

CITY OF POPLAR BLUFF
BOARD AND COMMISSION TRAINING SESSION

Tuesday – July 10, 2018 – 6:30 p.m.
Black River Coliseum – Council Chambers
301 South 5th Street – Cedar St. side entrance

AGENDA

1. Welcome by Mayor McVey
2. Boards and Commissions Handbook
3. Sunshine Law
4. Conflict of Interest
5. Robert's Rules of Order

**CITY OF POPLAR BLUFF
BOARDS AND COMMISSION**

**SUMMARY INFORMATION
PERTAINING TO:**

- **Sunshine Law**
- **Conflict of Interest**
- **Robert's Rules of Order**

SUNSHINE LAW

(MISSOURI OPEN MEETINGS)

I. GOVERNMENTAL BODIES:

- Legislative – 610.010 (4)
- Administrative – 610.010 (4)
- State and Local Agencies – 610.010 (4)(c)

II. PUBLIC RECORDS:

- Any record whether written (paper copy) or electronically stored, retained by any public governmental body, including any report, survey, and memorandum

III. PUBLIC RECORDS – SPECIAL ISSUES:

Emails and Electronic Data:

- Emails that include information pertaining to the business of a Board or Commission are an open document.
- Discussion on issues that are being addressed or will be addressed by the Board or Commission should not take place via email communication. These discussions should take place in the open meeting.

IV. MEETINGS:

- All meetings of Boards and Commissions must be posted for public viewing no less than 24 hours in advance of the meeting.
- There are very few meetings that are not open to the public and those meetings not open must meet the provisions of the Sunshine Law to close the meeting.
- If subcommittees are established and conduct meetings those meetings are open and must be posted.
- There should be meeting minutes of each Board and Commission and/or subcommittee meetings open for public inspection.
- A quorum is needed to conduct a meeting. For the majority of Boards and Commissions this is the majority of the Board or Commission. There are some instances where the quorum may be established through State Statutes.
- A member may participate by phone if they so choose. They may vote via phone as long as it is not a roll call vote. Those participating by phone may not vote in this case. A roll call vote is when each member's name is called for their vote.
- The Board or Commission member has the right to participate by phone and this is not determined by the Chair or any other member on the participation by phone.
- If it is determined that a Closed Meeting is needed the following should be considered:
 - Determine that the meeting can be closed under the provisions of the Sunshine Law
 - The agenda should include the Closed Meeting portion of the meeting.
 - There needs to be a motion and a second to close the meeting and state the purpose (generally) of the closed session.
 - After there is a motion and a second a roll call vote is needed to close the meeting.
 - Any motions in the Closed Meeting must have a roll call vote.
 - A motion, second and roll call vote is required to open the meeting.
 - Only items pertaining to the Closed Meeting may be discussed. No discussion of other items that are considered open meeting discussion items.
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Requests for Records:

- The City has a Custodian of Records that is responsible for responding to requests for documents.
- Anyone requesting records should be advised to contact the City Clerk (Custodian of Records)

Questions:

If there are any questions that arise regarding open meetings, public records, emails, closed meetings, etc. please direct those questions to the City Clerk for a response.

CONFLICT OF INTEREST

- The City of Poplar Bluff adopts an ordinance annually addressing Conflicts of Interest.
- Conflicts of Interest may also pertain to Board and Commission members in certain circumstances:
 - If an issue comes before the Board or Commission and a member may have financial or personal interest in item that member must recuse themselves from the meeting.
 - No Board or Commission member may be a presenter of information on an issue where they may have financial interest.
 - In cases where a Board or Commission member has recused himself/herself the member must leave the proceedings. The member should leave the room until the discussion or action on the issue is concluded.
 - Said members may not vote in these types of cases.
 - A member should have complete separation from the issue being presented and if possible, should not be a signer or any application presented to the City.

ROBERT'S RULES OF ORDER

What is Parliamentary Procedure?

It is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

Why is Parliamentary procedure Important?

Because it's a time tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert's Rules of Order newly revised is the basic handbook of operation for most clubs, organizations and other groups. So it's important that everyone know these basic rules:

Fixed Order of Business:

1. Call the meeting to order
2. Call the roll (names of those on the board or commission)
3. Approve minutes of last meeting
4. Public Hearings (if this applies)
5. Public Comments
6. Old Business (Unfinished)
7. New Business
8. Board or Commission Member Reports
9. Staff Reports
10. Adjournment and Announcement of Next Meeting Time and Location

Motions:

Main Motions: The purpose of a Main Motion is to introduce items to the members for their consideration. Motions cannot be made when any other motion is on the floor.

