



RESOLUTION No. 18-304

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AMENDING RESOLUTION 87-183 AND 92-570, AMENDING THE NEVADA COUNTY FISH AND WILDLIFE COMMISSION BY-LAWS

WHEREAS, Resolution 77-422 formed the Nevada County Fish and Wildlife Commission; and

WHEREAS, Resolution 87-183 increased the membership of the Nevada County Fish and Wildlife Commission; and

WHEREAS, Resolution 92-570 created the Bylaws under which the Nevada County Fish and Wildlife Commission operates; and

WHEREAS, numerous revisions to these Bylaws were ratified by the Board of Supervisors since then; and

WHEREAS, the Commission currently operates with many vacancies on the commission and meetings have been canceled due to the inability to have a quorum present; and

WHEREAS, on April 3, 2018, at their regularly scheduled meeting, the Nevada County Fish and Wildlife Commission approved the reduction of commission members in the First Draft of the Commission's revised Bylaws; and

WHEREAS, the Nevada County Fish and Wildlife Commission, at their June 5, 2018 meeting, approved the reduction of commission members from nine (9) to five (5) members in the Final Draft of the Commission's revised Bylaws; and

WHEREAS, the Nevada County Fish and Wildlife Commission also approved that each member of the Board of Supervisors appoint one member, from residents of the County at-large, with no more than two (2) members from any one supervisorial district; and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Nevada, approves and ratifies the amended Nevada County Fish and Wildlife Commission by-laws and authorizes the Chair of the Board of Supervisors to execute the amended by-laws.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 26th day of June, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward Scofield, Chair

6/26/2018 cc: AgComm* (Hold)

7/25/2018 cc: Ag. Comm. (1)
AC* (release)

**BYLAWS
OF THE
NEVADA COUNTY FISH AND WILDLIFE COMMISSION**

Amended 6-5-2018

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 those 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.1(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. The Commission shall Develop, recommend, and implement an annual program budget.
2. The Commission shall independently research and report to the Board on issues beneficially or negatively impacting the County's wildlife resources.
3. The Commission shall exercise all other powers as may be assigned by the Board.

B. DUTIES

1. The Commission shall respond to all Board communications and board orders.
2. The Commission shall 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. The Commission shall keep informed of legislation, current wildlife research, and other related matters that may affect the wildlife resources of Nevada County and bring any recommendations to the Board.
4. The Commission shall notify the Clerk of the Board of any resignations and maintain a current membership roster at all times.

5. Individual Commissioners are obligated to promptly respond to inquiries regarding fish and wildlife matters from the public.
6. The Commission shall represent the interests of Nevada County in fish and wildlife matters before all agencies in a professional manner. If communicating a legislative position, Commission members must have the endorsement or approval of the Board of Supervisors.
7. The Commission shall carry out all other duties as may be assigned by the Board.

IV. ORGANIZATION

- A. This Commission shall consist of five 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 February 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 Chairman shall not serve more than two (2) consecutive terms unless other members are unwilling to serve as Chairman, whereas the current Chairman could continue to serve on a year-to-year basis.
 2. A Vice Chairman who shall be elected at the February 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 the Agricultural Commissioner 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. The Commission shall consist of Five (5) members. Each member of the Board of Supervisors is entitled to appoint one member, from among residents of the County at-large. However, no more than two (2) members may come from one (1) supervisorial district. Members will serve at the pleasure of their appointing Supervisor.
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. REMOVAL OF MEMBERS

1. For the following reasons, the Commission may, by a majority vote at a properly noticed meeting, make a recommendation to the Board of Supervisors that a member be removed from the Commission:
 - a. Unexcused absences of three consecutive meetings or more than half the meetings in any 12 month period; or
 - b. Malfeasance of office or dereliction of duty.

VI. CONDUCT OF BUSINESS

A. QUORUM

1. Three 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 at the Board Chambers of the Eric Rood Administrative Center unless otherwise noticed. All meetings convene at 6:00 p.m.
2. A special meeting may be called by the presiding officer or by a majority of the members of the Commission. Notice 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 paper of general circulation, radio, and television station requesting notice in writing. Such written notice shall be posted at least 24 hours prior to the 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 at least 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 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 standing 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 72 hours 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.

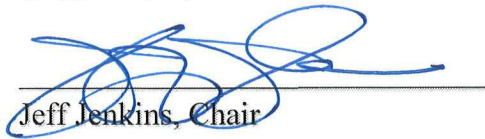
IX. APPROVAL OF BYLAWS

- 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: 7/3/18


Jeff Jenkins, Chair

2. Agricultural Commissioner:

Date: 6/29/18


Chris de Nijs

3. Board of Supervisors:

Date: 7/23/18


Edward C. Scofield, Chair

4. County Counsel, approved as to form and content:

Date:


Alison Barratt-Green