

## ORDINANCE #342

**An ordinance creating a Community Forest Commission for the Town of Butte Falls, Oregon, setting its membership, powers and duties and outlining the procedures to be followed.**

### **The Town of Butte Falls Doth Ordain as Follows:**

**Establishment:** There is hereby established a Community Forest Commission for the Town of Butte Falls, Oregon.

**SECTION 1. MEMBERSHIP.** The commission shall consist of seven members. Each commissioner shall oversee one of the following sectors:

**A. Commissioner of Forest Management.** Shall oversee the management of a late-successional forest management plan with specific prescriptions for each stand. The emphasis will be on fire resilience and efforts will be coordinated with the recreational needs. Management will be done from an all lands perspective in coordination and cooperation with USFS, ODF, BLM, and private landowners.

**B. Commissioner of Parks and Recreation.** Shall oversee the development and implementation of park plans for the Falls and the cemetery and shall oversee the development and implementation of an all-lands trail plan coordinated with BLM, USFS, ODF and private timber companies.

**C. Commissioner of Economic Development.** Shall oversee the development and implementation of an economic development plan with an emphasis on sustainable growth sectors, e.g. composting, community market garden, tourism etc.

**D. Commissioner of Residential Development.** Shall oversee the development of a residential area inspired by the concepts practiced in green communities, e.g., renewable energy, composting, conservation, etc..

**E. Commissioner of Special Projects.** Shall oversee the planning and implementation of projects outside the general scope of the Community Forest like the heritage railroad. Depending on the special project and expertise required, this Commissioner may be from outside the geographic area of town and fire district. Also depending on the project, this commissioner can be nominated to serve for the duration of the project which can be less or more than the 4 years allocated to other commissioners.

**F. Commissioner of Education and Research.** Shall oversee the work with the Butte Falls Charter School and other educational entities to create and implement a plan for using the forest as a land lab and resource for education and research.

**G. Commissioner of Marketing and Communications.** Shall oversee the development of a marketing and communication strategy for assisting the commissioners in making the broader community aware of the resources available in the Community Forest.

**SECTION 2. TERM OF OFFICE.** Members of the Community Forest Commission shall be appointed by the Town Council for a term of four years from the first calendar day of the year, except that the initial appointment shall begin on the day appointed but actual appointment date will officially begin on the next first calendar day of the year. Commissioners can serve 2 consecutive or interrupted terms.

**SECTION 3. PROCESS FOR APPOINTMENT.** Candidates for Commissioners will be nominated by a majority vote of the Commission and approved for the appointment by a majority vote of the Town Council.. The beginning appointment for the first Commission will be nominated by a majority vote of the volunteer Community Forest Sub-committees and approved by a majority vote of the Town Council.

**SECTION 4. VACANCIES AND REMOVAL.** Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the Council, after a hearing, for misconduct or nonperformance of duty, or being absent from three consecutive meetings without being excused by a majority vote of the Town Council.

**SECTION 5. PRESIDING MEMBERS.** At its first meeting, the Commission shall elect a Chairman and Vice-Chairman to serve four-year terms. The Chairman and Vice-Chairman can be chosen from the Commission membership or be the Mayor or Council President of the Town.

**SECTION 6. SECRETARY.** The Community Forest Commission shall elect a Secretary, for a term of four years, who shall keep an accurate record of all Community Forest Commission proceedings. The Community Forest Commission Secretary shall file a report monthly with the Town Council of all its transactions.

**SECTION 7. TREASURER.** The Community Forest Commission shall elect a Treasurer, for a term of four years, who shall work with the Town Treasurer to oversee the budget and expenditures of the Community Forest. The Community Forest Commission Treasurer shall file a report monthly with the Town Council of all Community Forest Commission financial transactions.

**SECTION 8. GRANT WRITER.** The Community Forest Commission shall appoint a grant writer, for a term of four years, who shall oversee the identification, writing, administration and reporting on grants for the Community Forest.

