

BY-LAWS OF THE JOINT CITY OF BRIGHTON AND ADAMS COUNTY DISTRICT PLAN COMMISSION

Article I - Name and Authorization

- A. The Commission's name shall be the District Plan Commission.
- B. The District Plan Commission (“Commission”) was created by the City of Brighton on January 3, 2017 and the Adams County Board of County Commissioners on December 13, 2016.¹

Article II - Purpose and Duties

A. Purpose of the Commission

Act as ambassadors for the implementation of the District Plan and advise the Brighton City (“City”) Council and the Adams County (“County”) Board of County Commissioners and City and County staff on implementation and action items as outlined in the District Plan.

B. Duties

1. Promote farming-supportive businesses, agritourism, agriculture and land preservation, and create awareness through education, marketing and promotional activities;
2. Review and make recommendations on amendments to the District Plan;
3. Provide comments via the referral process on public improvements and/or land use or development cases to be considered by the County or City Planning Commission within the District Plan study area or for rezoning and development on property zoned or requesting a rezoning to the District Plan Mixed Use Zone;
4. Make recommendations to the County Parks and Open Space Advisory Board on Open Space Sales Tax fund applications and advise County and City staff on land purchases for open space and land leases for agricultural preservation within the District Plan Study Area;
5. Respond on its own initiative, or to any request for information, to the Board of County Commissioners or the City Council on matters pertinent to the District Plan Study Area, insofar as the issue relates to the interests of agriculture, agricultural land preservation, agritourism or supportive infrastructure or systems;
6. Respond to requests for technical assistance from the public and/or to provide public information or public education services such as brochures, hosting expert speaker’s panels or workshops regarding agricultural practices, agricultural land preservation, agritourism or other topics inherent to the District Plan.

Article III - Guidelines

- A. The District Plan Commission has no authority other than to serve in an advisory capacity to the City Council and Board of County Commissioners.
- B. The District Plan Commission shall serve as advisors to the City and County regarding the implementation of the District Plan and to advise the City and County on implementation and action items as outlined in the Plan.

¹ The Intergovernmental Agreement (IGA) between the City of Brighton and Adams County for the District Plan Commission, and each jurisdiction’s corresponding adoption resolution, serve as the enabling legislation establishing the District Plan Commission. Please see these documents for addition information.

- C. A quorum will consist of five voting members and decisions will be made by simple majority of members present; a tie vote will defeat a motion.
- D. The affirmative vote of seven members of the Commission will be necessary to amend the District Plan. A nine member Commission must be present and eligible to vote on the matter at the Commission hearing on the amendment. If a nine member Commission is not available, the matter shall be continued until the next regularly scheduled Commission meeting. If, after the matter has been continued once due to lack of a full Commission, a full Commission is still unable to be seated, the Chairperson may call for a vote of the Commission to proceed to hear the matter. The vote to proceed may be decided by a simple majority of the quorum. The affirmative vote of seven members of the Commission is still required to amend the District Plan.

Article IV- Membership

- A. Members. The Commission will consist of nine members, four members appointed by the City and five members appointed by the County. Appointments by the elected officials will be done in a manner determined by each jurisdiction.
- B. Members should consist of a balance of persons who have experience or interest in the many fields and topics described in the District Plan's areas of implementation, including, but not limited to, agriculture, tourism, food systems, animal husbandry, ranching, economic development, transportation, innovation, sustainability, or have demonstrated a willingness to serve for the enhancement of the community.
- C. Appointments. Commission appointments will be made initially for two and three-year terms. After the initial appointments all terms will be for three-year terms. In the initial appointments, the County will appoint two two-year and three three-year terms for members and the City will appoint two two-year and two three-year terms for members.
- D. Vacancies. A vacancy may be declared on the Commission for any of the following causes:
 - 1. A member is absent from three consecutive regularly scheduled meetings in a given calendar year without being excused by the Chair. All absences will be recorded in the meeting summary. Absences for emergency or specially called meetings will not be recorded against a member in calculating absenteeism.
 - 2. A member resigns prior to the end of the term or for any other reason cannot serve the full term.
- E. How Vacancies are Filled
 - 1. The Commission Chairperson shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the staff of the jurisdiction from which the vacancy arises. It will be the responsibility of the City and County to ensure the appointment of new member at the soonest opportunity.
 - 2. Vacancies will be advertised in a manner determined by the City and County policy.
 - 3. Terms shall be limited to two three-year terms.

Article V- Member Responsibilities

- A. All member votes are equal. Member responsibilities include:
 - 1. Attending one regularly scheduled meeting per month.

