

BYLAWS OF THE DUTCHESS COUNTY PLANNING BOARD
As Amended February 17, 2021

By virtue of the adoption of the Dutchess County Charter and the Administrative Code of the Dutchess County Government, made effective the first day of January 1968, there has been established within the Dutchess County Department of Planning and Development an advisory Planning Board, vested with powers authorized therein. Such Board is to be known as the Dutchess County Planning Board and the following shall be its Bylaws for the conduct of business. These Bylaws incorporate provisos within the Charter, as amended by Local Law No. 4 of 1975, Local Law No. 7 of 2003, Local Law No. 4 of 2020, the Administrative Code, and the Manual of Management Policies.

O R G A N I Z A T I O N

A. MEMBERSHIP

The Dutchess County Planning Board shall have nine members appointed by the County Executive, subject to confirmation by the County Legislature, and four members appointed by the Dutchess County Legislature. The Commissioner of Planning and Development may recommend candidates for appointment to the Board.

1. Qualifications: The thirteen members appointed shall represent various aspects of the community including but not limited to education, labor, agriculture, industry, commerce and citizens at large. One member appointed by the County Executive shall be a resident of the City of Beacon, one a resident of the City of Poughkeepsie. One member appointed by the County Legislature shall be a resident of one of the Villages in Dutchess County. In making appointments members should be considered with a background and involvement dealing with housing, conservation, the environment, economic development, infrastructure (including water, sewer, and transportation) and planning.
2. Terms: The appointive resident members shall serve for three-year terms, each to expire at the end of a calendar year. A member whose term has expired shall retain voting membership on the Board until officially reappointed, or replaced, by the County Executive or the County Legislature as appropriate.
3. Vacancies: Vacancies occurring other than by expiration of terms shall be filled by appointment by the County Executive subject to confirmation by the County Legislature, or by the County Legislature, for the respective unexpired terms.
4. Expenses: Members shall serve without compensation, unless the County shall provide otherwise; however, members shall be reimbursed for expenses actually and necessarily incurred in the performance of duties.

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B. OFFICERS

The executive officers of the County Planning Board shall be the Chairman and Vice-Chairman. The Board shall annually elect from its members persons to hold these offices and may, from time to time, name such other officers as it deems necessary. In case the Chairman and Vice-Chairman are absent the Board may appoint a chairman pro tempore. The Commissioner of Planning and Development or his or her designee shall serve as Secretary to the Board.

1. Chairman: The Chairman shall:
 - (a) preside at all meetings and hearings of the Board;
 - (b) appoint committees and chairmen thereof;
 - (c) be an ex-officio member of all committees;
 - (d) be an authorized spokesman for the Board;
 - (e) perform all the duties incidental to the office; and
 - (f) perform such other duties as, from time to time, may be required.
2. Vice-Chairman: The Vice-Chairman shall:
 - (a) perform all the duties of the Chairman in case of his absence; and
 - (b) perform such other duties as, from time to time, may be required.
3. Secretary: The Secretary shall:
 - (a) keep the records of the Board including the minutes of all meetings, public hearings and proceedings;
 - (b) prepare an agenda for each meeting;
 - (c) notify members of regular or special meetings and other important events; and
 - (d) perform such other duties as, from time to time, may be required.
4. Other Officers: Other officers shall have such authority and perform such duties as, from time to time, may be assigned by the Board.
5. Vacancies: If an executive office shall become vacant because of death, resignation, or any other reason, the Board shall elect, at the next regular meeting, a successor to hold the office for the unexpired term.

C. COMMITTEES

The Chairman may appoint, at any regular meeting, Committees of any number and type from the membership with such authority and terms as shall be designated. Committee recommendations shall require approval by the Planning Board.

1. Committees: The Chairman may appoint members to committees as required at any meeting of the Board.
2. Citizen Participation: Any Committee may solicit advice and counsel from citizens who are not members of the Board.

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POWERS & DUTIES

Pursuant to the Dutchess County Charter, as amended, the Administrative Code, and the Manual of Management Policies, the Planning Board may:

- (a) organize itself to carry out responsibilities;
- (b) consider any matters relating to metropolitan, regional, county or municipal planning, development, transportation, infrastructure, housing and land use.
- (c) advise the Commissioner of Planning and Development on any matter and make recommendations thereon on its own initiative or at the Commissioner's request;
- (d) assist the Commissioner of Planning and Development, on his or her request, in any matters affecting the funding or securing for the County any major physical or economic improvements deemed desirable and give public testimony in support of these;
- (e) counsel with the Commissioner of Planning and Development in the selection of those imperatives to be included in the five-year projection of capital needs prepared by the Department of Planning and assist in the annual updating of this projection; and
- (f) serve as a bridge between the public and the Department of Planning and Development as well as the County Government in general.

