

## CHAPTER 2

### COMMISSIONS, BOARDS AND STANDING COMMITTEES

#### ARTICLE 1. COMMISSIONS AND BOARDS

**2-101 COMMISSIONS AND BOARDS; GENERAL PROVISIONS.** The Governing body shall appoint members of such Commissions and Boards as the Governing body may by ordinance or resolution create. It shall appoint a Board of Health. Members of the following Boards and Commissions shall be appointed or reappointed as terms of office expire or resignations are accepted:

- 1) Board of Health.
- 2) Library Board
- 4) Tree Board
- 5) Planning Commission
- 6) Zoning Board of Adjustment

**2-102 COMMISSIONS AND BOARDS; BOARD OF HEALTH, COMPOSITION.** The Board of Health shall be composed of three (3) members: The Chairman of the Governing body who shall be the Chairman, the Marshal who shall be the Secretary and Quarantine Officer and one (1) other member. The third (3rd) member shall be a physician when a physician is residing permanently in the Municipality or such other person as the Governing body may select.

**2-103 COMMISSIONS AND BOARDS; BOARD OF HEALTH, RESPONSIBILITIES.** The members of the Board shall serve a one (1) year term of office unless reappointed and shall reorganize at the first (1st) meeting in June of each year. It shall be the duty of the Secretary to keep the full and correct minutes and records of all meetings and to file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. The Board may be funded by the Governing Body from time to time from the General Fund. A majority of the Board shall constitute a quorum for the purpose of doing business. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon the call of the Chairman or any two (2) members of the Board. It shall be the duty of the Board to enact rules and regulations which shall have the full force and effect of the law, to safeguard the health of the residents of the Municipality. The Board shall enforce the rules and regulations and provide fines and punishments for any violations thereof. It may regulate, suppress and prevent the occurrence of nuisances and shall actively enforce all laws of the matters of sanitation's which affect the health and safety of the people. The Board shall regularly inspect such premises and businesses as the Governing Body may direct. All actions of the Board shall be subject to the review and supervision of the Governing Body. The Board shall be responsible for making such reports and performing such other duties as the Governing Body may designate. No member of the Board of Health shall hold more than one (1) Board of Health position. (Ref. 17-208 RS Neb.)

**2-104 COMMISSIONS AND BOARDS; LIBRARY BOARD.** The Library Board shall be appointed by the Chairman of the Board of Trustees with the advise and consent of the Board of

Trustees. The nominated members must receive a majority vote of the Governing Body. The Board shall consist of five (5) members. The members of the Library Board shall serve without compensation and may be required, in the discretion of the Governing Body, to give a bond in a sum set by resolution of the Governing Body, and conditioned upon the faithful performance of their duties. At the time of the Board's first (1st) meeting in July of each year, the Board shall organize by selecting from their number a Chairman and Secretary. It shall be the duty of the Secretary to keep the full and correct minutes and records of all meetings, and to file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. A majority of the Board members shall constitute a quorum for the transaction of business. The Library Board shall meet at such times as the Board may designate. Special meetings may be held upon the call of the Chairman, or any three (3) members of the Board. The Library Board shall have the authority to appoint a Librarian and all other employees. It shall be the duty of the Board to have general charge of the Municipal Library and to establish appropriate rules and regulations for the management, operation, and use of the same. The Board shall have supervisory authority over all employees of the Library including the Librarian. All actions of the Board shall be subject to the review and supervision of the Governing Body. The Board shall be responsible for making such reports and performing such additional duties as the Governing Body may designate from time to time. No member of the Body shall serve as a member of the Library Board while serving a term of office as a member of the Governing Body. No member of the Library Board shall serve in the capacity of both Chairman and Secretary of the Board. (Ref. 51-201 to 51-220 RS NE.)

**2-105 COMMISSIONS AND BOARDS; PLANNING COMMISSION. (1) The Planning Commission shall consist of five(5) regular members** who shall represent, insofar as is possible, the different professions or occupations in the Municipality and shall be appointed by the Chairperson, by and with the approval of a majority vote of the members elected to the Board of Trustees. Two (2) of the regular members may be residents of the area over which the Municipality is authorized to exercise extraterritorial zoning and subdivision regulation. When there is a sufficient number of residents in the area over which the Municipality exercises extraterritorial zoning and subdivision regulation, one (1) regular member of the Commission shall be a resident from such area. If it is determined by the Board of Trustees that a sufficient number of residents reside in the area subject to extraterritorial zoning and subdivision regulation, and no such resident is a regular member of the Commission, the first available vacancy on the Commission shall be filled by the appointment of such an individual. For purposes of this section, a sufficient number of residents shall mean two hundred (200) residents. The term of each regular member shall be three (3) years, except that approximately one-third (1/3) of the regular members of the first Commissions shall serve for terms of one (1) year, one-third (1/3) for terms of two (2) years, and one-third (1/3) for terms of three (3) years. All regular members shall hold office until their successors are appointed. Any member may, after a public hearing before the Board of Trustees, be removed by the Chairperson, with the consent of a majority vote of the members elected to the Board of Trustees, for inefficiency, neglect of duty, or malfeasance in office, or other good and sufficient cause. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired portion of the term by the Chairperson.

