



## **LARIMER COUNTY POLICIES AND PROCEDURES**

### **ADMINISTRATIVE POLICY AND PROCEDURE 100.1I**

**SUBJECT: LARIMER COUNTY BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES**

**DATE:** September 12, 2012

**EFFECTIVE PERIOD:** Until Superseded

**REVIEW SCHEDULE:** Every three years in August, or as needed

**CANCELLATION:** Administrative Policy and Procedure 100.1H, April 21, 2010

#### **ENCLOSURES:**

1. [News Release and PSA](#) (example)
2. [Application for Board or Commission Membership](#), LCBC-3 (08/12)
3. [Letter Indicating Members Desire to Serve Another Term or Not](#)
4. [Policy on Public Participation](#) (P#13A)
5. [Decision Making Model](#)
6. [Larimer County Boards and Commissions and Task Forces](#)
7. [Larimer County Periodic Review Process for Boards and Commissions](#)

#### **REFERENCES:**

- A. Administrative Policy and Procedure [100.10; County Logo & Brand Guidelines](#)
- B. [Governing Policies Manual, 1.6 – Boards and Commissions Principles](#)
- C. Larimer County Policy; [Board of County Commissioner Division of Responsibilities](#)
- D. Administrative Policy and Procedure [390.14; Volunteers and Risk Management](#)

**PURPOSE:** To establish a uniform Policy and Procedure process for Larimer County boards, commissions, or task forces; provide reference for cross training and training new personnel.

**SCOPE:** This Policy and Procedure applies to all County citizen volunteer boards, commissions and task forces and the appropriate staff who support the functions of these entities (reference B). This Policy and Procedure does not apply to internal staff committees, task forces or ad hoc work groups, or the County Retirement Board.

**RESPONSIBILITY:** The Commissioners' Administrative Staff, County Manager and Assistant County Manager shall be responsible for the implementation of this Policy and Procedure.

**SPECIFIC REQUIREMENTS:** *(For the purpose of this Policy and Procedure, the terms Boards, Commission, Task Forces, or Council shall refer to any board, commission, task force, council, committee or any other volunteer group of citizens serving Larimer County.)*

1. The Commissioners' Office will publicize board or commission vacancies each year (Section III, A).
2. The Board of County Commissioners will make appointments to boards, commissions, councils and committees before the beginning of terms starting July 1<sup>st</sup> of each year. Appointments to the Larimer County Fair Board and the Agricultural Advisory Board will be made before the beginning of terms starting December 1 of each year. Appointments to the Estes Valley Planning Commission, Red Feather Lakes Planning Advisory Committee, and the Weld/Larimer Revolving Loan Fund will be made before the beginning of terms starting January 1 of each year. See 'Terms' in Section II, B.
3. The Board of County Commissioners will conduct a periodic review of Boards as outlined in Enclosure 7.
4. The Board of County Commissioners recognizes the contributions of the board and commission members and shall host a recognition activity each October (Section XII).

**REVISION LOCATOR:**

1. Enclosures 2 and 7
2. Specific Requirements #2
3. Section II, B

**POLICY AND PROCEDURE:**

**NOTE:** *In instances where Federal or State regulations and laws differ from this policy/procedure, the Federal and State laws and regulations will be supported.*

I. DEFINITIONS:

A. **BOARD TYPES:** Boards, commissions and task forces serve many different roles within the County. It is important that staff and board members fully understand the role of each board and the authority and responsibility for the board and its members (reference B). To help define these roles, each board, commission or task force will be designated as to type, as defined below:

1. Advisory Boards And Commissions: An advisory board serves as an ongoing forum of citizens to advise and assist the Board of County Commissioners and/or a requesting County department, providing them with technical and non-technical advice on issues. Advisory Boards are not authorized to make decisions on behalf of the County. The Board of County Commissioners will consider the input of Advisory Boards, as well as other community members, in making decisions on

issues. The Board of County Commissioners may or may not take action that is in agreement with the advice of a County Advisory Board. Advisory Boards may not speak for the County or take independent positions on issues with the public or the press. Its purpose is to advise the Board of County Commissioners or the requesting department only.