Subsidiary Motions: The purpose of a Subsidiary Motion is to change or affect how a main motion is handled and is voted on before a main motion.

How are Motions Presented?

1. Obtain the Floor
 - a. Wait until the last speaker has finished
 - b. Address the Chair by saying Mr. /Ms. Chair
 - c. Wait until the Chair recognizes you
2. Make your Motion
 - a. Speak in a clear and concise manner
 - b. Always state a motion affirmatively. Say "I move that we..." rather than, "I move that we do not..."
 - c. Avoid personalities and stay on your subject
3. Wait for someone to second our motion
4. Another member will second your motion or the Chair will call for a second
5. If there is no second to your motion it is lost
6. The Chair states your motion
 - a. The Chair will say, "It has been moved and seconded that we..." Thus placing your motion before the members for consideration and action.

- b. The members then either debate your motion, or may move directly to a vote.
- c. Once your motion is presented to the membership by the Chair it cannot be changed by you without the consent of the members.
- d. You speak in favor of your motion after it is presented and seconded not as part of your motion
- e. You are allowed to speak first since you made the motion
- f. Comments and debate should be directed to the Chair
- g. You may speak again only after other speakers are finished unless called upon by the Chair

Putting the Question to the Members:

1. The Chair asks, "Are you ready to vote on the question?"
2. If there is no more discussion, a vote is taken

Voting on a Motion:

The method of voting on any motion depends on the situation.

1. *By Voice*-the Chair asks those in favor to say, "aye", those opposed to say "no". Any member may move for an exact count.
2. *By Roll Call*-Each member answers "yes" or "no" as their name is called. This method is used when a record of each person's vote is not required.
3. *By General Consent*-When a motion is not likely to be opposed, the Chair says, "If there is no objection..." The members show agreement by their silence, however, if one member says, "I object," the item must be put to a vote.

Other Possible Motions:

Motion to Continue: This motion may be used if the members desire to continue an item until a certain date. It is important that the motion to continue include a date certain such as, "I move to continue this item to (date)."

Motion to Table: This motion is used if the members do not want to consider it and do not want to continue it to a date certain. If there is a motion and a second to table an item, the vote on the motion to table must take place immediately. There is no discussion after the second to the motion to table.

Motion to Reconsider: This motion is used when an item has been voted on at the previous meeting and one of the members who voted in the majority wants it to be reconsidered. This must take place at the very next meeting of the Board or Commission and should be included on the agenda if it is known that this action will take place.

Parliamentary Procedure is the best way to get things done at your meetings. However, it will only work if it is used properly.

- Allow motions that are in order.
- Have members obtain the floor properly
- Everyone should speak clearly and concisely
- Obey the rules of debate
- Most Importantly – Be Courteous

CITY OF POPLAR BLUFF

**BOARDS &
COMMISSIONS**

Member Guide 2018

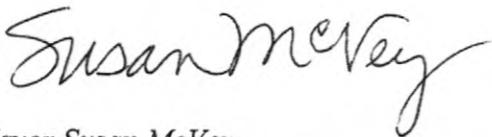
BOARDS AND COMMISSIONS HANDBOOK

WELCOME

The City of Poplar Bluff is committed to achieving excellence in the services we provide to our citizens, in strengthening our city infrastructure and in building and fostering a strong, vibrant community centered upon our citizens. This commitment is part of what makes our community a place where we want to live and raise our families. Your willingness to volunteer on a board or commission is your opportunity to be directly involved in the City's work in achieving our community vision and strengthening our core values. We appreciate your willingness to serve and are excited by the opportunity to work with you to build a brighter future for the City of Poplar Bluff.

The City Council, and their vision for the citizens of Poplar Bluff, is to be more transparent and make our government more efficient. These are the principles, along with the duties set forth in the legislation establishing your board or commission, which guide your work. By actively participating in your city government, you will help us achieve our vision for our community. It is our hope that the training and support we provide for your work on your board or commission will assist you in your volunteer service for the City. We look forward to your involvement in your city government. By volunteering to serve on a board or commission, you are helping the City shape its policies, implement the City's vision and values and directly involve the citizens in strengthening our community.

With gratitude for your service and commitment to the City of Poplar Bluff,

A handwritten signature in cursive script that reads "Susan McVey". The signature is written in black ink and is positioned above the printed name.

