

BCRC Bylaws

ARTICLE I LEGAL BASIS FOR REGIONAL PLANNING COMMISSION

24 V.S.A., Chapter 117, Vermont Municipal and Regional Planning and Development Act constitutes the legal authority for the establishment, existence, duties and responsibilities of the Commission.

ARTICLE II NAME

The name of this regional planning commission shall be the Bennington County Regional Commission (BCRC).

ARTICLE III PURPOSE

The general purpose of the Bennington County Regional Commission, ~~hereinafter called the BCRC,~~ shall be to guide the implementation and continuation of the regional plan, assist the member towns and promote the health, safety, order convenience, prosperity and welfare of the inhabitants of the region. The Commission shall have all the powers conferred by law upon regional planning commissions.

ARTICLE IV MEMBERSHIP, REPRESENTATION AND VOTING

Section 1 Membership

All municipalities including the towns and villages of the Bennington Planning Region shall be considered members of the Commission. These municipalities are: Arlington, Bennington, Dorset, Glastenbury, Landgrove, Manchester, Manchester Village, North Bennington Village, Old Bennington Village, Peru, Pownal, Rupert, Sandgate, Shaftsbury, Stamford, Sunderland, and Woodford. Additional municipalities may be admitted to membership by an affirmative majority vote of the Commissioners voting.

Section 2 Representation

Representation on the Commission shall be by the Commissioners. The legislative body of each member town shall appoint at least one but not more than two Commissioners for terms specified by the legislative body. The legislative body of the incorporated Villages and the Town of Glastenbury shall each appoint one Commissioner. Other persons representing ~~broad~~ specific interest groups in the region or having special expertise or interest may be admitted to membership by an affirmative majority of the Commissioners voting. Persons so appointed shall serve for a one-year term, which may be extended year-to-year by reappointment.

~~Notwithstanding the above provision, any town which has appointed three Commissioners to the Commission on or before August 1, 1996, may continue to have three representatives until June 1, 1997. On or before such latter date, the legislative body of the Town shall notify the Executive Director which two representatives shall continue to serve as Commissioners. In the absence of such notification, the Commissioner most recently appointed to the Commission by such Town shall no~~

~~longer be entitled to act as a Commissioner from such Town, however will be eligible for election to the Commission pursuant to the preceding paragraph. This paragraph shall expire June 2, 1997.~~

The Chair of the Commission or his/her designee shall be the representative to the State Council of Regional Commissions. The representative shall attend meetings of the Council and report to the Commission on the Council's activities. Other duties of the representative shall be as defined by the Council.

Section 3 Voting

Each Commissioner shall be entitled to one vote at Commission proceedings. Except as stated below, or in Article VIII, any issue brought before the Commission may be decided only by an affirmative majority of the Commissioners voting. ~~Only Commissioners representing municipalities which comply with Article V hereof shall comprise the voting membership.~~ Only the municipal representatives shall vote on the Regional Plan and confirmation or approval of municipal plans and processes. Regional Plan adoptions, amendments or changes, as well as municipal plan confirmations must receive the requisite number of Commissioner votes required by 24 VSA Chapter 117.

ARTICLE V MUNICIPAL APPROPRIATIONS TO THE COMMISSION

Member municipalities of the Commission shall appropriate funds pursuant to 24 U.S.A., Chapter 117, Section 4362. The proportion of the expenses of the Commission to be borne, respectively, by the member municipalities shall be in a ratio which takes into account population based on the latest U.S. Census or official population estimates of the State. The population of any incorporated village shall be deducted from the population of the town containing any such village when calculating the assessment. The Executive Committee may add to or modify the formula to achieve greater equity.

ARTICLE VI OFFICERS AND STAFF

Section 1 Officers

The Officers of the Commission shall include a Chair, Vice-Chair, Secretary and Treasurer. The Commission shall elect its Officers from among its ~~municipal~~ members.

Section 2 Staff

The staff of the Commission may include an Executive Director and other necessary administrative and technical staff as the Commission determines. Duties and compensation, if any, will be established by the Executive Committee at the time a position is created or filled.

Section 3 Nomination of Officers

A Nominating Committee of three Commissioners shall be appointed by the Chair of the Commission at least 60 days in advance of the Commission meeting held in May of each year. The Nominating

Committee shall render its report of nominations to fill ensuing vacancies at least twenty days prior to the May meeting. The Nominating Committee may nominate one or more candidates for each office.

The report of the Nominating Committee and a ballot shall be mailed to all Commissioners entitled to vote not less than 15 days in advance of the May meeting. Commissioners are privileged to vote for or nominate any qualified person whether or not he or she be nominated by the Nominating Committee.