- a. **Constituent Advice Advisory Board or Commission:** This type of advisory board is used as a polling or referendum type board used to develop a sampling of community reaction and opinion on an issue or program(s). The membership on this type of Board should be broad based and accurately reflect the total diversity of the larger public.
  - b. **Content - Advice giving Board or Commission:** This type of advisory board is created to give substantive advice to the Board of County Commissioners or appropriate department to aid with decision making processes (enclosure 5). Varied interests and opinions are encouraged, and the advisory board may be asked to develop specific proposals and products for Board of County Commissioners or department consideration. Membership is selected to encourage a wide variety of input from respected individuals from the community with specialized expertise. This advisory board may or may not be a demographic reflection of the community as a whole.
  - c. **Working Group:** This type of advisory board may reflect both the content or advisory type of board, but is further charged with implementation of a project or program. A good example of this type of working board is the Larimer County Fair Board, which advises the Board of County Commissioners on policy issues associated with the Fair, but also is responsible for actually organizing, managing and implementing the County Fair.
2. Quasi Judicial Boards and Commissions: Some boards and commissions are defined in State Statute and have certain statutory responsibilities and authorities, as designated by statute. Often these boards have the authority to hold formal hearings, accept testimony, and issue decisions. These decisions may or may not be subject to review by the Board of County Commissioners. Members of these boards and commissions must be cognizant of protecting the unbiased quasi-judicial nature of the board and its formal hearings. Activities of these boards and commissions are limited to those authorities granted in statute or specifically by the Board of County Commissioners.
  3. Decision Making Boards And Commissions: Decision making boards and commissions are bodies that either statutorily or as granted by the Board of County Commissioners have authority to make decisions such as, but not limited to, approving citizen requests and applications (enclosure 2), allocating resources, hiring or firing employees or adopt regulations. The specific authority of each decision making board is defined in statute or in the by-laws as approved by the Board of County Commissioners.

4. Task Forces: Task forces are special ad-hoc panels created by the Board of County Commissioners for a specific project or task. Task forces are limited in duration and are not ongoing entities. The responsibilities of the task force shall be designated by resolution by the Board of County Commissioners at the time the Board authorizes the formation of the task force. The Board of County Commissioners will consider the input of task forces, as well as other community members, in making decisions on issues. The Board of County Commissioners may or may not take action that is in agreement with the advice of a County task force. Task forces may not speak for the County and are to advise the Board of County Commissioners or the appropriate department only, and are not to take independent positions on issues with the public or the press.
- B. COMMISSIONER LIAISON: The County Commissioner assigned to the board or commission (reference C).
  - C. STAFF LIAISON: A staff position responsible for the coordination and communication with the assigned board, commission or task force and the day to day support for the board, commission or task force.
  - D. RESPONSIBLE OFFICIAL: Every board, commission or task force shall have a responsible County official assigned to the board (reference C). The Responsible Official will be responsible for the board, commission or task force budget and activities of the board, commission or task force. The Staff Liaison will coordinate efforts with the responsible official. The responsible official may be an elected official or appointed division or department head. In the case where the board, commission or task force advises a wide variety of county departments, one affected official shall serve as the responsible official for coordination and communication purposes, however the board may or may not be officially connected to any one particular department.
- II. TERMS: The following limitations are applied to board or commission membership.
- A. Unless otherwise mandated by State Statutes, no member of County sponsored boards, commissions, committees or councils shall serve on any one board or commission for more than two consecutive terms or six consecutive years, whichever is longer.
    1. Exceptions to this rule include those members serving as “ex officio” and the staff specific positions on the Flood Review Board, Community Corrections Advisory Board, Retirement Board, and members of the Fair Board who, upon completion of their first term, may seek reappointment to a second and third full, three-year term.
    2. In the event that an individual fills the unexpired term of a board member, that unexpired term shall not be counted as a complete term, except in the case of the

Fair Board, where the completion of a partial term will be considered as the first full term of the newly appointed Fair Board member.