Mayor Susan McVey

WHERE TO BEGIN



The City Council, by choosing to appoint you to a board or commission, believes that you will use your skills, education and life experience to improve the City of Poplar Bluff. When the Council forms boards and commissions, it does so for a special purpose.

In addition to that purpose, your responsibilities and duties also include:

- 1 Good preparation, attendance, and active participation
- 2 Acting within the scope of authority granted
- 3 Conduct public business in an open and transparent manner
- 4 Serve as a responsible steward of public resources
- 5 Compliance with laws, including those related to public service

BOARDS AND COMMISSIONS HANDBOOK

1) Preparation, attendance and active participation

Preparation, good attendance and active participation are essential. The staff liaison will provide members with the meeting agenda and any related material. To facilitate meaningful and productive discussion, board members should review the agenda and the related material prior to the meeting.

Regular attendance at board and commission meetings are important.

The City realizes that occasionally business and family commitments will prevent a member from attending a meeting. When this happens, a board member should notify the staff liaison or board secretary and chair of the board or commission of the absence in advance of the meeting. Unfortunately, emergencies happen which prevent advance notification of an absence. As soon as possible after the emergency has resolved, the board member should notify the staff liaison and the chair of the board or commission.

Sometimes an unexpected business or family situation arises which makes attendance and active participation on a board or commission a burden. If a member expects continued absences, the chairperson and the staff liaison should be contacted to discuss the situation. The City Council understands that these situations arise and will understand an individual's need to step down from serving. If a board member determines it is necessary to resign from the appointed position, the member should send a letter or an email to the chair, the staff liaison and the city clerk. This type of scheduling conflict will not preclude future appointments to boards or commissions when a person's schedule is more accommodating.

2) Scope of authority granted

The City Council has assigned legislation duties and responsibilities to your board or commission. The ordinance or resolution that established the board sets forth the duties and responsibilities of the board. As a member of the board, your authority to act is derived and limited by the ordinance or resolution adopted by the City Council.

Occasionally, the City Council may make special requests to a particular board. The staff liaison will assist the board with its response and will submit the board's response to the City Manager's Office for inclusion on the council agenda.

3) Conduct business in an open, fair and transparent manner

In May of 2012, the City Council adopted an ordinance relevant to the custodian of records and the Missouri Sunshine Law which applies to all levels of city government. This policy supplements the Sunshine Law and declares it to be the policy of the city that all public business to be conducted in an open and transparent manner.

4) Good stewardship of public resources

Members of boards and commissions are to follow the City's rules and policies regarding the use of public funds. Public resources are provided to assist in serving the public and are not to be used

BOARDS AND COMMISSIONS HANDBOOK

for personal or private benefit. No public funds or public resources may be used to advocate, support or oppose any ballot measure or candidate for public office. Members have a duty to ensure use of funds and public resources are for public benefit.

If the City has appropriated funds for the work of the board or commission, the board may only spend those funds for the purpose such funds were appropriated. If the board has not been appropriated public funds, then it is not authorized to spend public funds. To request funding, the board must submit a report to the City Council requesting an appropriation. The staff liaison will arrange for the report to be placed on the next available City Council agenda.

5) Compliance with laws

In addition to the Council legislation which defines and limits the scope of a board's authority, the board or commission must follow all the laws of the State of Missouri and the ordinances of the City of Poplar Bluff. The laws include, but are not limited to, the Missouri Sunshine Law and state laws related to the retention of public records and laws regarding conflicts of interest. These matters are discussed in detail in the next section of this handbook.

LEGAL STUFF



THIS IS IMPORTANT!!

All boards, commissions and advisory committees of a political subdivision are considered to be a public governmental body under Missouri law which must follow the laws applicable to public governmental bodies, including the Missouri Sunshine Law, state records retention requirements, and conflicts of interest.

The "Sunshine Law"

Chapter 610 of the Revised Statutes of the State of Missouri contains the Open Meetings and Records Law (commonly referred to as the "Sunshine Law") which applies to all public governmental bodies. It is stated public policy in Missouri that all meetings and records of public governmental bodies are open unless otherwise provided by law and that the law is to be liberally constructed in favor of openness.

The City of Poplar Bluff also has corresponding city ordinances adopting a policy providing for openness in government meetings and records. This section will highlight the requirements of the Sunshine Law related to meetings within city government...

