

BYLAWS  
FAYETTE COUNTY RURAL  
LAND MANAGEMENT BOARD, INC.

WITNESSETH: The Fayette County Rural Land Management Board, Inc. in order to carry out the general powers conferred upon it by Chapter 26 of the Code of Ordinances of the Lexington-Fayette Urban County Government, does hereby adopt the following by-laws to govern its proceedings.

ARTICLE I - NAME OF THE BOARD

The name of the Board is the “ Fayette County Rural Land Management Board, Inc.” It is hereinafter referred to as the “Rural Land Board.”

ARTICLE II - AUTHORIZATION

The authority for the establishment of the Rural Land Board and the adoption of by-law and regulations is set forth in Ordinance 4-2000 enacted by the Lexington-Fayette Urban County Council on January 13, 2000 and codified in Chapter 26 of the Code of Ordinances of the Lexington-Fayette Urban County Government .

ARTICLE III - MEMBERSHIP

A. Appointment: As provided in Section 26-3 of the Code of Ordinances, the Rural Land Board shall consist of thirteen (13) members; eleven (11) voting members and two (2) ex officio non-voting members. The voting members shall be appointed by the Mayor, subject to confirmation by a majority of the Lexington-Fayette Urban County Council.

B. Qualifications: Members of the Rural Land Board shall be selected based on qualifications as specified in Section Chapter 26-3 of the Code of Ordinances of the Lexington-Fayette Urban County Government.

C. Terms: The voting members of the Rural Land Board shall serve a term of four (4) years from the date of appointment, provided that the terms of those originally appointed shall be staggered in the following manner: three (3) members shall be appointed for one (1) year; three (3) members shall be appointed for two (2) years; two (2) members shall be appointed for three (3) years and three (3) members shall be appointed for four (4) years. Vacancies in the voting membership shall be filled for an unexpired term in the manner prescribed for the original appointment. The membership of ex officio non-voting members shall be terminated upon leaving the specified offices. No voting member who was originally appointed to the Rural Land Board for less than a four (4) year term and who has served two (2) consecutive four year terms after his initial term may succeed himself until the lapse of twelve (12) months from the end of the second of the four (4) year terms. No appointed voting member who has served two (2) consecutive full terms may succeed himself until the lapse of twelve (12) months from the end of said consecutive terms.

D. Removal: A voting member of the Rural Land Management Board shall be removed only by a majority vote of the Lexington-Fayette Urban County Council, and only for cause, except that a member of the Board shall automatically be removed by operation of law in the event of three (3) unexcused absences, whether consecutive or non-

consecutive, in any two (2) year period or in the event of absence from twenty-five percent (25%) of the Board meetings in any two (2) year period. An unexcused absence is any absence in which the chair of the Board or the Rural Land Staff is not notified of the intended absence at least twenty-four (24) hours in advance of a regularly scheduled meeting. In the event of three (3) unexcused absences or the absence from twenty-five (25%) of the meetings over any two (2) year period, within the meaning of this section, the Rural Land Staff shall notify the Mayor, Council Administrator of the Lexington-Fayette Urban County Council, and provide notice to the violating member by certified mail, that a vacancy exists on the Rural Land Board.

#### ARTICLE IV- OFFICERS

A. Number and Election: The officers of the Rural Land Board shall consist of the Chair, Vice-chair and Treasurer to be elected from the membership of the Board by the vote of the Board.

B. Terms: The term of each officer shall be for one (1) year. Officers may be reelected to subsequent terms. Each officer shall serve until his successor is selected.

C. Chair: The Chair shall preside at all meetings of the Rural Land Board and at other meetings and public hearings. The Chair shall call special meetings of the Rural Board when required, and shall transmit reports, plans and recommendations of the Rural Land Board to the appropriate governing authority. The Chair may appoint committees (composed of Rural Land Board members, or citizens or a combination) whenever he feels such committee may be of value to the Rural Land Board's work. The Chair shall act as spokesperson for the Rural Land Board and shall have such other duties as are outlined in

Chapter 26 of the Code of Ordinances of the Lexington-Fayette Urban County Government or are normally conferred on such officers by parliamentary procedure.

D. Vice Chair: The Vice-Chair shall serve as Chair during the temporary absence or disability of the Chair and shall assume the duties of Chair if the office of Chair is vacated.

E. Treasurer: The Treasurer will work with the Rural Land Staff to prepare an annual budget. The Treasurer shall assist with budgeting and other financial matters.

F. Secretary: The duties of the secretary shall be assigned to a designated member of the Rural Land Board Staff. The secretary shall keep the minutes of all meetings and records of all proceedings, including the number of votes for and against each question and the record of the vote of each member. The secretary, with the assistance of other members of the Rural Land Staff, shall prepare, distribute and maintain the records and minutes of the Rural Land Board; arrange proper notice of all meetings; attend to the correspondence of the Rural Land Board; and assume such other duties as are normally carried out by a secretary, all under the general direction and supervision of the Chair. The records of the Rural Land Board shall be open for public inspection in accordance with and as required by law, at the Rural Land Staff office.