- B. Terms will be staggered, beginning July 1 and ending June 30 of the appropriate year; except for the Fair Board and the Agricultural Advisory Board whose terms shall begin December 1 and end November 30 of the appropriate year; the Estes Valley Planning Commission, Red Feather Lakes Planning Advisory Committee, and the Weld/Larimer Revolving Loan Fund, whose terms shall begin January 1 and end December 31 of the appropriate year.
- C. Mid-term appointments to positions that become vacant may be made at any time or may be postponed to the regular term period, at the discretion of the Board of County Commissioners.
- D. Staff assigned to supporting any boards, commissions, or task forces is not subject to any term limitation.
- E. Unless otherwise specified by statute, any members of a board, committee, task force, volunteers, etc. serve at the pleasure of the BCC, have no property interest or entitlement in their membership or office and may be removed at any time for any reason by the BCC.

### III. RECRUITMENT:

- A. The Commissioners' Office will publicize and advertise board and commission vacancies each year, and on an as needed basis throughout the year, utilizing paid advertising, press releases to electronic and print media, the County web page, and other produced materials that might engage interested residents (enclosure 1). Applications shall be available in the Commissioners Office, on the County web page, at County offices in Loveland and Estes Park, and at public libraries when applicable.
- B. Departments and current board members are encouraged to help recruit, especially when specific targeted populations or expertise is required.
- C. APPLICATIONS: All citizens interested in serving on a board, commission, or task force must complete an official County board, commission, or task force application (enclosure 2). These applications will be available from the Commissioners' Office and on the County web page. Applications must be returned by the deadline to the Commissioners' Office. Online applications are accepted from the County web page.

Citizens may apply for up to three boards at a time. When applying for more than one board, applicants should prioritize their requests on the board application form.

- D. ELIGIBILITY: Eligibility for any board, commission, or task force shall be defined in the by-laws of each board, commission, or task force. Except by special

circumstance as approved by the Board of County Commissioners, all members of any county board, commission, or task force shall be legal residents of Larimer County. No individual who is currently serving a sentence after being convicted of a felony may serve on any county board, commission, or task force. Because of the time commitment involved, and to allow as many citizens the chance to participate in county boards and commissions, serving on more than one county board or commission at a time is discouraged. The Board of County Commissioners reserves the right to appoint individuals to multiple boards when, in the opinion of the Board of County Commissioners, it is in the best interest of the County.

IV. SELECTION PROCESS: The Board of County Commissioners will seek the most qualified individuals representing a cross-section of viewpoints, with gender and cultural diversity, geographical representation and representation of the public at large as well as special interest and expertise. In general, only the Board of County Commissioners will select appointments to a county board, commission, or task force. Existing board, commission, or task force members may assist with the recruitment of new members, but should not screen, interview or make recommendations for appointments, unless specifically requested to do so by the Board of County Commissioners.

A. Selection to the boards and commissions will be carried out as follows:

1. The Board of County Commissioners will review the applications.
2. Applicants for all boards and commissions will be interviewed by the Board of County Commissioners or the Commissioner liaison.
3. The Commissioners may request assistance from the Staff Liaison and other board or commission members.
4. Recommendations from the interview team will be made to the Board of County Commissioners, who will make the appointment(s).
5. The Commissioners or their designee may screen applicants to select a pool for interviewing, at the sole discretion of the Board of County Commissioners.
6. The Commissioners or their designee may conduct reference checks or background checks on applicants when, in the opinion of the Board of County Commissioners, it is in the best interest of the citizens of Larimer County. No such checks will be completed without the informed consent of the applicant.

B. Incumbent board members who are eligible for reappointment will be contacted by the Commissioners office to assess their interest in being reappointed (enclosure 3). Members who desire re-appointment will be considered along with all other applicants. Incumbents may be interviewed by the Board of County Commissioners, at the discretion of the Board of County Commissioners.