Applicability

The law applies to any "public governmental body" or "quasi-public governmental body." The City Council and all boards, commissions, committees, task forces and similar groups appointed by the Council, the mayor, or the city manager are public governmental bodies subject to the Sunshine Law.

In addition, the law applies to any subcommittee of any board or commission.

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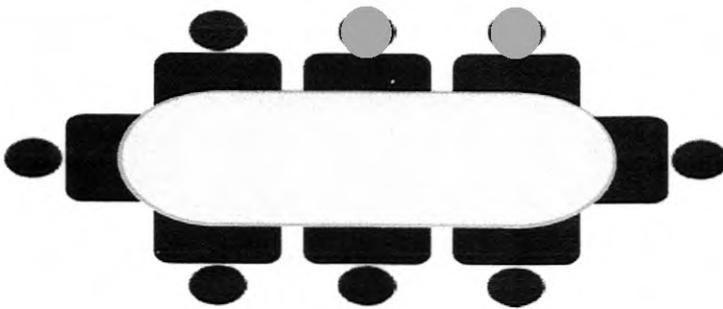
Meetings

A public meeting includes any gathering of a quorum of the body at which any public business is discussed. A quorum is a decision-making majority of the members of the public governmental body and the minimum number of board or commission members necessary to conduct the business of the group. If the legislative authority does not specify, then the general rule is the quorum is a majority of the members. Majority means more than half (for example, a ten-member board requires a quorum of six to hold a meeting).

Without a quorum, those members present may only do a limited number of things, such as setting the time and place for another meeting. Any substantive action taken in the absence of a quorum is invalid. A quorum must exist to begin the meeting and a quorum must exist throughout the meeting. If the number of members in attendance at any point falls below the number needed for the quorum, the board or commission loses its right to conduct substantive business and the meeting is at an end.

A public meeting also includes informal work sessions, site visits and discussions of public business performed by means of electronic communication equipment where a quorum of the body is included in the communication. The Sunshine Law applies to any gathering of a quorum, including discussions held by group email, Internet message board, Facebook, or similar electronic means where a quorum of the body is participating.

Board members should be cognizant and cautious of discussing public business without meeting the requirements of the Sunshine Law when attending conferences or traveling to and from meetings where a quorum of the body may be seated at a table or present in a vehicle together. Social gatherings where there is no intent to avoid the law are excluded from applicability of the Sunshine Law.



Notice of Meeting

The Sunshine Law requires notice of the time, date, place and tentative agenda of every meeting of a public governmental body. That notice must be given in a manner reasonably calculated to advise the public of the matters to be considered at the meeting. Notice of the meeting must be posted at least 24 hours in advance, exclusive of weekends and holidays. The city requires the notice be posted on the window of the first floor of City Hall marked as Public Notices and on the city website.

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Location and conduct of meetings

All meetings must be held in a place accessible to the public and at a time reasonably convenient to the public. The meeting room must be of sufficient size to accommodate the anticipated attendance.

Public governmental bodies must allow open meetings to be recorded by audio tape, video tape or other electronic means. Public bodies may establish guidelines regarding the manner in which recordings are conducted to minimize disruptions.

Minutes of all meetings must be taken and retained. At a minimum, minutes must include the date, time, place, members present, members absent and a record of any votes taken. When a roll call vote is taken, the minutes must contain the motion made and attribute each affirmative vote, negative vote or abstention to the individual member of the group.

All records of the board or commission, including the minutes, must be kept by the staff liaison or by the records custodian of the staff liaison's department. The records should be at a location where they are available to the public.

Accessibility

It is important to the City of Poplar Bluff that all members of the community be able to actively participate in government and government services. City of Poplar Bluff meeting facilities are accessible to the disabled and should be used whenever possible for the conduct of meetings. In addition to physical accessibility, some citizens may request interpreters or other accommodations. The staff liaison is responsible for responding to requests for accommodations and making arrangements when accommodations or interpretation services are required.

Rules of order

The chair is responsible for the conduct of the meetings and maintaining decorum during the meetings. Formal adherence with Robert's Rules of Order is not required; however, general conformance is recommended to promote fairness and efficiency.

Voting

Each member of the public governmental body must personally vote (no proxies allowed). Physical presence of a majority of the members at the meeting location is required to establish a quorum of the body. City procedures do not provide for videoconferencing by boards and commissions.

The general rule is the affirmative vote of a majority of the members present at the meeting is sufficient for a motion to be approved. However, some boards or commissions may have specific rules related to voting which control whether a measure passes. For example, under state law the Board of Adjustment requires an affirmative vote of four members to approve a variance. Your staff liaison will advise you of any special rules which may apply to your board.