MEETINGS

A. SCHEDULE

The Board shall have at least four meetings in a calendar year. Special meetings of the Board may be held at any time upon forty-eight (48) hour notice, oral or written, by the Chairman, or Vice-Chairman.

1. Annual Organization: An organizational meeting shall be held the first regular meeting of each year. At this time:
 - (a) executive officers shall be elected after proper nomination and a candidate receiving a majority vote of the total membership at the time of election shall be declared elected;
 - (b) members may be appointed to committees by the Chairman; and
 - (c) the by-laws shall be reviewed.
2. Reschedule Meetings: The Chairperson shall have the authority to reschedule a regular meeting due to a lack of a quorum. The Chairperson shall also be empowered to cancel a meeting of the Board.
3. Special Meetings: Special meetings of the Board may be called by a majority of the members present at any regular meeting, by the Chairperson or Vice-Chairperson, or by written request of the Chairperson and at least one-quarter of the total authorized representative members of the Board. Special meetings will be open public meetings. All members of the Board shall be notified in writing, by telephone, or by e-mail of such special meeting forty-eight (48) hours in advance.

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4. Executive Session: The Board may meet in executive session as provided by law. Any official action shall be made in open session.
5. Notices: Written or e-mail notice of regular meetings shall be sent by the Secretary at least five (5) days in advance of each session, and publicly noticed as required by law.

B. PROCEEDINGS

Roberts Rules of Order shall govern the Board's proceedings except as specified otherwise by the Bylaws.

1. Order of Business: Business of a regular meeting shall be conducted as follows:
 - (a) Roll Call
 - (b) Approval of Minutes
 - (c) Old Business
 - (d) Committee and Official Reports
 - (e) New Business
 - (f) Correspondence
 - (g) Adjournment
2. Attendance: Unless otherwise restricted by the certificate of incorporation or the by-laws, any one or more members of the board or any committee thereof may participate in a meeting of such board or committee by means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at a meeting.
3. Quorum: A quorum shall consist of seven of the appointed members of the Board and shall be necessary to transact official business.
4. Voting: Voting membership shall be the thirteen appointed members of the Board. A roll call vote may be called at the discretion of the Chairman or upon the request of a Board Member, subject to majority approval by the Board. Unless otherwise required by law, the vote of a majority of the members present at any meeting at which there is a quorum shall be the act of the Board. Each member present shall have one vote.
 - a. Proxy Votes: A voting Member of the Board may appoint the Chair, or another identified individual board member, to vote in that Member's absence in writing prior to the meeting using the prescribed form. That proxy will count towards meeting a quorum. No member, other than the Chair, may hold more than one proxy at any meeting.
 - b. Written Unanimous Consent: Any action required or permitted to be taken by the Board or any committee may be taken without a meeting, if all members of

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the Board or the committee consent in writing or electronically to the adoption of a resolution authorizing the action. If written, the consent must be executed by the member by signing the consent or causing his or her signature to be affixed to the consent by any reasonable means, including but not limited to facsimile signature. If sent electronically, the consent must set forth or be submitted with information from which it can reasonably be determined that the transmission of the consent was authorized by the member. The resolution and the consents thereto by the members of the Board or of such committee shall be filed with the minutes of the proceedings of the Board or of such committee.

- c. Conflict of Interest: Members of the Board are not permitted to participate in any decision-making process which involves a project submitted on behalf of the entity/municipality/agency they represent.
5. Visitors: Visitors at a meeting may enter into a discussion, and/or present petitions, in the manner and for the period of time prescribed by the Chairman.

C. MINUTES

Minutes shall be kept of all Board meetings by secretary. The minutes of any meeting shall not be considered officially released until formally approved by the Planning Board.

A M E N D M E N T S

The Bylaws shall be adopted at a regular meeting of the Board and shall be amended only by a majority vote of the total membership.

Original Adopted February 11, 1964; Amended: April 8, 1965, May 12, 1966, March 14, 1968, and January 13, 1977, October 13, 2010, March 13, 2019, and February 17, 2021.

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Sample Proxy Language:

I, _____, a voting member of the Dutchess County Planning Board, do hereby assign and deputize the Chair of the Board (or _____)* to cast my vote on any questions arising at the duly scheduled meeting of the Board to be held on the ___th day of _____, 20xx, at the _____.

*The named person must be a voting member of the Dutchess County Planning Board.