

AMITE RIVER BASIN DRAINAGE AND
WATER CONSERVATION DISTRICT

BY-LAWS

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BY-LAWS
AMITE RIVER BASIN DRAINAGE AND
WATER CONSERVATION DISTRICT

ARTICLE I
THE DISTRICT BOARD OF COMMISSIONERS

The District Board of Commissioners shall be that established by Louisiana Revised Statutes Title 38, Section 3301.

ARTICLE II
OFFICERS

The officers of the District Board of Commissioners shall be a President, Vice-President, Chairman of the Finance Committee and Secretary. The powers and authorities of these officers shall be limited to those delineated in the Bylaws or as set forth in LRS 38:3301 et seq.

1. PRESIDENT. The President shall:
 - A) be a member of the District Board of Commissioners.
 - B) arrange for and preside at all meetings of the District Board of Commissioners.
 - C) appoint members to the Standing Committees and may establish other select committees and appoint members to those committees.
 - D) advise the Governor if any member misses three consecutive meetings without good cause at the request of the District Board of Commissioners
 - E) sign contracts or other instruments in writing on behalf of the District Board of Commissioners ..
 - F) Cast his or her vote when the Board is equally divided; otherwise, he may but shall not be required to vote.

2. VICE-PRESIDENT. The Vice-President shall:
 - A) be a member of the District Board of Commissioners.
 - B) in the case of the disability or temporary absence of the President, assume the powers, duties and responsibilities of the President until the termination of the disability or absence.

3. SECRETARY. The District Board of Commissioners Secretary may:
 - A) be an employee or member of the Board of the District Board of

Commissioners.

- B) be appointed by a majority vote of the District Board of Commissioners.
- C) be accountable directly to the Executive Director and shall perform such duties as are assigned by the Executive Director.
- D) be responsible for the keeping of all contracts, agreements, resolutions, papers and records of the District Board of Commissioners and records of the proceedings and actions of the District Board of Commissioners.
- E) authenticate any resolution of the District Board of Commissioners.
- F) attest to the signature of the President on instruments and documents.
- G) if the Secretary is an employee, the Secretary shall act as the Principal Assistant to the Executive Director and the Board
- H) prepare public meeting notices;
- I) attendance and preparation of minutes of meetings;
- J) process all mail;
- K) direct incoming phone calls;
- L) purchase of supplies;
- M) prepare financial reports, payroll, invoices, and reconciliation of funds
- N) management of records retention policies;
- O) oversee update of commission website(s);
- P) prepare all disbursements and collections and
- Q) prepare annual millage documents

4. CHAIRMAN OF THE FINANCE COMMITTEE. The Chairman of the Finance Committee shall:

- A) be a member of the District Board of Commissioners.
- B) perform such duties and functions as are assigned by the Finance Committee.
- C) shall have the authority, jointly with another officer of the District Board of Commissioners, or the Executive Director to sign checks, drafts and notes on behalf of the Board.

5. EXECUTIVE DIRECTOR. The Executive Director shall:

- A) in general implement the policies of the Amite River Basin District as adopted by its Board of Commissioners.
- B) keep the District Board of Commissioners informed of all progress and problems in connection with the implementation of the District Board of Commissioners' policies and projects.
- C) supervise all other employees of the District Board of Commissioners.
- D) authorize expenditures within the limits and for the purposes previously approved by the District Board of Commissioners in the annual budget subject to the limitations contained in the State Public Bid Law.