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E-mail and other electronic communications

When email is used as communication by a member of a public body to discuss public business, the laws relating to open meetings and records apply and must be followed. One can think of email as an electronic meeting with all the same requirements as an in-person meeting. The Sunshine Law addresses the use of email as a form of communication and prohibits any “discussion” carried on by a quorum of the governmental body, unless the requirements relating to notice and public access are met. When a quorum of a governmental body engages in a discussion via email, the discussion is considered a meeting. Because the discussion is considered a meeting, notice of the public meeting and access to the public meeting must be provided in accordance with the requirements of the Sunshine Law.

Information may be distributed via email; however, the law provides that if a member of a public body emails two or more members of the body so that a majority of the body, counting the sender, is copied, the member must also copy the custodian of records. The message becomes a public record subject to the Sunshine Law. Under some circumstances, email communication between less than a majority of the public body may become a public record if it relates to public business. Because discussions carried on by a quorum of the body in group emails are meetings, members who receive information that has been distributed via email should not “reply to all” to engage in a discussion regarding the matter.

The notice of meeting requirements under the Sunshine Law provides that any meeting conducted by telephone or other electronic means must identify the mode by which the meeting will be conducted and designate a location where the public may observe and attend the meeting. The City currently has no practical way to provide the public with reasonable access to meetings held using group email or list servers. Accordingly, city boards and commissions may not use group email or other electronic communication to carry on discussions of City business.

Closed meetings

Although the public policy of the state of Missouri is to conduct public business in the open, there are instances when a body may conduct business in closed session. The Sunshine Law sets forth specific reasons why a meeting may be closed. Possible reasons for closure of a meeting to the public include litigation, attorney-client privileged communication, real estate transactions, personnel matters relating to hiring or discipline of a particular employee and contract negotiations.

Due to the nature of their work, most boards and commissions do not have the authority to meet in closed session. The chairman should consult with the staff liaison to determine whether the board has the authority to meet in closed session on any particular issue and, if allowed, the staff liaison will assist with proper procedures.

Penalties

A person who “knowingly” violates the Missouri Sunshine Law is subject to a fine of up to \$1,000. A person who “purposely” violates the law is subject to a fine of up to \$5,000. In addition, costs and reasonable attorney fees may be assessed against the member or the governmental body.

Additional resources

Additional information on the Sunshine Law is available from the following sources:

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- Missouri Attorney General's website: www.ago.mo.gov
Sections 610.010 through 610.035 RSMo. (available through the Missouri General Assembly website at www.moga.mo.gov)
- Ord. No. 7321, which is attached.

Records Retention Requirements

As a governmental body, a board or commission will create, obtain and retain records. State law places requirements on public records, including how long a particular record must be retained. Per Ordinance No. 7321, the City Clerk is responsible for advertising and accepting board applications, posting agendas and keeping minutes for all City boards.

Access to the local records board record retention schedules is available via the Missouri Secretary of States website at: <http://www.sos.mo.gov/archives/localreccs/schedules/>

Closed Records

Some boards and commissions may have access to records that are closed by law or access to other confidential information. It is a crime to disclose or release certain closed records. Use of such confidential information is for official business only. Board members entrusted with access to confidential information or closed records are responsible for the security of the closed records and confidential information.

Conflicts of Interest

Conflict of interest questions arise at all levels of government. Generally, a member is prohibited from participating in any matter which could result in a financial gain to self, spouse or dependent children. Areas of concern arise when a board or commission member is faced with influencing or making a decision on any matter involving any of the following:

- (1) any non-profit organization on which the member serves on the board of directors or is an officer or employee;
- (2) a business owned in whole or in part by the member or immediate family (must be greater than ten percent ownership interest in the company);
- (3) a business by which the member or the member's spouse or dependent children are employed; or
- (4) when the outcome could otherwise be economically advantageous to the member, the member's spouse or dependent children, or business associated with such member.

In such cases, the members should disclose the conflict to the other board members and abstain from all discussions and votes on the matter.

In addition to those situations in which there is a conflict of interest, all members of a board or commission must be aware of situations in which there is an appearance of a conflict of interest. In some cases, a matter may be pending before a board which will not benefit the member or a member

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of his or her family in any way, but the public may perceive it otherwise. In such situations, the board members may consider excusing himself or herself from the discussion or vote or disclosing the circumstance and declaring that it will not impact any decision-making on the matter.

