

City of Lewiston

Cemetery and Urban Forestry Commission Bylaws

Article I. Name

The name of this advisory board or commission is the Cemetery and Urban Forestry Commission, hereafter referred to as the Commission.

Article II. Membership

The Commission shall consist of seven (7) voting members.

Article III. Officers

- A. The officers of the Commission shall be a chairperson and vice-chairperson elected from among the Commission members at the first regularly scheduled meeting in January, or at such other time as the Commission deems feasible.
- B. Officers shall serve a term of one (1) year from the meeting at which they are elected and until their successors are duly elected.
- C. The chairperson shall preside at all meetings of the Commission, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Commission, serve as an *ex officio* voting member of all committees, and generally perform all duties associated with that office.
- D. The vice-chairperson, in the event of the absence or disability of the chairperson or of a vacancy in that office, shall assume and perform the duties and functions of the chairperson.
- E. In the event of the absence of the chairperson and vice-chairperson, those Commission members present shall elect, by majority vote, a temporary chairperson for that meeting. Should the chairperson or vice-chairperson arrive, the temporary chairperson shall relinquish the chair upon the conclusion of the item of business then in consideration before the Commission.

Article IV. Meetings and Minutes

- A. All Commission meetings shall be governed by the Idaho Open Meetings Law, I.C. §§ 74-201 *et seq.*; and all Commission records shall be subject to the Idaho Public Records Act, I.C. §§ 74-101 *et seq.*, and the City of Lewiston records retention schedule.
- B. Regular meetings shall be held on the fourth Wednesday of each month at 5:30 PM at the Lewiston Community Center or at such other location or time as shall be designed in advance. If a day fixed for a regular meeting falls on a holiday recognized by the City of Lewiston, then such meeting shall be cancelled.
- C. Special meetings may be called by a consensus of the Commission, the chairperson, or the staff liaison. If the time and place of a special meeting has not been determined at a regular meeting with all Commission members present, then a notice of the time and place of the special meeting shall be sent to all Commission members as soon as practicable.

D. Unless otherwise provided by law, a quorum for the transaction of business at any meeting shall consist of a majority of the currently appointed voting members of the Commission.

E. Meeting minutes of the Commission shall comply with Idaho Code Title 74, Chapter 2. Meeting minutes shall be maintained in accordance with the City of Lewiston records retention schedule.

Article V. Rules of Debate

A. *Recognition by chairperson and interruptions prohibited.* A Commission member desiring to speak at a meeting shall address the chairperson and, upon recognition by the chairperson, shall confine himself or herself to the question under debate. A Commission member, once recognized by the chairperson, shall not be interrupted when speaking.

B. *Call for the question.* A Commission member may call for the question upon being recognized by the chairperson. If the motion to call for the question is seconded, debate shall not be allowed, and the motion must be approved by two-thirds (2/3) of the Commission members present. If the motion is so approved, the Commission shall immediately vote on the underlying question without further debate.

Article VI. Committees

A. As authorized by the Commission, the chairperson may appoint committees of one (1) or more Commission members and/or members of the community at large, each for such specific purposes as the business of the Commission may require from time-to-time. A committee shall be considered to be discharged upon completion of the purpose for which it was appointed and after a final report is made to the Commission.

B. All committees shall make a progress report to the Commission at each Commission meeting.

C. No committee shall have other than advisory powers unless, by suitable action of the Commission, it is granted specific power to act.

D. All committee meetings shall be governed by the Idaho Open Meetings Law, I.C. §§ 74-201 *et seq.*; and all committee records shall be subject to the Idaho Public Records Act, I.C. §§ 74-101 *et seq.*, and the City of Lewiston records retention schedule.

Article VII. General

A. *Voting.* An affirmative vote of the majority of all Commission members present at the time shall be necessary to approve any action before the Commission. A motion shall fail if votes upon such motion are tied. The chairperson may vote upon and may move or second a proposal before the Commission. Unless otherwise provided by law, every Commission member present when a question is put forth shall vote for or against the same. Unless excused from voting, if a Commission member refuses or fails to vote, and the result of such refusal or failure creates a tie, that Commission member's vote shall be counted as an "aye." If a Commission member is excused from voting, that member may be counted for purposes of determining a quorum, but shall not be counted toward the minimum number of votes required to pass or reject a motion.

B. *Conflicts of interest.* Commission members shall adhere to the applicable provisions in Idaho Code regarding conflicts of interest.

C. *Conflicts.* In the event of a conflict between a provision in these Bylaws, the Lewiston City Code, and/or Idaho Code, the order of priority shall be Idaho Code, the Lewiston City Code, and these Bylaws.

D. *Amendments.* The Commission may amend the number of voting members (Article II); when officers will be elected and the duties of additional officers, if applicable (Article III); and the date, time, and location of regular meetings (Article IV) upon majority vote of the full Commission; approval from the City Council shall not be required to amend such provisions. However, the remaining provisions of these Bylaws shall not be amended by the Commission without prior approval from the City Council.

These Bylaws were adopted by the Commission on Wednesday, July 15th, 2020. These Bylaws shall replace and supersede any previously-adopted Bylaws of the Commission.