

Town of Hollis
Planning Board
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BY-LAWS
Amended July 1, 2007

ARTICLE I- OBJECTIVES, DUTIES and POWERS

The objectives and purposes of the Planning Board of Hollis, of York County, are to exercise the powers and duties delegated by the Selectmen and by the enabling of State law and local ordinances.

1. The Board shall participate in the preparation of a Comprehensive Plan as defined by 30 MRSA #4961.
2. The Board shall perform such duties and exercise such powers as are provided by Hollis Zoning Ordinance and the laws of the State of Maine.
3. The Board may obtain goods and services necessary to properly function within the limits of appropriations made for that purpose.
4. The Board may employ such staff and/or experts as it sees fit to aid the Board in its work including an Executive Secretary. Appointments, services and employment shall be made and approved by a majority vote of the entire membership.
5. The Board may employ persons to assist the Executive Secretary in the performance of the duties of the Executive Secretary.

ARTICLE II – MEMBERSHIP

1. The Board shall consist of seven (7) regular members and two (2) alternate members appointed by the Selectmen and sworn in by the Town Clerk or other person authorized to administer oaths.
2. The term of each member shall be three (3) years.
3. A member vacancy occurs upon: resignation, death, a member ceasing to be a voting resident of Hollis, or removal for cause. When a vacancy occurs, the Chairman of the Board shall immediately so advise the municipal officers in writing.

4. Failure to attend four (4) consecutive meetings without good cause or failure to attend seventy-five (75) percent of all meetings during the preceding twelve (12) month period is grounds for recommendation to the Selectmen that a member be removed from the Board. The Board may recommend to the municipal officers that the attendance provision be waived for cause, in which case no vacancy will then exist until the municipal officers disapprove the recommendation. The municipal officers may remove members of the Planning Board by unanimous vote, for cause, after notice and hearing. No vacancy shall impair the right of the remaining members to exercise all the power of the Board.
5. When there is a permanent vacancy, the municipal officers shall within sixty (60) days of its occurrence appoint a person to serve for the unexpired term.
6. A municipal officer may not be a member.

ARTICLE III – Organization and Officers:

1. The officers of the Planning Board shall consist of a Chairman and a Secretary (Vice-Chairmen). The Board shall also create, elect and fill such other offices as it may determine.
2. The Chairman shall preside at all meetings and hearings of the Planning Board and shall have the duties normally conferred by parliamentary usage on such an officer.
3. The Chairman shall have the privilege of participating in the discussion of all matters before the Board and of voting thereon.
4. The Secretary (Vice-Chairman) shall act for the Chairman in the Chairman's absence. The Secretary (Vice-Chairman) shall be a member of the Board.

ARTICLE IV – Nomination and Election of Officers

1. Nomination of officers shall be made from the floor at the annual organizational meeting which shall be held on the fourth Tuesday of June in each year, and the elections shall follow immediately.
2. A candidate receiving a majority vote of the entire membership of the Planning Board shall be declared elected and shall serve for one year or until his/her successor shall take office.
3. Vacancies in offices shall be filled immediately by regular election procedure.
4. The term of all offices shall be one (1) year with eligibility for re-election.

ARTICLE V – Meetings, Organization and Standing Rules:

1. The Chairman shall call at least one (1) regular meeting of the Board each month. Regular meetings will be held on Tuesdays as required by the quantity of work in front of the board. The Board shall decide on the number of meetings to be held each month at the time and place posted as required.

2. No meeting of the Board shall be held without a quorum consisting of four (4) members. Voting shall be by roll call upon request of any Board member and such roll call shall be kept as a part of the minutes.
3. The Board shall adopt rules for conducting the business before it. The Business of the Board shall be conducted in accord with Maine Statutes, Town Ordinances and Roberts' Rules of Order. The Secretary (Vice-Chairman) shall keep or cause to have a record made of its resolutions, transactions, correspondence, findings and determinations.
4. It shall be the duty of the Chairman to call special meetings and to notify, in writing, the members of the Board. The notice of such a meeting shall specify the purpose of that meeting and no other business may be considered except by unanimous consent of the Board. The Executive Secretary shall notify all members of the Board, in writing, no less than five (5) days in advance of such a special meeting and shall notify the appropriate media.
5. All meetings, at which official action is taken, shall be open to the general public.
6. On matters involving conflict of interest a Board member may disqualify himself/herself voluntarily or a member can be disqualified from voting on a particular issue by a majority vote of the members, except the member who is being challenged.
7. The Executive Secretary shall keep the minutes and records of the Board, prepare the agenda of regular meetings and special meetings with the Chairman, provide notice of meetings to Board members, arrange proper and legal notice of hearings, attend to correspondence of the Board and such other duties as are normally carried out by an Executive Secretary as may be assigned by the Chairman of the Planning Board.
8. The order of business at regular meetings shall be:
 - (1) Chairman calls the meeting to order
 - (2) Roll call to determine a quorum is present
 - (3) Reading and approval of minutes of previous meeting
 - (4) Open Public Hearings
 - (5) Consideration of applications and other business as indicated on the published agenda
 - (6) Reports of officers and committees
 - (7) Old Business
 - (8) New Business
 - (9) Correspondence
 - (10) Adjournment – for the purpose of hearings during regular meetings, the meeting shall be adjourned and reopened

By simple majority vote, the order of business may be altered to fit the business at hand.