Section 4 Election of Officers

The officers of the Commission shall be elected by the affirmative written ballots of a majority of the Commissioners voting. The ballots shall be cast and counted, with the results of the ballot ~~(shall be)~~ ascertained and announced at the May meeting of each year.

Section 5 Terms of Office

The terms of office of all officers shall begin immediately after the May meeting of each year at which they are declared elected and shall end immediately after the May meeting of each year at the end of their term; but officers shall hold office until their successors have been elected and installed.

Section 6 Vacancies

In the event that any office is vacated, such office ~~shall~~ may be filled by a majority vote of the Commissioners voting at the next Commission meeting. Officers so elected are to hold office only for the balance of the current term or until their successors are elected and installed.

Vacancies in the position of Commissioner shall be filled by the legislative body of the municipality where the vacancy occurs, and such appointments shall be for the length of the unexpired term of the position vacated.

Section 7 Duties of Officers and Staff

The Chair shall call and preside at meetings of the Commission and shall, except as otherwise provided, create and discharge standing committees and special committees and serve as a non-voting ex-officio member of all committees, except in the case of a tie when he or she shall vote and shall perform such other duties as are customary to the office.

The Vice-Chair shall act as Chair in the absence or incapacity of the Chair.

The Secretary shall perform such duties as are customary to the office, including responsible direction of such secretarial duties as are assigned by the By-Laws, and shall put into effect the directives of the Commission.

The Treasurer shall perform such duties as are customary to the office, including responsible direction of such financial duties as are assigned by these By-Laws, and he or she shall put into effect the directives of the Commission. The Treasurer as a customary duty of the office is authorized by the

Commission to borrow such funds as are required for its operation in anticipation of annual revenues. The Treasurer shall be bonded for the faithful performance of duties if and when so voted by the Commission in an amount to be determined and approved by the Commission. The premiums for such a bond shall be paid from Commission funds.

An Executive Committee of the Commission shall consist of the Officers and an additional member appointed by the Chair. This Committee shall assist and act on budgets, financial reports, contracts, audits, Act 250 proceedings, or other duties of the Commission provided, however, that any significant actions shall be reported to the full Commission and such actions shall be subject to rescission or amendment by the Commission.

The Executive Director or designee shall be in charge of the Office and all other employed staff, shall conduct a regional planning and community development program, subject to the approval of the Commission within the framework of 24 V.S.A., Chapter 117, and shall be in charge of all general correspondence of the Commission. In addition to the duties as Executive Director for the Commission, the Executive Director shall assist the offices of Secretary and Treasurer, and in this capacity shall be responsible for keeping minutes of all meetings of the Commission; shall notify Commissioners of the election to office or appointment to committees; shall receive all money due the Commission; shall prepare an annual budget, including estimated revenues and expenditures for the fiscal year; shall disburse the funds in accordance with the budget and as authorized by the Treasurer, and shall keep accounts which shall at all times be open to inspection of the Commission and which shall be submitted for an annual auditing as prescribed by the officers. The Executive Director shall further undertake such other duties as the Commission shall assign and shall follow its instructions.

Section 8 Equal Employment Policy

It is the policy of the Bennington County Regional Commission that no person seeking employment or having business with the Commission shall be discriminated against for reasons of race, religion, color, sex, sexual orientation, gender identification, disability status, or place of national origin. The BCRC adheres to its duly adopted Title VI Public Participation Plan for Non-Discrimination in Federally Assisted Programs.

The Executive Director shall take affirmative steps to insure that this policy is followed.

Section 9 Annual Reports

The ~~Chair, Executive Director, Secretary and Treasurer~~ shall prepare annual written reports which shall be presented to the Commission and all member municipalities at a consistent time each year. ~~at its meeting held in May of each year.~~

ARTICLE VII MEETINGS

Section 1 Regular Meetings

There shall be a meeting held on the third Thursday of May each year, which shall be the annual meeting. There shall be at least five other meetings held each year at a time and place to be determined by the Commission.

Section 2 Additional Meetings

Additional meetings may be called by the Chair or by a petition signed by a majority of the Commissioners.

Section 3 Notice of Meetings

At least seven days prior notice of all meetings of the Commission shall be given by the Executive Director, Chair, or Secretary to all Commissioners.

Section 4 Minutes of Meetings

Minutes of all meetings of the Commission shall be kept by the Secretary or Executive Director.

Section 5 Quorum

Representation from a majority of municipalities having voting members on the Commission shall constitute a quorum for the transaction of business at meetings of the Commission.

ARTICLE VIII AMENDMENTS OF BY-LAWS

These By-Laws may be amended, altered, changed, added to or repealed by the affirmative vote of a majority of the members entitled to vote at a meeting of the Commission upon ~~60~~ 45 days notice of the proposed amendment, alteration, change, addition or repeal.