2. Being responsible for assigned tasks.
 3. Election of Officers from within the Commission: Chairperson, Vice-Chairperson and Secretary.
 - a. A majority vote of regular members present is required to elect a Chairperson. If the prevailing candidate is present and does not decline, the new Chairperson will assume office immediately and conduct the election of the Vice-Chairperson and Secretary. The same procedure will be utilized in the election of the Vice-Chairperson and the Secretary.
 - b. The Chairperson's term shall be for one year. The Chairperson may be elected for consecutive terms during his/her tenure on the Commission. Elections shall be held the first business meeting of the year following the annual reorganization of the Commission.
 - c. The Chairperson shall conduct all meetings.
- B. The Chairperson's responsibilities include:
1. Setting the Agenda.
 2. Presenting formal requests and recommendations to the City or the County.
 3. Assigning tasks to Commission members.
 4. Serving as a contact person for City or County staff.
- C. Electing a Vice-Chairperson from within the Commission.
1. The Vice-Chairperson's term shall be for one year, and he or she shall serve at the pleasure of the commission. The Vice-Chairperson may be elected for consecutive terms during his/her tenure on the Commission. Elections shall be held the first business meeting of the year following the annual reorganization of the Commission.
 2. The Vice-Chairman shall assume the duties of the Chairperson in the case of his or her absence.
- D. Electing a Secretary from within the Commission.
1. The Secretary's term shall be for one year, and he or she shall serve at the pleasure of the commission. The Secretary may be elected for consecutive terms during his/her tenure on the Commission. Elections shall be held the first business meeting of the year following the annual reorganization of the Commission. The Secretary shall assume the duties of the Chairperson in the case of the absence of both the Chairperson and Vice-Chairperson. The Secretary shall conduct roll call votes.

Article VI - Staff Responsibilities for the Commission

- A. Staff will have the responsibility of informing the Commission of events, activities, policies, programs, etc., occurring within the scope of its functions and to make members aware of all City or County requests for information or input.
- B. Staff will assemble information needed by the Commission in order for the Commission to perform its duties. Staff will prepare a written agenda, which shall be e-mail or mailed to Commission and Staff members at least six days in advance of the scheduled meeting.
- C. Staff will ensure accurate records are kept.
- D. The City and the County shall provide staff representation to the Commission.

Article VII- General Rules of Order

The following are general rules of order and apply to the conduct of business at all District Plan Commission Meetings:

- A. A motion before the Commission may be made only by members of the Commission. No motions may be made from the floor by any member of the general public. Any motion made must be seconded by another member of the Commission prior to the vote. After the motion and second, the Chairperson shall restate the motion and ask for discussion from members of the Commission and staff. After all interested Commission and staff members have had an opportunity to speak, the Chairperson shall ask for a voice vote of all Commissioners in favor of the motion. Commissioners in favor shall indicate their vote by saying "aye" or "yes." The Chairperson shall then ask for a voice vote of Commissioners opposed to the motion. Commissioners opposed shall indicate their vote by saying "nay" or "no." If any member questions the outcome of the vote, he or she may request a roll call vote.
- B. Each Commission member is entitled to only one vote. There shall be no proxy voting.
- C. Any Commission member who actually or potentially has a conflict of interest with regard to any business before the Commission or whose participation would otherwise violate the appearance of fairness, shall disqualify himself or herself from voting or participating in the discussion and deliberations in any motion concerning such business. When a Commission member has so disqualified himself or herself, the member shall neither sit on nor preside over the Commission during discussion and voting on the matter.
- D. A potential conflict of interest or violation of the appearance of fairness exists when a Commission member has a direct, personal interest in the outcome of the proceeding beyond that of the general public. A potential conflict may arise due to a financial interest, a business or employment relationship, a family relationship, or prior statements or actions, and other actions or relationships.
- E. Any question or issue as to the proper procedure for conducting business at any District Plan Commission meeting that is not resolved by the above rules of order shall be resolved by the Chairperson.
- F. The Commission shall reserve time for public comment at the end or the beginning of each meeting, as noticed on the agenda in accordance with Article V.A. Each member of the public, after recognition by the Chair, will be granted three minutes to address the Commission.
- G. The Chairperson may call a special meeting outside of regularly scheduled meetings as needed. The Chairperson shall determine the availability of a quorum prior to directing staff to notice the meeting to the public. Special meetings shall be noticed to the public a minimum of forty-eight (48) hours prior to the start of the special meeting.
- H. The Chairperson may cancel a regular scheduled or special meeting for reasons such as inclement weather, a lack of business, or a lack of a quorum. The cancellation of meetings shall be noticed to the public with as much notice as is practicable prior to the scheduled meeting time and date.

Adopted June 16, 2017