If an issue arises, the member should discuss the situation with the chair and staff liaison. Attorneys in the law department are prohibited from providing legal advice to individuals; however, a board member may contact the law department to discuss a potential conflict and obtain additional information to assist with making an informed decision. If there is any doubt, the safest course of action is to abstain from participating in discussions on the issues. If practical, abstention should include leaving the room where the board or commission is meeting while the matter is discussed and acted upon.

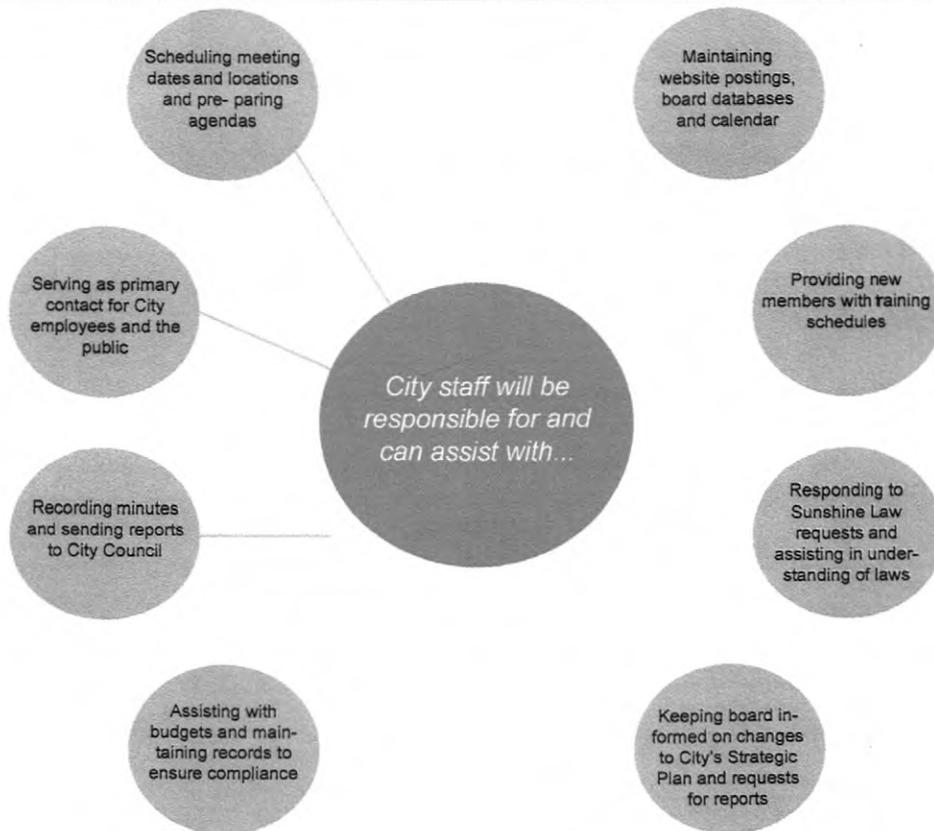
Additional information relating to conflicts of interest is available from the Missouri Ethics Commission: www.mec.mo.gov.

CITY STAFF IS HERE TO ASSIST!

Introducing your new best friend...

To assist boards and commissions with performance of duties, most of the boards have a Council liaison, and all boards have a staff member. The staff member is the connection to City government and is responsible for facilitating the flow of communication between the board, the City Manager, City staff and the City Council. In some instances, it may be the role of the staff member to review applications, provide professional analysis, prepare reports, and make formal (or informal) recommendations to the board, commission, City Manager or City Council.

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A list of the various City boards and their board summaries are below:

Airport Advisory Board – recommends to the City Council such rules, regulations and courses of action with regard to the supervision, management, control, operations, maintenance, repair and improvement of the Poplar Bluff Municipal Airport as it deems appropriate. This board is composed of nine (9) members, three (3) year terms and includes a Councilmember who is non-voting. This board is appointed by City Council.

Animal Control Advisory Board – serves as an advisory board for the enforcement of the provisions of Chapter 7 of the Poplar Bluff Code of Ordinances and performs such other duties as may be imposed by the City Council. This board is composed of five (5) members, three (3) year terms, Mayor appointed with City Council approval and the Council liaison is non-voting.

