

Appendix V. SAMPLE MULTI- MUNICIPAL EAC BYLAWS

THE FRENCH CREEK ENVIRONMENTAL ADVISORY COUNCIL BYLAWS

ARTICLE 1 NAME OF COUNCIL

The name of this organization shall be the French Creek Environmental Advisory Council.

ARTICLE 2 AUTHORIZATION

The authorization for the establishment of this Advisory Council is set forth in Act 148 of 1973, authorizing the creation of an Environmental Advisory Council, the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, and the Seventh Class County Code, _____, _____, P.L. _____; 19__ P.L. _____ as amended, P.S. Section _____ et seq.

ARTICLE 3 PURPOSE

The French Creek Environmental Advisory Council (FCEAC, EAC, Advisory Council, or Council) organized under these bylaws shall have power to identify environmental problems and recommend plans and programs to the appropriate agencies for the promotion and conservation of the natural resources and for the protection and the improvement of the quality of the environment within its territorial limits; and shall advise the appropriate governmental agencies, including but not limited to the county planning commission, local planning commissions and recreation and park boards, and to elected governing body or bodies within its territorial limits.

ARTICLE 4 MEMBERSHIP

Section 1 – The EAC shall be comprised of six appointed persons, two of whom shall be residents of the City of Meadville, two of whom shall be residents of the Township of West Mead, and two of whom shall be residents of the Township of Vernon. Additional members who are not appointed as identified by this section shall be considered “associate members”. Individuals who periodically advise the EAC and/or periodically attend meetings for the purpose of advisement are not considered EAC members.

Section 2 – All members, appointed and associate (see Article 4, Section 1, above) are expected to attend scheduled, routine meetings. The EAC Chairperson on his/her own may, or a majority of the members present at any scheduled EAC meeting may vote to “notify” (as defined below) any EAC member who is absent from any four consecutive regular monthly Environmental Advisory Council meetings or who is absent from six regular monthly meetings during any twelve month period without reasonable cause.

The notification shall: (1) be written; (2) include a summary of the member’s attendance record; and (3) request the member to reply in writing within twenty calendar days or appear in person at the next regular monthly EAC meeting, whichever occurs later.

If a member notified as above fails to respond, or if the member’s reply in the judgment of the EAC members present at a regular meeting indicates nonfeasance in office, the municipalities of the City of Meadville, Township of West Mead, and the Township of Vernon, as the appointing authority, shall be notified giving the relevant facts in the matter with a recommendation from the EAC to remove such EAC member from office for nonfeasance according to Section 208 of the Municipalities Planning Code.

ARTICLE 5 OFFICERS

Section 1 – The officers of the EAC shall consist of a Chairperson, Vice-Chairperson, and Secretary. The office of Chairperson and Vice-Chairperson must be resident members of the EAC as identified in Article 4, Section 1.

Section 2 – The Chairperson shall preside at all meetings and hearings of the EAC, and shall have the duties normally conferred by parliamentary usage of this officer. He/she shall be an ex-officio member of all committees.

Section 3 – The Vice-Chairperson shall act as Chairperson in the Chairperson’s absence.

Section 4 – The Secretary, with the assistance of such staff as is available, shall keep the minutes and records of the Council, shall prepare the agenda of regular and special meetings under the guidance of the Chairperson, provide notice of all meetings to EAC members, arrange proper and legal notice of hearings, attend to correspondence of the EAC and such other duties as are normally carried out by a Secretary.

ARTICLE 6 TERMS & ELECTION OF OFFICERS

Section 1 – An annual organization meeting shall be held in the month of January of each year at the time, on the date, and at the place designated by the EAC for a regular meeting. The initial terms of the six (6) resident members (see Article 4, Section 1) of the EAC shall be as follows: two (2) members shall serve until the reorganization meeting of the municipalities of the City of Meadville, Township of West Mead, and the Township of Vernon in 2000, two (2) until the reorganization meeting in 2001, and two (2) until the reorganization meeting in 2002. Their successors shall thereafter serve for a term of three (3) years. The position of any member of the EAC residing within the member’s appointed municipality at the time of appointment who thereafter moves his/her residence from that municipality shall be automatically considered vacant. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

Section 2 – Nominations shall be made from the floor at the annual organizational meeting and election of the officers specified in Article 5, Section 1 shall follow immediately.

