I. ROLE
The Estes Valley Board of Adjustment (the Board) was jointly established by the Larimer Board of County Commissioners and the Town of Estes Park Board of Trustees in 2000. The Estes Valley Board of Adjustment exercises the authority given to it by the Town Board and Board of County Commissioners, as described in the 2000 Intergovernmental Agreement (IGA) between the Town and County, as summarized below.

The Board shall:
1. Perform the duties, responsibilities, and obligations of the Estes Valley Board of Adjustment set forth in the Estes Valley Development Code (EVDC); and perform the statutory responsibilities of the Town and County Board of Adjustment within the Planning Area.
2. The Estes Valley Board of Adjustment shall hear all variance requests pursuant to the terms and conditions of the EVDC (from IGA Section IV.A Authority).

In addition to these bylaws, the Board operates under the terms of the Town of Estes Park operating policy 102 and the terms of the Larimer County operating policy 100.1. A copy of those procedures, along with these bylaws, shall be provided to each member at the time of their appointment.

II. MEETINGS

A. Regular Meetings shall be held at least monthly. Any item on the agenda which cannot be heard and considered by the conclusion of the meeting may be continued until and heard at the next regularly scheduled meeting or a specially scheduled meeting and shall have priority over any other matters to be heard and considered, provided the applicant agrees to such continuance.

B. Special Meetings may be held at any time upon call by the Chairperson. The Chairperson shall call a special meeting upon request by the Town Board, County Commission, Community Development Director, Town Administrator, or County Manager, or upon request by three of the members of the Estes Valley Board of Adjustment.

C. Cancellation of Meetings Regularly scheduled meetings of the Estes Valley Board of Adjustment may be canceled or rescheduled upon:

1. Approval by two-thirds of the members of the Board, provided no applications are scheduled for review at the meeting; or,
2. By the Estes Park Community Development Director in the event that no applications have been submitted for Board review at the meeting to be cancelled.

D. *Meeting Procedures* for matters requiring action by the Board, parliamentary procedure shall be followed in moving, discussion, and acting on such matters.

E. *Open Meetings* All meetings and action of the Board shall be in full compliance with State Statutes governing open meetings, as amended and incorporated herein by reference. It is the responsibility of the Staff Liaison to be familiar with these statutes and regulations.

III. MEMBERS AND QUORUM

A. *Membership.* The Estes Valley Board of Adjustment consists of five volunteer members who serve three-year terms. Two members are appointed by the Board of County Commissioners; three by the Town Board.

B. *Terms.* Members shall be appointed to a three-year term. The terms of the members shall be staggered so that the terms of an equal number of the members expire each year.

C. *Vacancies* shall be filled by appointment by the Town Board or the Board of County Commissioners for the unexpired portion of the term of the position to be filled.

D. *Recommendations for Appointment.* Upon request by the Town Board or Board of County Commissioners, the Estes Valley Board of Adjustment shall make recommendations for appointments to the Town Board and Board of County Commissioners.

E. *Quorum.* A quorum shall consist of three (3) members.

F. *Action.* Action by the Estes Valley Board of Adjustment shall be by majority vote of the members attending any regular or special meeting at which a quorum is present, unless otherwise provided in these By-laws.

IV. OFFICERS

A. *Officers.* There shall be a Chairperson and a Vice-Chairperson for the Board. The Community Development Department Administrative Assistant or designee shall serve as Recording Secretary for the Board.

B. *Elections.* Officers shall be elected by the members annually, at the first regularly scheduled meeting of each year. Officers shall be members of the Board.
Notification of who is elected Chair will be sent to the Town Clerk and the Larimer County Commissioner’s office.

C. Chairperson responsibilities:
   1. Preside at all meetings.
   2. Insure that all meetings are conducted with decorum and efficiency.
   3. Call special meetings in accordance with the by-laws.
   4. Sign any documents prepared by the Estes Valley Board of Adjustment for submission to the Town Board, Board of County Commissioners or Town and County departments.
   5. See that decisions of the Board are implemented.
   6. Represent the Board in dealings with the Town Board or other organizations.
   7. The Chairperson has the same right as any other member of the Board to vote on matters before the Board and to speak for or against proposals, provided, however, that if the Chairperson desires to speak for or against a proposal which has been formally moved and seconded at a public meeting, the Chairperson shall relinquish the chair to the Vice-Chairperson while he or she is speaking.

D. Vice-Chairperson responsibilities:
   1. Assist the Chairperson as requested.
   2. Accept and undertake duties delegated by the Chairperson.
   3. Preside over meetings or perform other duties of the Chairperson in the event the Chairperson is absent or unable to act.

E. Chair Pro Tem responsibilities:
   1. In the event the Chairperson and the Vice-Chairperson are both absent or unable to act, a member shall be elected to perform the responsibilities of the Chairperson.

F. Recording Secretary responsibilities:
   1. Sign or attest the signature of the Chair or Vice-Chair on the documents of the Board.
   2. Prepare and keep the minutes of all meetings of the Board in an appropriate and designated file.
   3. Give and serve all notices required by State Statute, Town or County regulations or the bylaws.
   4. Prepare the agenda in consultation with Chair, or designee, for all meetings of the Board.
   5. Be custodian of Board records.
   6. Inform the Board of correspondence relating to business of the Board and attend to such correspondence.

G. Removal from Office. Any officer may be removed from office by a majority vote of the members of the Estes Valley Board of Adjustment in attendance at a
meeting provided that at least thirty days' notice has been given to all members that removal of the officer will be considered at such meeting.

H. Officer Vacancies. If any office is vacant, the members of the Board shall elect a member to fill the office for the remainder of the year.

V. ATTENDANCE
A. All members shall attend all meetings of the EVBOA, if possible. In the event any member misses three (3) consecutive regular meetings or a total of four (4) regular meetings in a calendar year, the Town or the County may remove its appointed member for neglect of duty and designate a new member to fill the vacancy.

VI. GENERAL PROVISIONS
A. These by-laws may be amended at any regular or special meeting of the Estes Valley Board of Adjustment by a majority of the membership of the Board provided that notice of such possible amendments is given to all members at least 20 days prior to the meeting at which action is to be taken. Any amendments shall be subject to review and approval by the Town Board and Board of County Commissioners.

VII. COMPLIANCE WITH TOWN AND COUNTY POLICIES
A. The Board shall operate in compliance with the adopted Town Board policy on Town Committees, Policy 102 as amended and in compliance with the adopted County Commission policy on Committees, Policy 100.1, as amended. The terms of these policies are incorporated in these bylaws by this reference and are attached herewith.

B. Volunteer members of the Board, appointed by the Town Board, will act in accordance to the adopted Town Volunteer Manual.

C. Volunteer members of the Board, appointed by the County Commission, will act in accordance to the adopted policies.

VIII. 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 the Board 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 the Board who has a personal or private interest in a matter proposed or pending shall disclose such interest to the committee; shall not vote on the item; and shall not attempt to influence the decisions of other members voting on the matter.

Adopted this 3rd day of February, 2015
ESTES VALLEY BOARD OF ADJUSTMENT

By: Don Darling, Vice-Chair

Approved this 24th day of February, 2015
ESTES PARK BOARD OF TRUSTEES

By: William Pinkham, Mayor

Approved this 16th day of March, 2015
LARIMER COUNTY BOARD OF COUNTY COMMISSIONERS

By: Lew Gaiter III, Chair