Arts & Museum Advisory Board – shall supervise, manage and make suggestions to the City Council with regard to any funds related to the fine arts, and art center for the City of Poplar Bluff, a museum for the City and such other matters as may relate to the fine arts and cultural development of the City or as may, from time to time, be called to the attention of the City Council. This board is composed of nine (9) members, three (3) year terms, Mayor appointed with City Council approval and their Council liaison is also non-voting.

Black River Coliseum Advisory Board – shall be chosen by the City Manager with recommendations from the Director and approval of the City Council. They may advise the Director on matters of general concern

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regarding the Black River Coliseum and shall act to promote the Coliseum in the City and surrounding community and shall make suggestions to the Council with regard to any funds related to the Coliseum and such other matters as may relate to the cultural and recreational development of the City. Said board shall be of an advisory nature only and shall not have any authority over any personnel, not shall it have any policy making authority. This board consists of seven (7) members with the Council liaison a voting member and serve three-year terms.

Building Standards Board – shall hold and conduct all hearings relative to the mandatory demolition or repair and maintenance of buildings and structures as required by the housing code of the City of Poplar Bluff. This board consists of seven (7) members and a Council member who is non-voting and serve for three (3) year terms and are appointed by the City Manager with approval by the Council. All board members must reside in the City limits according to Poplar Bluff Code of Ordinances, Section 125.030 (c).

Disabilities Advisory Board – to assist the City in complying with the provisions of the Americans with Disabilities Act and to act as a mediation panel to consider complaints that may be filed with the City in connection with said Act. This board is composed of seven (7) members, three (3) year terms, Mayor appointed with City Council approval. The Council liaison is non-voting.

Downtown Poplar Bluff, Inc. Board – was created to enhance and develop the downtown area of the City of Poplar Bluff. Said board shall consist of 9 members, including a voting member of City Council, an employee of the City of Poplar Bluff, a representative from the Butler County Commission and a representative from the Chamber of Commerce and five citizens. This board is appointed by the City Council with recommendation from the Downtown Poplar Bluff Board for members. Board members shall serve three, 4-year terms.

Electrical Wiring Board – created for the examination of electricians within the City. This board shall be composed of five (5) members, appointed by the City Manager for three (3) year terms. Of the five (5) board members there shall be two (2) licensed master electricians, one (1) electrical engineer, one (1) representative of the City Manager, and one (1) member of the interested general public.

Fair Housing Committee – to eliminate discrimination and safeguard the right of any person to sell, purchase, lease, rent or obtain real property without regard to race, sex, color, national origin, ancestry, religious affiliation, physical handicap and without regard to whether a family has children. Every complaint of housing discrimination shall be referred to the Fair Housing Committee. If the Committee, after investigation, finds there is no merit to the complaint, the same shall be dismissed. If the Committee finds that there is merit in the complaint, in their opinion, then the Committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation. If the Committee is unable to eliminate the alleged discriminatory practice then the Committee shall forward said complaint to the City Attorney. It is composed of five (5) members, three (3) year terms, a non-voting Council member and is Mayor appointed with City Council approval.

Heating, Ventilation, Air Conditioning and Refrigeration Board – appointed by the City Manager and composed of 7 members as follows A representative of the Utilities Department, a professional engineer, two (2) Class A license holders, two (2) Class B license holders, an interested member of the general public and the building inspector will be an ex-officio member. These members shall serve for three, three-year terms. The building inspector and/or the HVAC-R board shall decide all disputed questions pertaining to the installation of all HVAC-R devices and equipment. Decisions shall be governed by taking into consideration of the 2006 International Mechanical Code and the standards recognized by the HVAC-R board concerning the safe and proper installation of HVAC-R devices and equipment. Members of the board shall either live or have a business location identical to the residency requirements for City employees. The Building Inspector, with the approval of the HVAC-R Board is empowered to promulgate such rules and regulations in accordance

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with the provisions of this chapter as may be required and any rule or regulation so promulgated shall have the same force but no person shall be bound thereby until such rule or regulations has been posted in a conspicuous place at the main office of the building inspector for a period of not less than five (5) business days except that presentation to any person of a written copy of any rule or regulation shall be in lieu of the above stated posting requirement as to that person and discussion of the change at a public HVAC-R board meeting. Any deviation from the International Mechanic Code will require the approval of the HVAC-R Board.

Historical Commission – established for the protection, enhancement and perpetuation of properties of historical, cultural, archaeological, architectural and aesthetic merit. The Historical Commission shall consist of seven (7) citizen members, one (1) designated City Council member and the City Planner. The seven citizen members will serve for three-year terms and shall be appointed by the Mayor with City Council approval. The City Council member and the City Planner shall be non-voting members of the Historical Commission.