Section 3 – A candidate receiving a majority vote of the voting membership of the EAC shall be declared elected and shall serve one year or until his/her successor shall take office.

Section 4 – Vacancies in office shall be filled immediately by regular election procedure.

ARTICLE 7 MEETINGS, VOTING & QUORUMS (See Article 4, Section 2 on Meeting Attendance.)

Section 1 – Regular meetings will be held by the EAC on a periodic, recurring basis. The EAC shall establish the time(s) of day, date(s), and place(s) where the regular meetings will be held by official action. It shall be presumed that the EAC will hold all of its regular meetings at the time, on the date, and at the place designated unless a meeting is canceled by the Chairperson for cause and notice given to EAC members. In the event of a conflict with holidays or other events, a majority vote at any meeting may change the date and place of a regular meeting.

Section 2 –

- a. A quorum shall consist of a simple majority of the total EAC resident (appointed) membership, including officers. An associate member (as defined by Article 4, Section 1) may only represent a portion of the quorum if he/she is an officer. Non-officer associate members may not comprise the quorum, nor do they have voting privileges.
- b. A simple majority of the total EAC resident (appointed) membership, including officers who may be associate members, is required to transact business in which persons have an interest, there is widespread community interest in the three member municipalities, or the action is likely to affect the longterm future development of the member municipalities such as, but not limited to, the adoption of plans, official maps, regulations, review of subdivision plans and land developments, and action on zoning matters and planned commercial and industrial developments.

Section 3 – Special meetings may be called by the Chairperson. It shall be the duty of the Chairperson to call a special meeting within seven days when requested to do so by a majority of members of the EAC. The Secretary shall notify all members of the EAC in writing no less than three days in advance of such special meetings.

- Section 4** – All meetings or portions of meetings at which official action is taken shall be open to the public. However, the EAC may meet in closed session for discussion purposes, pursuant to “The Sunshine Act of 1987.”
- Section 5** – Unless otherwise specified, Robert’s Rules of Order shall govern the proceedings at meetings of this Council.
- Section 6** – All meetings not called to order for any reason within fifteen minutes of the time designated may be canceled
- Section 7** – The Chairperson may appoint committees for specific purposes as necessary.

ARTICLE 8 ORDER OF BUSINESS

- Section 1** – The order of business at regular meetings shall be:
 - a. Roll call
 - b. Review of minutes of previous meeting and action thereon
 - c. Report of officers and committees
 - d. Old business
 - e. New business
 - f. Public Comment
 - g. Adjournment
- Section 2** – A motion from the floor must be made and passed in order to dispense with any item on the agenda.

ARTICLE 9 HEARINGS

- Section 1** – In addition to those required by law, the EAC may hold public hearings when it decides that such hearings will be in the public interest.
- Section 2** – Except as required by law, notice of the time and place of such hearings, when on matters of wide-spread interest, shall be published in at least one newspaper of general circulation in the territorial jurisdiction of the hearing, not earlier than two weeks prior to the hearing. For matters of limited territorial interest, notice shall be given in such manner as is deemed appropriate by the EAC.
- Section 3** – The matter before the EAC shall be presented in summary, by some person designated by the Chairperson, and parties in interest shall have privilege of the floor.
- Section 4** – No record or statement shall be recorded or sworn to by the EAC as evidence for any Court of Law without notice to the parties mentioned in the record or statement.
- Section 5** – A record shall be kept of those speaking before the EAC at such hearings.

ARTICLE 10 AMENDMENTS

These bylaws may be amended by a majority vote of the voting membership of the EAC. Each member of the EAC shall receive written notice of any proposed amendments a minimum of seven days prior to taking action.

ARTICLE 11 REPEALER

Any bylaws that previously may have been adopted and approved by the EAC are hereby repealed<?>153.04 Advisory function and limitation.

- (A) The Environmental Advisory Council is to be advisory to and shall coordinate its activities with the elected officials of the participating municipalities and with appropriate agencies of the participating municipalities, including, but not limited to, their planning commissions and their park and recreation boards, on matters dealing with protection, conservation, management, promotion and use of natural resources, relating to French Creek and its tributaries.
- (B) The Environmental Advisory Council shall not exercise any powers or perform any duties which by law are conferred or imposed upon a Commonwealth agency. (Ord 3511 § 1, 1998)