- C. By agreeing to serve on a county board, commission, or task force the member agrees to abide by this policy of the Board of County Commissioners. Any board, commission, or task force member who violates the terms of this Policy and Procedure or the bylaws of the board, commission or task force may be asked to resign or be removed from the board, commission, or task force by the Board of County Commissioners.
- V. NOTIFICATION: The Commissioners' Office will notify applicants of scheduled interviews. The Commissioners' Office will also notify applicants and incumbents requesting reappointment, of appointments and the status of their applications.
- VI. VACANCIES:
- A. The Commissioners' Office will keep all applications on file for one year. If vacancies occur during the year, the position may be filled from the current list of applicants using the selection process delineated or through advertising for interested volunteers. For difficult to recruit boards and commissions, applications may be kept on file for two years.
  - B. Resignations from any board, commission, or task force should be addressed in writing to the Board of County Commissioners.
- VII. BOARD, COMMISSION OR TASK FORCE ALTERNATES:
- A. No county board, commission or task force will have members designated as alternates, with the exception of the Board of Adjustment, who may do so per Colorado State Statute 30-28-117. All members, other than those designated as ex-officio or associate, shall have full membership and voting privileges on all county boards, commissions, or task forces.
  - B. Where Federal or State regulations require alternates Section VII, A is waived.
  - C. Alternate/Non-voting members who wish to become regular members must complete an application for the appropriate board (enclosure 2).
- VIII. STAFF SUPPORT: Staff support is available to boards and commissions through the responsible official and staff liaison assigned to support each board or commission.
- A. It is the responsibility of the Board of County Commissioners, in coordination with the Responsible Official and the Staff Liaison to provide the necessary budget and other resources for any board, commission, or task force to perform their assigned duties.
  - B. It is the responsibility of the Staff Liaison to insure the board, commission, or task force has adequate and reasonable staff support within budgeted resources.

- C. Staff support and staff liaisons will not be members of the board, commission, or task force to which they are assigned. Exceptions are the Flood Review Board and the Community Corrections Advisory Board.
  - D. It is the responsibility of the Staff Liaison to make requests for the Commissioners' Liaison to attend assigned board and commission meetings through the Commissioners' Administrative Manager.
- IX. COMMISSIONERS' LIAISON: Individual Commissioners are assigned as liaisons to each board and commission (reference C). The County Manager is assigned to the Community Corrections Board. The role of the Commissioner Liaison is:
- A. Communicate with the board or commission when Board of County Commissioner communication is needed and to serve as the primary two-way communication channel between the Board of County Commissioners and the board or commission.
  - B. Review applications, interview candidates and make recommendations to the Board of County Commissioners for final approval.
  - C. Serve as the primary Commissioners' contact for the board or commission.
  - D. Attend assigned board and commission meetings when requested by the staff liaison.
- X. ORIENTATION AND TRAINING: Staff liaisons should provide new board members with pertinent materials that will assist new members in becoming fully functioning members of the board, including a copy of the bylaws and a copy of this Policy. Staff liaisons should clearly inform all new members of the role of the board and the responsibilities and authority of the board. Established board members are encouraged to share their experience and knowledge with new members. New members are encouraged to attend meetings before their term begins.
- XI. BYLAWS: Each board, commission, or task force is to adopt bylaws that are consistent with these set policies. A copy of the bylaws must be sent to the Commissioners' Office prior to adoption for staff review. Bylaws are adopted upon approval by the Board of County Commissioners. This Policy and Procedure shall be incorporated, by reference, into the by-laws of all County boards, commissions, and task forces. The by-laws shall include a description of the goals, objectives, duties or tasks of the board commission or task force, as defined by the Board of County Commissioners or the appropriate department.
- XII. RECOGNITION: The Board of County Commissioners recognizes the contributions of the board, commission or task force members and shall host a recognition activity each October to acknowledge all members and their contribution to Larimer County.
- A. The Board of County Commissioners will send a letter of appreciation to all outgoing board and commission members.