G. Executive Committee: The Executive Committee will consist of the three (3) voting officers and the designated secretary. The Executive Committee shall exercise all of the authority of the Rural Land Board, subject to the limitations imposed by the Board, and except as otherwise expressly provided in the Chapter 26 of the Code of Ordinances.

## ARTICLE V - COMMITTEES

A. Standing Committees: There shall be one (1) standing committee, Education and Outreach.

B. Ad Hoc Committees: Ad Hoc Committees shall be appointed by the Chair and dissolved at the completion of a specifically designated assignment.

C. Chair: Each committee shall be chaired by a Rural Land Board member. The committee Chair shall be selected by the Rural Land Board Chair and approved by the Rural Land Board. Each standing committee Chair shall serve a one (1) year term. Each ad hoc committee Chair shall serve a term until the committee completes a specifically designated assignment.

D. Members: Committee members shall be composed of members of the Board and non-Board members. Members will be recommended by the Committee Chair and approved by the Rural Land Board.

E. Procedures: Committees shall meet quarterly or as necessary. The committee chairman shall be responsible for reports at the meetings and will forward a copy of any written reports to the Rural Land Board secretary for filing and for distribution to the Rural Land Board. No committee shall make any expenditure or incur any debt without approval of the Rural Land Board. Committee functions will be reviewed by the Rural Land Board annually and revised as necessary.

## ARTICLE VI – STAFF

The Lexington-Fayette Urban County Government, as authorized by the Urban

County Council, shall provide staff as needed to assist the Rural Land Board in carrying out its duties. As provided in Section 26-1 (9) of the Code of Ordinances, the staff shall be know as the “Rural Land Staff.”

#### ARTICLE VII - MEETINGS

A. Regular Meetings: Regular Meetings shall be held at least quarterly. The Rural Land Board shall approve a calendar of meetings annually, establishing dates, places and times of meetings for the year.

B. Special Meetings: Special meetings may be called by the Chair of the Rural Land Board or a majority of the members of the Rural Land Board, pursuant to KRS 61.823 (2). The secretary shall notify all members at least seven (7) days in advance of such meeting, if time permits, however, at a minimum the notice required by KRS 61.823 (3-5) shall be given. (A copy of KRS 61.823 is attached hereto for reference.)

C. Public Meetings: The Rural Land Board may hold public meetings whenever it decides that such meetings will be in the public interest. Notice of the date, place, time and reason for such meetings shall be given by one (1) publication in a newspaper of highest circulation in the community not earlier than twenty-one (21) days, or later than seven (7) days, before the meetings or in any other manner as deemed appropriate to conform with Kentucky Revised Statutes.

D. Quorum: Six (6) of the voting members of the Rural Land Board shall constitute a quorum for transaction of business at any meeting of the Rural Land Management Board. The acts of the majority of those voting members present at a regular or special meeting of the Rural Land Board shall be acts of the Rural Land Board, except

as provided below:

It shall take a vote of seven (7) voting members to: (1) propose to the urban county council that Section 26-10 of the Code of Ordinances, relating to the criteria to be used to evaluate applications for consideration of Conservation Easements, be changed or amended; (2) approve, pursuant to Section 26-14(2) of the Code of Ordinances, the purchase of conservation easements; (3) approve, pursuant to Section 26-18(2)(a) of the Code of Ordinances, the acceptance of payment for release of a Conservation Easement which has been included within the urban service area boundary; (4) approve, pursuant to Section 26-18(3) of the Code of Ordinances, the release of a Conservation Easement within the rural services area boundary.

E. Abstention: Any member of the Rural Land Board who, for reasons other than a direct or indirect financial interest or conflict of interest as more specifically set forth herein, desires not to participate in the decision of any matter before the Rural Land Board shall abstain, and such abstention shall be considered as acquiescing in the action of the majority of those who vote.

F. Disqualification: Any member of the Rural Land Board who has a private financial interest, directly or indirectly, in the outcome of any question before the Rural Land Board shall disclose the nature of the interest to the Chair and shall disqualify himself from voting on the question as required by Section 16.03 of the Charter of Lexington-Fayette Urban County Government, as referenced in Article IX. This section shall be consistent with Article IX.

G. Parliamentary Procedures: Unless otherwise specified herein, the current edition of Robert's "Rules of Order" shall govern the proceedings at the meetings.

H. Open Meetings: Both regular and special meetings shall be open to the public except meetings which may be closed pursuant to KRS 61.805-850.

## ARTICLE VIII - AMENDING BY-LAWS

These by-laws may be amended by a vote of six (6) of the members of the Rural Land Management Board. By-law changes should be forwarded to the members of the Rural Land Management Board at least seven (7) days before the vote.

## ARTICLE IX-CONFLICT OF INTEREST

All members of the Rural Land Management Board shall be subject to the Code of Ethics contained in Article 16 of the Charter of the Lexington-Fayette Urban County Government.

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