

The Clinton County Agriculture Preservation Board, in accordance with provisions contained within Act 149, have adopted the following rules of procedures and bylaws governing the operation of the County Board:

## **Clinton County Agriculture Preservation Board Bylaws**

### **Section I Authorization of Program**

- I.1 The Clinton County Board of Commissioners in August 6, 1993, authorized and appointed a seven member Agriculture Preservation Board according to the provisions of Pennsylvania Act 43, as amended, to administer the purchase of conservation easements in Clinton County.

### **Section II County Board Bylaws**

- II.1 The Clinton County Agriculture Preservation Board has drafted and will follow a set of bylaws. These bylaws address the purpose of the program and board, membership, voting, officers, finance, meetings, and amendment procedure.
- II.2 The official Clinton County Agriculture Preservation Board Bylaws are as follows:

#### **Article I Name**

- 1.1 The name of this nonprofit organization shall be called The Clinton County Agriculture Preservation Board. For the purposes of these bylaws, it will be referred to as the "board."

#### **Article II Purpose**

- 2.1 It is the purpose of the Clinton County Agriculture Land Preservation Program to protect viable agricultural lands by acquiring agricultural conservation easements which prevent the development or improvement of the land for any purpose other than agricultural production. Further, it is the purpose of this program to:
- 1 Encourage landowners to make a long-term commitment to agriculture by offering them financial incentives and security of land use;
  - 2 Protect normal farming operations in agricultural security areas from incompatible non-farmland uses that may render farming impracticable;
  - 3 Protect farming operations from complaints of public nuisance against normal farming operations;

- 4 Assure conservation of viable agricultural lands in order to protect the agricultural economy of this county and the Commonwealth;
  - 5 Provide compensation to landowners in exchange for their relinquishment of the right to develop their private property;
  - 6 Maximize agricultural easement purchase funds and protect the investment of taxpayers in agricultural conservation easements; and
  - 7 Develop fair, equitable, objective, non-discriminatory procedures for determining easement purchase priorities and adopt written policies and guidelines for purchasing easements.
- 2.2 The purpose of the board will be to administer the county program as set forth in Act 149 of 1988 and administer any other public program approved by county governing body for the purpose of preserving agricultural land.

### Article III Membership

- 3.1 The membership of the board will be as specified in the state guidelines and will be appointed by the County Commissioners.
1. The Board shall be comprised of seven members. Annually the Chairperson of the Board of the County Commissioners shall designate one member of the Board to act as chairperson of the Board.
  2. Two members of the Board shall be active resident farmers and serve an initial three year term.
  3. One member of the Board shall be a member of a township or borough governing body within the County and serve an initial two year term.
  4. One member of the Board shall be a commercial, industrial or residential contractor and serve an initial one year term.
  5. Three members of the Board shall be selected at the pleasure of the County Commissioners and serve an initial one year term.
  6. Upon expiration of the initial terms stated above, all terms of members shall be three years.
  7. The Board will also include appropriate non-voting ex officio members who have expertise in appropriate areas. These members shall be known as the Advisory Board and be appointed by the Clinton County Board of Commissioners.
  8. The Board may also include Director(s) Emeritus, at the discretion of the County Board of Commissioners, who shall be any Director deemed to have made appreciable contributions to the Board and to agriculture, while serving as a Director on this Board.

9. In the event of a vacancy on the Board, the Clinton County Board of Commissioners shall appoint a person to serve for the balance of the term vacated.

### 3.2 Removal from County Board.

Any board member may be removed from the Board for malfeasance, misfeasance, or nonfeasance in office or for other just cause by the majority vote of the County Commissioners, after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

## Article IV Voting

- 4.1 Each member of the Board will be allowed to cast one vote and must be present at the meeting to vote. All motions must be approved by a majority of members at a meeting.

## Article V Officers & Duties

- 5.1 The board will have the following officers:

1. Chairperson. The member of the board who serves as Chairperson will be selected by the Chairperson of the Board of the County Commissioners. The Chairperson shall preside at all the meetings of the board, call special meetings, establish committees, appoint committee chairperson, and delegate other tasks and assignments as may be appropriate.
2. Vice-Chairperson. The member of the board who serves as Vice-Chairperson will be elected annually by the vote of the board. The Vice-Chairperson shall preside at all board meetings in the absence of the Chairperson and assist Chairperson in his or her duties when ask to do so.
3. Secretary. The staff person for the board may serve as Secretary and will have no vote. The Secretary will be responsible to record the minutes of all meetings of the board in written form and present minutes of previous meetings to the board. The Secretary will coordinate all correspondence for the board.

## Article VI Finance

- 6.1 All monies received via county, state, or private funds shall be used for the purpose of protecting viable agricultural farmland in Clinton County.

1. No member of the Board shall be liable for the debts of the Board.
2. No net income of the board shall accrue to the benefit of any member with the exception of purchasing conservation easements consistent with Act 149 of 1988.
3. Board members who have a personal or private interest in any measure proposed or pending before the board shall disclose the fact to the board and shall not vote thereon.

4. All members and employees of the Board shall comply with the provisions of the Public Official and Employee Ethics Law, 65, P. S. Sections 401-413.

## Article VII Meetings

### 7.1 Meetings of the Board will be as follows:

1. Regular. The Board will meet as needed. The first meeting of the calendar year will be a reorganization meeting. At the reorganization meeting a vice-chairperson will be elected and a secretary shall be appointed. Meeting dates, time, and place shall be established but can be changed at any time pending a simple majority vote.
2. Special. The Board may meet at any day, time or place in a special meeting to carry out important business. The meeting may be called by the Chairperson, or by a petition to the Secretary from a quorum of board members. Advance notice shall be given to all board members of any special meeting to be held.
3. All meetings shall require a quorum of a simple majority of the Board to conduct business. Meetings shall be in compliance with the provisions of the Act of July 3, 1986, (P.L. 388, No. 84) known as the Sunshine Act, and with the Right-To-Know-Law (Act of June 21, 1957, P.L. 390, No. 212). Robert's Rules of Order shall apply to all events not otherwise covered by the bylaws.

## Article VIII Amendments

- 8.1 These bylaws may be amended by a simple majority vote of the members of the Board. The secretary shall provide written notification of all proposed bylaws changes to all Board Members at least fifteen (15) Days prior to a vote at a regular or special meeting.

The above bylaws were amended at a board meeting dated March 9, 2005 and noted in the Secretary's Minutes.