**SECTION 9. COMPENSATION.** Unless specified, Community Forest Commission members serve on a volunteer basis.

**SECTION 10. QUALIFICATION OF MEMBERS.** A majority of Commissioners shall reside in the Town of Butte Falls, or in the Butte Falls Fire District Subscription Area. One Member can serve from outside the area if they have special skills needed by the Commission that cannot be found locally to oversee special projects ( see 1E Commissioner of Special Projects). Not more than two commissioners can be either officials or employees of the Town.

**SECTION 11. CONFLICTS OF INTEREST FOR PLANNING COMMISSION MEMBERS.** A

commissioner of the Community Forest Commission shall not participate in any commission proceeding or action which any of the following has a direct or substantial financial interest: the member or his spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which he is then serving or has served within the previous two years, or any business with which he is negotiating for or has an arrangement or understanding concerning prospective partnership or employment, any actual or potential interest shall be disclosed at the meeting of the commission where the action is being taken.

Elected officials on the Commission must recuse themselves from voting when issues regarding their commission come to the City Council for approval. As in other Council issues, the Mayor of the town breaks any tie.

**SECTION 12. MEETINGS.** A majority of the members of the Community Forest Commission shall constitute a quorum. The Commission shall meet every month. Meetings of the Commission shall follow Oregon Public Meeting law. Meetings other than at regularly scheduled times may be announced at the prior meeting and thereby be made a part of the meeting records.

**SECTION 13. EMPLOYEES AND EXPENSES.** Expenses that the Commission may lawfully incur, including the necessary disbursements incurred by its members in performance of their duties as members of the Community Forest Commission, will be taken out of funds at the disposal of the Community Forest Commission, as authorized by the Town Council.

**SECTION 14. DUTIES OF THE COMMISSION.** The Community Forest Commission

- A) Acts as an advisory body to the Town Council on all issues related to the Community Forest.
- B) Listens actively to citizen needs and concerns. Hosts public meetings to address Community Forest concerns. Publicizes forest activities to general public.
- C) Oversees management decisions effecting the Community Forest as a whole
- D) Oversees the budget of the Community Forest Commission
- E) Oversees grant identification, writing and reporting

**SECTION 15. DUTIES OF INDIVIDUAL COMMISSIONERS.**

- A) Demonstrates a personal commitment of time, talent and effort to the activities of the Commission
- B) Each Commissioner has responsibility for overseeing program planning, management, maintenance; financial management and grant writing for their sector (recreation, forest management, etc.) of the Community Forest Commission.

**SECTION 16. ACCEPTANCE OF GIFTS AND FEDERAL FUNDS.** The Community Forest Commission may receive gifts, bequests or devises of property to carry out any of the purposes of this ordinance which property shall be set over to the municipality to be used by it in furtherance of the purposes of those sections pursuant to the recommendation of the Community Forest Commission. The Community Forest Commission may recommend and make suggestions to the Town Council concerning acceptance from the United States of America, State of Oregon or any of their agencies, or private donors of such funds as may be made available to municipalities for any purpose contemplated by those sections. The Town Council may accept from the United States of America, State of Oregon or any of their agencies, or private donors such funds as may be made available to the municipalities

for such purposes.

**SECTION 17. DEFINITIONS**

**SECTION 18. SEVERANCE CLAUSE.** The provisions of this Ordinance are declared severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sentences, sections, clauses and /or phrases of this Ordinance, but they shall remain in effect. It being the intent of the Council that is Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 19. EMERGENCY CLAUSE.** Inasmuch as the provisions of this Ordinance are necessary to the health, safety and welfare of the citizens of the Town of Butte Fall, an emergency is declared to exist and this Ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

**PASSED by the Council and signed by me in open session in authentication of its passage this 21<sup>st</sup> day of July 2020.**

Name on file at city hall  
Linda Spencer, Mayor

**ATTEST:**

Name on file at city hall  
Lori Paxton, City Recorder

**APPROVED by me this 21<sup>st</sup> day of July 2020**

Name on file at city hall  
Linda Spencer, Mayor