Housing Authority – Each city or county in the State may create a municipal corporation known as “The Housing Authority” of the city or county, after determining that there is a need for an authority to function. The governing body may, by resolution or other declaration, create a Housing Authority if it shall determine that unsafe or unsanitary inhabited dwelling accommodations exist for persons of low income. After such resolution is adopted, the Mayor shall appoint five (5) people who shall be taxpayers who have resided in said City for five (5) years prior to their appointment. Each member of the Housing Authority shall serve a four (4) year term. An authority shall be established to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for persons of very low and lower income. (RSMo, Section 99.040)

Library Board – shall make and adopt such bylaws, rules and regulations for their own guidance, and for the government of the library, as may be expedient, and not inconsistent with state law. Nine (9) members, three (3) year terms, Mayor appointed with Council approval. The Council member on this board is non-voting.

Municipal Utilities Advisory Board – the powers of the Board shall be solely advisory. It shall be empowered to visit and to inspect the operation of the water and light system, to have access to all financial and other records pertaining to said system, and to require from any City department or officer any information available concerning the same. The Utilities Advisory Board shall consist of five (5) members, one of which shall be a member of the City Council who shall serve a one (1) year term and all board members must reside in the City limits per Poplar Bluff Code of Ordinances, Section 125.030(c). The other four (4) members shall serve four (4) year terms. All five (5) board members shall be City Council appointed.

Park Board – shall have power to make and adopt such bylaws, rules and regulations for their guidance and for the government of the parks as may be expedient, not inconsistent with the laws of the State and the Board shall have the exclusive control of the expenditures of all money collected to the credit of the park fund. The Park Board shall have the sole control over the supervision, improvement, care and custody of the City parks. Nine (9) members, three (3) year terms, Mayor appointed with City Council approval. The Council liaison on this board shall be non-voting.

Planning & Zoning Commission – the City of Poplar Bluff Planning and Zoning Commission was established by ordinance on February 5, 1962 and conforms specifically with Articles 89.320 and 89.330 of the Revised Statutes of Missouri. The Commission shall have the power to grant conditional use permits, and to report on and make recommendations on amendments to the City Council. The Commission shall be composed of twelve (12) members, including the Mayor, a member of the City Council selected by the Council, a City engineer or similar official and nine (9) citizen members appointed by the Mayor with City Council approval. The nine (9) citizen members shall serve four (4) year terms and must all reside in the City limits per Section 125.030(c).

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Plumbing Board – created for the examination of plumbers within the City of Poplar Bluff and to receive and provide for the investigation of complaints. The board shall be composed five (5) members as follows: a master plumber, a journeyman plumber, a professional engineer, a representative of the City Manager and a lay member of the voting public. The members of the Board shall be appointed by the City Manager with City Council approval and shall serve three (3) year terms.

Residential Housing Advisory Board – Created to receive input and suggestions from its members for the City Administration and City Council to consider possible solutions to alleviate a decline in the conditions of its residential neighborhoods and help revitalize neighborhoods within the City of Poplar Bluff. This board will also be an avenue for the City and the local landlord association to communicate with each other on a regular basis concerning rental property within the City limits. This is an advisory board only and any suggested changes to any ordinance must be passed by a majority vote of the City Council. The board shall be composed of 5 members as follows: Councilmember, City Planner, Code Enforcement Office, a local realtor and a member of the Butler County Landlords Association. These members will serve three years terms with a maximum of 9 years, excluding the City Planner, Code Enforcement Officer and Councilperson.

Tree Advisory Board – Created especially for the purpose of reviewing and recommending rules and regulations on tree trimming, spraying, removal, planting and the protection of trees. Said board shall consist of five members appointed by the City Council with the original members of the Board having staggered terms and eligible to serve three, three-year terms for a total of 9 years limit. At least one member of the Board shall be selected from the Municipal Utilities Electrical Department and four members who are residents of the city limits of the City of Poplar Bluff. A representative of the street department will be appointed as a non-voting member as is the Council liaison.

Zoning Board of Adjustment – the Board shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official. The Board may, in conformity with State laws, reverse or affirm wholly or partly, or may modify the order, requirements, decisions or determination as ought to be made or may grant variances. Five (5) members, five (5) year terms, City Council appointed and all members must reside in the City limits per Poplar Bluff Code of Ordinances, Section 125.030 (c).

Thank you for your service!!