- E) interface with other organizations, government entities, elected officials and the general public as required to share information and ideas, pursue common goals and develop solutions to problems which benefit programs and projects in the district.
- F) assist the Finance Committee in the preparation of the Annual and Capital Operating Budgets
- G) overall management of the ARBC office
- H) provide staff support to all ARBC Committees
- I) keep the commission informed of the status of ongoing project and programs
- J) report monthly at the regular meeting of the ARBC on activities, programs and projects undertaken by the commission
- K) report and advise on programs and items for discussion at regular commission meetings based on activities during the month;
- L) manage projects and studies undertaken by the commission;
- M) coordinate activities with federal, state and local entities in the field of Flood Control programs, projects and Floodplain Management, within the Amite River District
- N) Prepare news releases and other responses to the media when directed by Executive Committee

ARTICLE III ELECTION OF OFFICERS

1. The officers of the District Board of Commissioners shall be as follows:
 President,
 Vice President
 Finance Committee Chairman.
 Secretary
2. The terms of office for all officers shall be two years. No officer shall serve more than two consecutive full terms in the same office. The election of officers shall take place in June unless the election of a new Governor results in the appointment of all new Board members in which case a meeting should be called as soon as practical and new officers elected for that period of time which remains until the regularly scheduled elections are to be held.
3. The President shall appoint a nominating committee in the month of May of the year elections are to be held. The nominating committee shall propose a slate of officers to the Board at its regularly scheduled June meeting, with a vote held at the June meeting. The new President will assume his/her new duties at the July meeting.

4. In the case of a vacancy in an office other than the President, the Board shall elect a Board member to serve out the remaining term. In the case of a vacancy in the office of President, the Board shall elect a new President at the next regularly scheduled meeting of the Board. Nominations for President shall be solicited by the Vice-President and a vote taken to elect a new President.
5. The President may also appoint a Historian and a Parliamentarian.
6. The Secretary of the District Board of Commissioners may be a paid employee of the Board. The Secretary shall be the principal assistant to the Board of Commissioners and Executive Director as defined by Louisiana Constitution, Article 10, Section 2. If deemed necessary, additional clerical help may be employed to assist the Secretary at the discretion of the Executive Director subject to ratification of the Board of Commissioners at the next regularly scheduled meeting of the Board of Commissioners.

ARTICLE IV PRINCIPAL OFFICE

The District Board of Commissioners shall establish a principal office at a location within the area designated within the state statute. All permanent books and records of the District Board of Commissioners shall be housed at its principal business office.

ARTICLE V DECORUM

1. Meetings of the District Board of Commissioners shall be held at the time and at the place designated by the Board, the President or upon the call of any two Commissioners, unless changed or canceled by the President or the Board at least five business days prior to the scheduled meeting date.
2. A quorum shall be declared present in order to hold a meeting of the Board. A quorum shall consist of a majority of the filled positions of the Board. In the absence of a quorum present, the President may reschedule the meeting for a later date.

3. In the absence of specific applicable provisions in these By-Laws or in the laws of the State of Louisiana, District Board of Commissioners activities shall be conducted under the provisions of Robert's Rules of Order.
4. The President shall preside at all meetings of the District Board of Commissioners and shall conduct the general order of business in accordance with an agenda prepared in advance of each meeting as described in Article VII.

ARTICLE VI VOTING

A simple majority, except when otherwise required by law, of District Board of Commissioners members shall be present and voting for official action. All votes made by members of the District Board of Commissioners shall be held by voice vote and shall be recorded in the minutes or other official written proceedings. The written proceedings of the meeting shall be a public document.

Any vote to increase millage rates beyond that articulated in La. Const. Art. 7, Sec.23 but not in excess of the prior year's maximum authorized millage rate shall require a two-thirds vote of the total membership of the District Board of Commissioners. Any such vote may not be held prior to a public hearing held in accordance with open meetings laws. Public notice of the time, place, and subject matter of such hearing shall be published in the newspaper with the largest circulation in the affected area.

