall be as follows:
 - 1. Legal counsel provided by the County.
 - 2. Secretarial services chosen by the Commission and paid for by the County (Nevada County Counsel C.C. OP. NO. 82-42).
 - 3. Support services chosen and paid for by the Commission from the County Fish and Wildlife Propagation Fund in amounts not to exceed that defined in Section 13103, of the State of California Fish and Game Code.
 - 4. Nevada County "A87" and insurance costs provided and paid for by the County (C.C. OP. NO. 91-2).

- D. Funding for the program needs of the Commission shall be an annual appropriation of the Board of Supervisors from the Fish and Wildlife Propagation Fund. The Commission shall develop a budget at its February meeting each year and forward to the Board for consideration and review. County Counsel will review proposed budget expenditures for compliance with authorities listed in Sect. I(C) above and notify the Board of findings. The approval by the Board of Supervisors of this budget is authorization for the Commission to proceed with implementation of the program.

II. DEFINITIONS

BOARD is the Nevada County Board of Supervisors.

COMMISSION is the Nevada County Fish and Wildlife Commission

FISH AND WILDLIFE RESOURCES means all plants and animals, aquatic and terrestrial, including their habitats.

III. POWERS AND DUTIES

A. POWERS: Advisory only

1. Develop, recommend, and implement an annual program budget.
2. Independently research and report to the Board on issues beneficially or negatively impacting the County's wildlife resources.
3. All other powers as may be assigned by the Board.

B. DUTIES

1. Respond to all Board communications and minute orders.
2. Convene bi-monthly public meetings unless otherwise noted to discuss and conduct business on fish and wildlife issues affecting Nevada County. All meetings, personal conduct of the Commissioners, and Commission communications shall reflect high professional standards.
3. Keep informed of legislation, current wildlife research, and other related matters that may affect the wildlife resources of Nevada County.
4. Notify the Clerk of the Board of any resignations and maintain a current membership roster at all times.
6. Individual Commissioners are obligated to promptly respond to

inquiries regarding fish and wildlife matters from the public.

7. Represent the interests of Nevada County in fish and wildlife matters before all agencies in a professional manner.
8. All other duties as may be assigned by the Board.

IV. ORGANIZATION

- A. This Commission shall consist of nine appointed members.
- B. Officers of this Commission shall be chosen from and by the current members of the Commission and shall consist of the following:
 1. A Chairman who shall be elected at the December 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.
 2. A Vice Chairman who shall be elected at the December meeting by a vote of the members of the Commission and who shall assume the duties of the Chairman in his absence.
 3. The Chairman, with consent of the Commission, may temporarily appoint commission members and assign appropriate title for specific tasks.
- C. All officers shall serve from the day after elected for one calendar year or until the next election. Appointed officers begin service immediately and serve for a time certain or until the task is completed.
- D. The Board may appoint one ex-officio member to the Commission from County staff. The ex-officio member serves as advisor and liaison between the County and the Commission and has no voting privileges.

V. MEMBERSHIP

- A. COMPOSITION OF COMMISSION AND QUALIFICATIONS OF MEMBERS
 1. All members shall be appointed by the Board and serve at the pleasure of the Board or until resigned. Five members are appointed from each Supervisorial District and four are appointed at-large. One at-large member shall be from eastern Nevada County.
 2. All members must be able to dedicate the time necessary to attend meetings and otherwise perform the duties as outlined in Sect. III(B)

above.

B. FILLING MEMBERSHIP VACANCIES

1. District Members shall be appointed and serve at the pleasure of the Supervisor from the respective district.
2. Members at Large shall be appointed by the Board, by consent of the full Board, and shall serve at the pleasure of the full Board.

C. REMOVAL OF MEMBERS

1. A member may be recommended to the appropriate appointing authority for removal upon the unexcused absence of the member for three consecutive meetings or more than half the meetings in any 12 month period.
2. By majority vote at a properly noticed meeting, the Commission may recommend to the appropriate appointing authority that a member be removed for malfeasance of office or dereliction of duty.

VI. CONDUCT OF BUSINESS

A. QUORUM

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

B. MEETINGS

1. Regular meetings of the Commission shall be on the first Tuesday of February, April, June, August, October and December. The October meeting is held at a noticed location in the Truckee Area. All other meetings are held the Board Chambers of the Eric Rood Administrative Center unless otherwise noticed. All meetings convene at 7:30 p.m.
2. A special meeting may be called by the presiding officer or by a majority of the members of the

Commission. Written notice of the special meeting shall be received, either by personal delivery or mail, within 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 24 hours prior to the special meeting in a location that is freely accessible to members of the public. The Commission shall comply with the notice and conduct requirements of Government Code Section 54946 prior to and during such special meeting.

3. In the event a special meeting of the Commission is called, an agenda specifying the time and place of the special meeting as well as the business to be transacted shall be delivered personally or by mail at least 24 hours in advance of the special meeting to each member of the Commission and to each local newspaper of general circulation and each radio and television station requesting notice in writing. The agenda shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

C. OPEN MEETING LAW AND AGENDA

1. This Commission is subject to the California State Statute requiring open meetings (Brown Act).
2. Agendas will be published and distributed ten days 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 interests.
2. If a Commission member disqualifies him(her)self from voting, a quorum shall not require the member for action on the item under consideration.

E. COMPENSATION

1. All officers and members of this Commission shall serve without compensation.
2. Provision for reimbursement for actual expenses of this commission shall be made in the annual budget unless subsequently recommended by the Commission and approved by the Board.

VII. SUBCOMMITTEES OF THIS COMMISSION

- A. There are no subcommittees of this Commission. If constituted, subcommittees shall be advisory to the Commission and operate under the same provisions of these bylaws unless noted.

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 Chairman at least 15 days prior to any regularly scheduled meeting. The Chairman shall agendize the bylaw and shall read and distribute copies to the commission at the meeting. The proponent shall have scheduled time to present arguments followed by discussion. This process is the "first reading". The Commission may by majority vote refer the amendment to a subcommittee of the commission.
 - 2. The bylaw amendment shall again be agendized for the next meeting after the first reading at which time the Commission may accept, reject, or re-refer to subcommittee the amendment.
 - 3. Emergency amendments processed with the advice and consent of legal counsel may be considered as immediate items on the commission agenda and may be acted on at a single meeting by a majority vote of the members present.

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 of Nevada County.

APPROVAL AND RATIFICATION

1. Nevada County Fish and Wildlife Commission:

Date: AUGUST 11, 1992

R.W. Miller, Chair

2. Agricultural Commissioner:

Date: 8-24-92

Paul Beck

3. County Counsel:

Date: 8/25/92

J. Curtis

4. Board of Supervisors:

Date: 9-1-92

*Cathy Thompson
Clerk of the Bd.*