9. Public Statements for the Record:

It shall be the policy of the Planning Board to accept public "statements" addressed to the Board from any individual in attendance concerning agenda items at any regularly scheduled meeting. The speaker shall be limited to one statement of three (3) minutes in length, per agenda item. The statement period will be limited to fifteen (15) minutes. Changes in this format are at the discretion of the Chair.

The procedure shall be:

1. At the beginning of the meeting the Chairman shall poll those in attendance as to their desire to make a public statement concerning an agenda item.
2. Individuals desiring to make a public statement shall be given an index card to fill in their name, place of residence and the agenda item unto which a public statement is to be made.
3. If the individual is not a Hollis resident, the Board shall vote to accept the public statement after determining that the individual has connection to the agenda item and if it is in the best interest of the Town of Hollis to allow said statement.
4. As each agenda item is addressed, the Chairman shall allow public statements concerning the agenda items after any applicant and/or summary statements are presented.
5. Each public statement summary shall become part of the meeting minutes. This will include name, residence, affiliation (citizen group, etc.) and a brief sentence or two on the statement.
6. Statement cards shall become part of the record.

ARTICLE VI – PUBLIC RECORD AND PROCEEDINGS POLICY:

All records shall be deemed public and may be inspected at reasonable times. The Planning Board's policy for public information shall be:

This policy is for the protection and preservation of the Public Record as well as for defining access by the Public, consistent with the Public Right to Know Law legislated in M.R.S.A. Title 1, Sections 401-410. All Planning Board meetings and records are open to the Public, except as otherwise provided by statute or by Sections 402 and 405, which state exemptions for certain confidential discussions and legal consultations.

It is the policy of the Hollis Planning Board that the minutes and any other material that is admitted as Public Record can be reviewed by the Public. The Executive Secretary of the Planning Board, as guardian and keeper of the Record, shall be present at all inspections. Said inspection shall be at the convenience of the Executive Secretary and shall take place during business hours. During the absence of the Executive Secretary, the Chairman of the Planning Board shall officiate.

It is suggested that arrangements be made in advance, due to the limited schedule of the Executive Secretary, to review the information. A record shall be kept by the Executive Secretary of all inspections. Any copies of the Record shall be made by the Executive Secretary at the expense of the individual requesting said copies.

Tape recordings of meetings shall be kept for a period of one (1) year. Tapes of hearings must be kept as a permanent record.

ARTICLE VII – COMMITTEES:

1. Special committees may be appointed by the Planning Board Chair for purposes and terms, which the Board approves.
2. Minor clerical tasks or requests for individual members to be expert on specialized aspects of Planning Board activities, preparation for regular Board meetings, and similar duties are ordinary responsibilities of Board members. These shall not be considered Committee assignments.
3. Committee assignments shall include no more than three members of the planning Board. One member shall be named as Committee Chair, as determined by the Planning Board Chair.
4. A committee assignment shall include a committee name, a start date, and proposed end date and a defined goal or product. The Planning Board Secretary shall keep records of committee assignments and results.
5. The Planning Board Chairman may reassign, dissolve, or otherwise change the membership or assigned tasks of any committee at any time.

6. Committee results may be in the form of a report of recommendations or information to the Planning Board, either written or oral, suggested articles for the Town Warrant, or similar material.
7. The Committee Chair shall keep minutes and records of Committee meetings. The Committee Chair shall regularly enter a report of Committee meetings, activity and progress into the minutes of the regular meeting of the Planning Board.
8. Compensation to the Committee members shall be at the same rate as their compensation for regular Planning Board meetings. Each member will be compensated one meeting for each report entered into the minutes of a regular Planning Board meeting. Any committee member requesting compensation must attest to his or her contribution to the progress of the committee, and have this contribution recorded in the minutes of the regular meeting of the Planning Board

ARTICLE VIII – HEARINGS:

1. In addition to those required by law, the Board may at its discretion, hold public hearings when it decides that such hearings will be in the public interest.
2. Notice of such hearings shall be published in local newspapers and by any such other means as it generally used by the Board to make notice public at least ten (10) days before the time of the public hearing. This notice shall state the purpose of the hearing, the date, time and location of the hearing.
3. The case before the Board shall be presented in summary by the Executive Secretary, CEO, or a designated member of the Board, and parties in interest shall have privileges of the floor. Ref. Section on hearings in the Hollis Zoning Ordinance Section 3.7.4.3.
4. A record shall be kept of those speaking before the Board.

ARTICLE IX – AMENDMENTS

These by-laws may be amended by a two-thirds vote of the entire membership of the Planning Board. The amended by-laws shall be presented at one regular meeting and shall be voted on at the next regular meeting.