

ARTICLE V. - BOARDS

Sec. 2-146. - Scope.

The provisions of this article shall apply to the appointment of all current and future boards appointed or created by the city council, except where in conflict with applicable state statutes, contracts, or as otherwise provided.

(Code 1977, § 2-65; Ord. of 7-27-1998)

Sec. 2-147. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Board* means a group appointed or created by the city council to serve a particular purpose and with a membership set by the city council, sometimes referred to as a commission or committee.

*Members* means all appointees to a board described herein who have voting authority.

*Periodic boards* means boards that meet either quarterly, less often, or only as needed, including the following:

- (1) Board of adjustments;
- (2) Mineola Economic Development Corporation; and
- (3) Board of appeals.

*Quorum* means a majority of a board's members.

*Regular boards* means boards that have regularly scheduled monthly or bimonthly meetings; including the following:

- (1) Mineola Civic Center Board;
- (2) Landmark commission;
- (3) Mineola Main Street Advisory Board;
- (4) Parks and open spaces advisory board;
- (5) Marketing and tourism advisory board;
- (6) Historic museum advisory board; and
- (7) Planning and zoning board.

(Code 1977, § 2-66; Ord. of 7-27-1998; Ord. of 1-7-1999; Ord. No. 03-12-15, § 1, 12-15-2003; Ord. No. 08-01-28A, 1-28-2008; Ord. No. 23-02-27-3, § 1, 2-27-2023)

Sec. 2-148. - Eligibility.

Members must reside inside the city limits, or within the Mineola Independent School District, and should not have any delinquent personal or business city taxes, city utilities or other city assessments, and must not have any claim pending against the city.

(Code 1977, § 2-67; Ord. of 7-27-1998; Ord. No. 23-02-27-3, § 1, 2-27-2023)

Sec. 2-149. - Appointment process.

The city secretary will develop a board handbook that explains the qualification, duties and responsibilities of each board and the appointment process. An application form will be included. In July of each year, the city secretary will solicit applications from eligible citizens through the media and other means. Each appointee must certify that they have read the handbook and acknowledge that they understand the duties and responsibilities of the position. Each August these applications, and applications from incumbents who wish to be re-appointed, will be compiled and submitted to the council. The city secretary shall be responsible for the application's completeness. The city secretary shall check each nominee's qualification and include the completed applications in the information sent to the city council. The council will be provided an attendance report detailing the number of absences of each current member and a status report on vacancies. All applicants will be considered at an executive session and the council will jointly select the most qualified individuals for the available positions. The appointments should be made in September. The mayor shall be responsible for recognition of appointees not continuing service.

(Code 1977, § 2-68; Ord. of 7-27-1998)

\* Sec. 2-150. - Vacancies. \*

Vacancies occurring on the board shall be filled for the unexpired term by appointment of the city council from completed applications. If no completed applications are available, the city secretary will solicit applications from eligible citizens.

(Code 1977, § 2-69; Ord. of 7-27-1998)

Sec. 2-151. - Terms of office; selection of presiding officer; other officers.

(a) The terms of office for all boards shall be for two years, staggered, and shall expire on September 30, unless otherwise provided. Members shall continue to serve until their replacement has been appointed and qualified.

(b)

The presiding officer and vice presiding officer, to serve in the presiding officer's absence, shall be elected by the regular members of said board, unless otherwise provided. Election of the presiding officer and vice presiding officer shall be annually and at the board's first meeting after October 1.

(Code 1977, § 2-70; Ord. of 7-27-1998)

\* Sec. 2-152. - One membership. \*

No member shall serve on more than one board at a time except by approval of city council.

(Code 1977, § 2-72; Ord. of 7-27-1998)

Sec. 2-153. - Salary.

All members including ex-officio members shall serve without salary.

(Code 1977, § 2-73; Ord. of 7-27-1998)

Sec. 2-154. - No financial liability.

No board, or any member thereof, shall incur any financial liability in the name of the city without proper authorization.

(Code 1977, § 2-74; Ord. of 7-27-1998)

Sec. 2-155. - Attendance.

- (a) Active participation by all appointed members is necessary for proper functioning boards. Once notice of a meeting has been supplied to a board member, it shall be the responsibility of that member to either attend or, prior to the time of the meeting, notify the city staff (periodic boards) or the appropriate organization's director (regular boards) of his inability to attend.
- (b) For regular boards, as defined herein, any member unable to attend a meeting shall notify the appropriate organization's director. Failure to attend at least two-thirds of the meetings of the board for which that person was appointed for any six-month period during which the appointee is a member of the board will be considered as a voluntary resignation.
- (c) For periodic boards failure to attend three consecutive meetings will be considered as a voluntary resignation.
- (d) If an appointee fails to attend as required herein and thus voluntarily resigns, or for other reasons resigns, the city council shall appoint a person to the unexpired term. The city secretary is designated to develop a program whereby minutes are taken and distributed timely, attendance taken, and appropriate action taken.

(Code 1977, § 2-75; Ord. of 7-27-1998)

Sec. 2-156. - Use of position.

Appointed members shall not use or refer to their position in writing letters or taking public positions unless approved by a majority of the board and approved by the city council.

(Code 1977, § 2-76; Ord. of 7-27-1998)

Sec. 2-157. - Removal of members.

The city council, by majority vote, shall have the authority to remove any member of a board from office whenever, in its discretion, the best interests of the city shall be served thereby, except as provided in state statutes.

(Code 1977, § 2-77; Ord. of 7-27-1998)

Sec. 2-158. - Exceptions.

The following boards are exempt from the residential requirements stated in section 2-148 in that they must reside within the city limits of the City of Mineola to be eligible to serve:

- (1) Board of adjustments; and
- (2) Board of appeals (code violation board).

(Code 1977, § 2-78; Ord. of 7-27-1998; Ord. of 1-7-1999; Ord. No. 03-12-15, § 3, 12-15-2003; Ord. No. 23-02-27-3, § 1, 2-27-2023)