

V. BOARD AND COMMISSION SUBCOMMITTEES AND AD HOC COMMITTEES

1. Subcommittee Purpose and Council Approval

Periodically, a board or commission may establish a subordinate limited-term subcommittee to advise and make recommendations to the board or commission, to perform additional research on, or to gather public input for a particular project or specific topic in the area of responsibility of the board or commission. To create sub-committees or task forces that will include members not currently serving on the board or commission, approval of the Department Director and County Council must be obtained prior to creation.

2. Subcommittee Creation.

The motion creating a subcommittee must, at a minimum, set forth the following:

- a. The name of the subcommittee
- b. The purpose of the subcommittee
- c. The deliverable or product, if any, to be presented upon completion of the purpose
- d. The number of members
- e. The term of each of the members
- f. To whom the subcommittee reports
- g. The staff support and resources expected to be provided
- h. The termination date ("Sunset Clause") for the subcommittee

3. Subcommittee Membership.

- a. Number of Members. Except under unusual circumstances, a subcommittee will consist of not less than 3 members nor more than 5 members. Requirements for subcommittee membership will be determined by the board or commission and can include volunteer citizens that are not currently serving as members of the parent board or commission, subject to Council approval.
- b. Residency Requirement. Preference will be given to residents of Los Alamos County in appointment to a subcommittee, but residency will not be a requirement for appointment.

- c. Open Meetings Act. If the number of regular B&C members on the sub-committee is equal to or greater than a quorum of the B&C, then the sub-committee must comply with Council's annual Open Meetings Act resolution.
- d. Councilor Membership. A subcommittee's purpose is to advise the board or commission. In order to assure that advice is provided in a free and open discussion, no currently serving Council member will be appointed to serve on a board or commission subcommittee. Service, even ex-officio, by a currently serving Councilor will not, except in unusual circumstances, be allowed.
- e. County Employee Membership. Charter Section 905.1 limits membership by County employees.
- f. Conflict of Interest. County Charter Section 910 sets forth the restrictions on service arising from conflicts of interest. Compliance with the Charter is required when appointing members to a board or commission subcommittee.
- g. Term of Membership. Ad hoc committees and subcommittees, by their very nature, are generally short lived. Therefore, the term of all members of an ad hoc committee will be the same and no more than six months. The members of subcommittees can serve staggered terms of no more than two years.
- h. Voter Registration Status. Preference will be given to registered voters but registration as a voter will not be a requirement for appointment as a member of a board or commission subcommittee.

4. Subcommittee Reporting Responsibility and Requirements.

- a. The motion creating the subcommittee will specify to whom the subcommittee specifically reports. All subcommittee communications, reports, or recommendations will be made to the standing board or commission.
- b. The Chairman of the subcommittee will make or prepare subcommittee reports to the board or commission. The Chairman will report the decision of the majority of the subcommittee. A significant minority position may be reported if a majority of the subcommittee directs its

Chairman to include the position in the report. Whenever the board or commission wishes, it may request a report of the subcommittee.

5. Subcommittee Staff Support/Resources.

- a. Prior to the passage of a motion creating a new subcommittee or renewing the term of an existing subcommittee, the board or commission will identify with specificity the resources to be committed by the County in support of that subcommittee. The appropriate County Department Director shall have the authority to determine what, if any, administrative or staff support will be provided to a board or commission subcommittee.

6. Subcommittee Term of Existence.

- a. Each subcommittee will have a specific date when its term will end (a.k.a. "Sunset Clause"). The purpose of a limited term is to encourage review for relevancy, duplication, focus, enhancement and performance. Sunset clauses are recognized as useful to reconfirm the need for the services of an existing subcommittee and to assure that administrative support is being supplied in the manner best suited to the subcommittee's needs.
- b. Each sub-committee shall be established for a period of not more than one year; however, the subcommittee may be continued for additional one-year periods upon affirmative vote of the board or commission taken before the expiration of the sub-committee.

7. Board or Commission Ad hoc Committees.

- a. Establishment and expiration of ad hoc committees. Boards or commissions may establish an ad hoc committee at any time the board or commission finds that there is a need for "one-time-only" advice to carry out a specified task. Ad hoc committees shall be appointed by motion and vote of the board or commission. At the time an ad hoc committee is established, the task to be completed by the committee shall be clearly stated. The ad hoc committee shall cease to exist upon the completion of the described task or the expiration of six (6) months, or another date agreed upon by the board or commission, whichever is earlier. To reestablish an ad hoc committee once it has ceased to exist, the board or commission must review the assignment made to the ad hoc committee and

reestablish the ad hoc committee, as the board or commission finds necessary or desirable.

- b. Membership. Appointments, on a voluntary basis, to ad hoc committees will be made at the time the ad hoc committee is established unless the board or commission determines that there is good reason to select and appoint members on an alternative basis. Ad hoc committees shall be comprised of no more than three (3) board or commission members. The board or commission may request that staff be assigned to assist the ad hoc committee as a resource, however this request will require Department Director approval; staff members, if assigned by the Department Director, will act as ex-officio members.

VI. CLARIFYING STATEMENT

A board or commission member may attend any meeting, public or private, provided that there is not a quorum of the board or commission at the meeting (if proper public notice has not been given) and provided that, prior to speaking on a matter of the board or commission business, or County business in general, the board or commission makes the Clarifying Statement below:

"What I say today is my opinion. I am not speaking on behalf of any board or commission or the County and I cannot tell you what action the County or County Council might take in the future with regard to any particular subject."

This provision is not intended to apply to ordinary conversations or other "meetings" that are not organized or called.

VII. EXPENDITURE OF PUBLIC FUNDS

Boards or commissions cannot expend funds or create liabilities unless expressly authorized by law or otherwise authorized by the County Council.

VIII. AMENDMENTS

Amendments: Amendments to these General Rules and Procedures may be made by motion of the County Council.

DEFINITIONS

The Charter of the incorporated County of Los Alamos states that:

"The Council may create boards or commissions to advise the Council, the County Manager, or department heads, to hear appeals concerning any County operation, or to make investigations or reports the Council may designate. No B&C or Commission created by the Council shall have any authority except as granted by Council." - Article III Section 305. (Ord. 388 §4, 1994)

The following definitions shall apply to terms used in conjunction with Los Alamos County B&Cs:

Ad Hoc Committee or Task Force -- A Committee or task force is established by the County Council or a B&C whose functions are limited to a specific task or project.

Board or Commission -- A Board or Commission that is an ongoing volunteer citizen body created by ordinance or Council motion with a specified number of members who serve set terms.

Board or Commission sub-committee - a sub-committee created by a B&C that is subordinate to the B&C. The sub committee must be re-affirmed annually by the B&C members.

Regular Member -- A voting member of a B&C by virtue of appointment by the County Council.

Ex Officio Member -- A non-voting member of a B&C by virtue of office, the County Charter or Code, or by appointment by the County Council, County Manager, or Department Director.