### XIII. OWNERSHIP OF INTELLECTUAL PROPERTY:

- A. Any documents, articles, reports or correspondence recommendations or other products produced by a county board, commission, or task force shall be the sole property of the Larimer County Board of County Commissioners.
- B. No board, commission or task force or member of a board, commission, or task force may copyright or in any other way take ownership for any documents, articles, recommendations or other products produced as a function of the county board, commission or task force.
- C. All documents and correspondence produced as part of the regular business of any board, commission, or task force shall be subject to the same open records policies applicable to all County documents and correspondence.
- D. All documents and publications of any county board, commission or task force must be clearly identified as belonging to or originating from Larimer County and must comply with Larimer County Logo Guidelines in Administrative Policy and Procedure 100.10 (reference A).

### XIV. SUBMITTING INFORMATION TO THE BOARD OF COUNTY COMMISSIONERS:

- A. Information submitted to the Board of County Commissioners should be submitted by the Board Liaison and/or Board Chair to the County Manager in the following format:
  - 1. *Objective* - Clear and concise. Should state if the issue is for information or action.
  - 2. *Situation* - Description and brief history of the issue.
  - 3. *Proposal* - Aimed at situation
  - 4. *Advantages*
  - 5. *Disadvantages*
  - 6. *Requested Action* - Specific action requested of the Board. (i.e., approval, funding, staffing, etc.)
  - 7. *Potentially Affected Interest* - who are the groups, individuals or organizations that are affected or interested in this issue and have they been adequately informed.
  - 8. *Level of Public Interest and Participation* - Is this an issue that the public is interested in? Is there a potential for controversy regarding this issue? How much public input is needed in this issue?

#### General Guidelines

- Summary should not exceed two pages
- Supplemental information may be included, including alternatives considered, process for developing the proposal, and additional data.
- Submittals to the Board of County Commissioners will be screened by the County Manager. Submittals not following appropriate format may be returned to the department for revision.
- Scheduling before the Board of County Commissioners depends on the level of public participation needed, following the Board of County Commissioners' public participation guidelines (enclosure 4).

XV. OPEN MEETINGS: All meetings and actions of any board, commission or task force shall be in full compliance with State Statutes governing open meetings. It is the responsibility of the Staff Liaison to be familiar with these statutes and regulations.

XVI. DECISION-MAKING:

- A. Any actions, recommendations or discussions of any board, commission or task force shall be limited to the mission and defined tasks of the body as described in the approved by-laws.
- B. The Board of County Commissioners endorses the use of Systematic Development of Informed Consent (SDIC) as a philosophy and guideline for public participation in the decision-making process (enclosure 5). All County boards, commissions or task forces that conduct public participation processes will follow the guidelines adopted for public participation in the Board of County Commissioners Policy on Public Participation (enclosure 4).
- C. A common point of misunderstanding with boards, commissions or task forces and citizens is the role of the board, commission or task force in decision making and the type of decision making to be employed by the board, commission or task force for a particular issue. The Board of County Commissioners realizes that not one method of decision-making fits all situations; however, it is important that the type of decision be declared early in the process of public discourse. It is important that the board, commission or task force, the staff liaison and the Board of County Commissioners agree on the type of decision-making process that will be employed. The type of decision process is dependent on the issue involved, the time frame available and the amount of public participation required. A spectrum of decision-making models to be used by county boards, commissions or task forces are enclosed (enclosures 5 & 6).
- D. It is the responsibility of the staff liaison to assist the board, commission or task force in its decision-making process and to train new and existing members in the appropriate responsibilities and authorities of the board, commission or task force and its members. Staff liaisons are not to exert undue influence during the decision-

making process, but only to keep the decision making of the board, commission or task force in agreement with the charge issued and approved by the Board of County Commissioners.