(2) All regular members of the Commission shall serve without compensation and shall hold no other Municipal office except when appointed to serve on the Board of Adjustment as

provided in section 19-908 RS Neb. All members of the Commission may be required, in the discretion of the Board of Trustees, to give bond in a sum set by resolution of the Board of Trustees, and conditioned upon the faithful performance of their duties. The Commission shall elect its Chairperson and a Secretary from its members and create and fill such other of its offices as it may determine. The term of the Chairperson and the Secretary shall be one year, and they shall be eligible for reelection. No member of the Commission shall serve in the capacity of both the Chairperson and Secretary of the Commission. It shall be the duty of the Secretary to keep the full and correct minutes and records of all meetings and to file them with the Municipal Clerk where they shall be available for public inspection during office hours. The Commission shall be funded by the Board of Trustees from time to time out of the General Fund. The expenditures of the Commission, exclusive of gifts, shall be within the amounts appropriated for that purpose by the Board of Trustees; and no expenditures nor agreements for expenditures shall be valid in excess of such amounts. A number of Commissioners equal to a majority of the number of regular members appointed to the Commission shall constitute a quorum for the transaction of any business. The Commission shall hold at least one regular meeting in each calendar quarter, except the Board of Trustees may require the Commission to meet more frequently and the Chairperson of the Commission may call for a meeting when necessary to deal with business pending before the Commission. Special meetings may also be held upon the call of any three (3) members of the Commission. The Commission shall adopt rules and regulations for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which shall be a public record. The Commission shall make and adopt plans for the physical development of the Municipality, including any areas outside its boundaries which, in the Commission's judgment, bear relation to the planning of the Municipality, and shall carry out the other duties and exercise the powers specified in section 19-929 RS Neb. All actions by the Commission shall be subject to the review and supervision of the Board of Trustees. The Commissions shall make its recommendations to the Board of Trustees so that they are received by the Board of Trustees within sixty (60) days after the Commission begins consideration of a matter relating to the comprehensive development plan, capital improvements, building codes, subdivision development, the annexation of territory, or zoning. The Commission shall be responsible for making such reports and performing such other duties as the Board of Trustees may from time to time, designate.

(3) The Chairperson of the Board of Trustees, with the approval of a majority vote of the elected members of the Board of Trustees, shall appoint one (1) alternate member to the Commission. The alternate member shall serve without compensation and shall hold no other Municipal office. The term of the alternate member shall be three (3) years, and he or she shall hold office until his or her successor is appointed and approved. The alternate member may be removed from office in the same manner as a regular member. If the alternate member position becomes vacant other than through the expiration of the term, the vacancy shall be filled for the unexpired portion of the term by the Chairperson with the approval of a majority vote of the elected members of the Board of Trustees. The alternate member may attend any meeting and may serve as a voting and participating member if the Commission at any time when less than the full number of regular Commission members is present and capable of voting. (Ref. 19-924 through 19-929 RS Neb.

## **2-106 COMMISSIONS AND BOARDS; TREE BOARD**

SECTION 1. A tree board shall be appointed by the Chairman, with the consent of the Village Board. The Brady Tree Board shall consist of four members who shall be residents of the village. The members of the tree board shall serve a four (4) year term of office, and the terms of the initial board shall be staggered upon appointment. The board shall serve without compensation and may be required, in the discretion of the governing body to give a bond in the sum set by resolution of the governing body conditioned upon the faithful performance of their duties. At the time of the boards first meeting in January of each year, the board shall organize by selecting from their number a chairman and secretary. It shall be the duty of the secretary to keep the full and correct minutes and records of all meetings and shall file the same with the Village Clerk where they shall be available for public inspection at any reasonable time. A majority of the board members shall constitute a quorum for the transaction of business. The board shall meet at such times as the governing body may designate. Special meetings may be held upon the call of the chairman or any three members of the board. The board shall, with consent of the governing body, appoint a forester and have other employees. It shall be the duty of the board to have the general charge of the inspection, planting, preservation and condemnation of all trees within the municipality. The board shall establish a planting program for the enhancement and beautification of all public ways. The board shall have supervisory authority over all employees of the board. All actions of the board shall be subject to the review and supervision of the governing body. The board shall be responsible for making such reports and such additional duties as the governing body may designate from time to time. Any member of the governing body may serve as a member of the tree board.