

BOARD BYLAW REVIEW - RECOMMENDATIONS

GENERAL

- All bylaws should state that all boards are subject to Mineola Code of Ordinances, Article V. – Boards or by the ordinance that created the board (Landmark Commission, Parks & Open Spaces). There should be no exception.
- Generally, some terms and titles need to be updated: City Manager for Administrator, etc. Some terminology in the bylaws does not reflect current titles or terms used in association with the programs.
- All boards reviewed here are recommended to review their bylaws annually and make every effort to follow their bylaws in operations as advisory boards. Bylaws should always follow current codification of Mineola Code of Ordinances, Article V. Boards.

TERMS and TERM LIMITS

Mineola Code of Ordinance: Boards sets terms for all regular boards at two years. No mention of reappointment is addressed in the Code. Term limits were removed from the Code of Ordinance for Boards with an amendment dated Dec. 15, 2003.

We polled members of the Texas Historical Commission Main Street Program email list-serve and the Texas Downtown Association regarding term limits for their boards and majority stated that term limits were part of their bylaws. Term limits insure a rotation of talent from the community and can bring new perspectives, skills and new areas of expertise that can be beneficial for the board and the progress of the program.

Options:

1. Set term limits in Code of Ordinance Chapter 2 Article V. Boards to include term limits for appointed members with waiting period of at least one year before reappointment.
2. Set term limits in Code of Ordinance Chapter 2 Article V. Boards to include term limits for appointed members with no reappointment.
3. Leave terms open at two years as written in current Ordinance.

BOARD SELECTION

Attention should be paid to the selection of new board members when terms end or board members are replaced. Several boards have specific instruction regarding groups, organization, staff and other boards from which selection/appointments must be made.

3-MEETING RULE

Specific attention should be given to the “three-meeting rule” which allows a board member to be removed if more than three meetings are missed consecutively without approval from board chairman. “Any member who misses three consecutive meetings will be replaced, except when excused by the Chairman of the Board.” Being “Excused by the Chairman of the Board” could be clarified, but appears to mean that the board member would inform the Chairman *before* the meeting is missed that they plan to miss it. Of course, major emergencies should also be excused. This is in consistent with the Code of Ordinance which states “For regular boards Failure to attend at least two-thirds of the meetings... in a six month period ... will be considered as a voluntary resignation.” No accommodation is made in the Ordinance for being excused by the chairman.

Options:

1. Change bylaws to reflect attendance rule as stated in Code of Ordinance.
2. Amend Code of Ordinance
3. Do not address.

BOARD CONTRIBUTION

Main St bylaws state that a board member is required to contribute two to eight hours per month doing the work of the program. This is the only board that requires a commitment.

Options:

1. Consider setting required hours to commit to per month for all boards.
2. Allow each board to set required hours to commit to work.
3. Leave commitment to specific hours out of bylaws.

NEPOTISM POLICY

Texas Municipal League advised us that there are no policies or rules regarding nepotism when considering appointments to the board or anything prohibiting the appointment of relatives to the same board. Texas Nepotism Law does not apply to volunteer boards but is left at the local level for consideration.

Options:

1. This could be done in the Code of Ordinance under Appointment Policy. Prohibit appointing relatives to the same board (*Relative* defined as persons related within the first degree by consanguinity or affinity and include spouse, father, mother, son, daughter, brother or sister).
2. Do not address nepotism in the appointment of boards.