ARTICLE VII AGENDA

1. Agenda items shall be limited to business items that must be addressed by the entire Board, and could be subject to a vote.
2. The President, and/or Executive Committee and/or Executive Director, shall prepare and distribute to District Board of Commissioners members at least five business days in advance of each meeting an agenda of items to be considered at the meeting. Any two Board members may place an item on the agenda by so advising the President and/or Secretary. Copies of the agenda shall be mailed or transmitted by facsimile or email to the full District Board of Commissioners and to members of the news media who have requested the agenda.
3. Statements of opinions or items which are not germane to the current agenda items shall be reserved for the public comment period. The public comment period will be held prior to the taking up of any substantive agenda items.
4. The President shall confine all members to the question under consideration. A Point of Order and a simple majority vote of the Board shall be used, if necessary, to appeal the decision of the President as to whether an item is or is not germane

to the current Agenda Item of the Commission.

5. The agenda will be set by the President, and/or Executive Committee and/or Executive Director, during the month and mailed out to the full Board of Commissioners and to the press if requested in writing. The Secretary will make every effort to have the agenda delivered to the commissioners 5 days prior to the meeting.
6. Any items, not included in the agenda, which have not been previously posted, may be added to the agenda upon unanimous approval of the members present at the meeting. Any such item shall be subject to a period of public comment prior to any formal action. An item not on the agenda or added to the agenda will not be taken up at the meeting.
7. In accordance with Louisiana's Open Meetings Law, the Amite River Basin Drainage and Water Conservation District maintains the following rules regarding the public comment period:
 - a. The public comment period will take place prior to any substantive agenda items.
 - b. Public comments will be limited to the items listed on the agenda. Persons wishing to comment must identify the agenda item on which they intend to comment.
 - c. Speakers are limited to a period of three minutes to make comments.
 - d. The total public comment period will be limited to thirty minutes. This period may be extended by motion of a member of the ARBC or by declaration of the President.
 - e. If there are a large number of speakers, the President may request that they select one or more representative speakers to speak for the group and extend the time for those speakers to a time that allows them to fully express the position of the group. If there are speakers on opposing sides of an issue, both sides should be granted equal opportunity to comment.
 - f. Comments shall be respectful, without any vulgarity or personal attacks on any individual.
 - g. The public comment period is not a question and answer session. Members of the public may not demand answers of members of the ARBC.

- h. While there is no obligation to do so, any member of the ARBC may respond to a question posed by the public. The President has authority to take actions he deems necessary to uphold this Public Comment Policy and maintain order and decorum in the meeting.

ARTICLE VIII COMMITTEES

Standing committees of the District Board of Commissioners shall be the Executive Committee and the Finance Committee. The President may establish other select committees and assign them duties as appropriate.

1. EXECUTIVE COMMITTEE. The Executive Committee shall:
 - A) consist of the President, Vice-President, and Chairman of the Finance Committee.
 - B) perform such functions as may be assigned by the President or the Board.
2. FINANCE COMMITTEE. The Finance Committee shall:
 - A) consist of the President, the Chairman of the Finance Committee and other such members as the President may see fit to appoint.
 - B) make recommendations to the District Board of Commissioners concerning the supervision of the fiscal operations of the District Board of Commissioners.
 - C) present a detailed annual budget to the Board for Board approval not less than 30 days prior to the beginning of each fiscal year and amendments to the budget as required by State law.
 - D) have prepared detailed monthly financial statements and distribute them to members of the Board.
 - E) within 30 days following the close of each fiscal year, commission an audit of District Board of Commissioners accounts and distribute the audit to Board members when completed.
 - F) require that at least two signatures on all District Board of Commissioners checks from Board Members and/or the Executive Director.

ARTICLE IX REVISION OF BY-LAWS

1. Proposed revisions and/or additions to the By-Laws shall be submitted by either the Executive Committee, by an appointed select rules committee or by a minimum of three Board members to the Board of Commissioners for approval.
2. Requests containing proposed revisions should be submitted in writing at least 15

days prior to the date of the next regularly scheduled Board meeting so that the subject matter can be placed on the agenda.

3. After the Board adopts the revision and/or addition, it will be placed in the By-Laws, which will be kept, up to date and readily available at the Commission office by the Secretary.