#### **XVII. COMPENSATION AND REIMBURSEMENT:**

- A. **COMPENSATION:** Citizens who serve on county boards, commissions or task forces (enclosure 6) do so as volunteers. There will be no financial compensation or reimbursement of expenses, except as noted below, for any volunteers on any board, commission or task force.
- B. **MILEAGE:** Board, commission or task force members may request reimbursement for mileage to attend any board, commission or task force function if the member must travel greater than ten miles from their residence. Mileage will be reimbursed at the rate currently adopted for County travel by the Board of County Commissioners. The Responsible Official is responsible for approving mileage reimbursements for boards, commissions or task forces within the budget provided by the Board of County Commissioners.
- C. **MEALS:** Meals may be provided as part of regular meetings of the board, commission or task forces as budgeted.
- D. **EXPENSES:** Members of boards, commissions or task forces may be reimbursed for out of pocket costs associated with the business of the board, commission or task force provided the expenditures have been previously budgeted by the Board of County Commissioners and authorized by the Responsible Official. (For example, office supplies, copies, printing, etc.) Other expenses may be reimbursed if, in the judgment of the responsible official, such reimbursement is in the best interest of the County.

#### **XVIII. INSURANCE COVERAGE:**

- A. General liability (liability other than auto, including general, law enforcement and professional) is provided to all volunteers (reference D).
- B. Volunteers are not covered by the county's self-insured workers' compensation coverage. Any injuries incurred while volunteering is the responsibility of the individual volunteer.
- C. Specific to automobile insurance, both physical damage and legal liability for bodily injury or death is covered for all volunteers driving County vehicles (reference D). In addition, liability is covered for all volunteers driving their personal vehicle on County business; however the following claims are excluded from coverage.
  - 1. Bodily injury or death to passengers (including friends and family) who are not on official County business.

2. Physical damage to non-county owned vehicles used on County business

D. Property insurance is not provided to any personal property of the volunteer.

XIX. CONFLICT OF INTEREST:

- A. A conflict of interest occurs when a person's private, personal relationships or interests diverge so that an independent observer may reasonably question whether the person's actions or decisions are determined by personal benefit, gain, or advantage.
- B. Members of boards, commissions or task forces shall not use their membership for private gain and shall act impartially and not give preferential treatment to any private organization or individual.
- C. A member of any board, commission or task force who has a personal or private interest in a matter proposed or pending shall disclose such interest to the board, commission or task force, shall not vote on the item and shall not attempt to influence the decisions of other members voting on the matter.

XX. GIFTS:

- A. Acceptance or giving of any personal gifts, which could lead to a conflict of interest, is prohibited. In particular, no member of any board, commission or task force may accept or give a personal gift in excess of \$20 from any individual, organization, contractor, or any other entity which does business with the County or has any control of County business related to the activities of their particular board or commission.

XXI. MINUTES:

- A. Minutes shall be recorded of all meetings of any County board or commission that are subject to the Colorado Open Meetings Act. Approved or draft minutes should be posted as soon as practicable after the meeting in question. Boards are strongly encouraged to post draft minutes prior to the final approval of the minutes at the next meeting of the board. At a minimum, minutes shall be published on the county webpage within seven days of approval by the board or commission.
- B. Minutes should be "action minutes" and record any formal actions taken by the Board or Commission. Minutes are not intended to be verbatim transcripts of the meeting. The amount of detail included in the minutes beyond the recording of actions is left to the discretion of each board / commission.

XXII. AGENDAS:

- A. Agendas for all public meetings shall be posted on the Virtual Courthouse Boards and Commissions page a minimum of 7 days prior to the meeting.

XXIII. WAIVERS:

- A. Any section of this policy can be waived by a majority vote of the Board of County Commissioners.



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Linda Hoffmann  
County Manager

Distribution:

All Elected Officials and County Departments  
All Department Contacts for Advisory Boards (Distribution by BCC Office)  
Larimer County Virtual Courthouse Boards and Commissions Webpage  
Records Management SOP Manual (original)

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