

**CAYUGA COUNTY
AGRICULTURE AND FARMLAND PROTECTION BOARD**

Bylaws – Adopted June 2, 2010

ARTICLE I – NAME

The official designation shall be the Cayuga County Agriculture and Farmland Protection Board, abbreviated AFPB.

ARTICLE II - PURPOSE

The purpose of the Cayuga County Agriculture and Farmland Protection Board, hereinafter referred to as the AFPB, shall be to:

- (a) Encourage farming and agricultural businesses in Cayuga County through local initiatives which create favorable conditions that allow farmers and related agribusiness enterprises to operate economically viable enterprises;
- (b) Advise the Cayuga County Legislature on establishing, modifying, continuing, or terminating agricultural districts;
- (c) Review Notice of Intent filings pursuant to Agriculture and Markets Law 25AA Sections 305.4 and 305-a;
- (d) Advise and recommend concerning Purchase of Development Rights conservation easement applications to funding agencies;
- (e) Advise, Recommend, Develop, Maintain and Implement a Cayuga County Agriculture and Farmland Protection Plan.

ARTICLE III – MEMBERSHIP

Section 1. Membership. The membership shall consist of eleven members, identified as either Regular or Ex-Officio, nominated by the AFPB and appointed by the Cayuga County Legislature as provided by County Resolution 119 adopted April 20, 1993 and Article 25AA, Section 302 of New York State Agriculture and Markets Law and any subsequent amendments to such legislation, attached as exhibits A & B, as follows:

Regular members:

- Four (4) active farmers
- One (1) agribusiness representative
- One (1) agricultural land preservation organization representative
- One (1) member of the County Legislature

Ex-Officio members:

- The Chair of the Cayuga County Soil and Water Conservation District
- The Director of Cayuga County Planning & Economic Development Department
- The Director of Cayuga County Real Property Tax Services
- A Cooperative Extension Agriculture Educator

Section 2. Term of Office. Regular members shall be appointed to serve a 4-year term. Ex-officio members shall serve as a condition of their position without term limits.

Section 3. Ex-officio Members. Ex-officio members shall include the following representatives or their designees: Director of Cayuga County Planning & Economic Development; Chairperson of the

Cayuga County Soil & Water Conservation District Board; Director of Cayuga County Real Property Tax Services; and a Cornell Cooperative Extension Agriculture Educator.

Section 4. Vacancies. Vacancies occurring during the year shall be filled by action of the Board following nomination by a member of the Board. Appointment of a duly nominated individual to fill the vacant Member(s) shall be subject to confirmation by the Cayuga County Legislature.

ARTICLE IV – VOTING PRIVILEGES

Section 1. Members. Only members of the AFPB, whether regular or ex-officio (including designees), shall have voting privileges.

ARTICLE V – ATTENDANCE POLICY

Section 1. Attendance.

- (a) Members are expected to attend at least half the regular meetings each year.
- (b) After the third consecutive, unexcused absence from the General Board Meetings, the member will be contacted to see if the attendance problem can be remedied.
- (c) After a fourth consecutive, unexcused absence, the member may be asked to resign from the Board. If the member's appointment is terminated, the Board will seek an individual to fill the vacant term as permitted under Article III, Section 4.

ARTICLE VI – OFFICERS

Section 1. Chairperson.

- (a) Selection and term. The Board Chairperson shall be elected annually from the regular membership of the board. Nominations for the Chairperson shall be made at the last meeting of the calendar year and elections held at an organizational meeting. Upon a vacancy of the Board Chairperson, the Chairperson shall be appointed by the board.
- (b) Duties. The duties of the Board Chairperson are:
 - i. Serve as the official representative and chief administrator of the Board;
 - ii. Preside at meetings of the Board;
 - iii. Serve as the Board's liaison to the Cayuga County Legislature and relevant committees.

ARTICLE VII. - CONDUCT OF MEETINGS

Section 1. Conduct of Meetings. In the conduct of meetings and the transaction of Board business, the presiding officer shall use Robert's Rules of Order as a guide. In the event of a conflict between Robert's Rules of Order and these Bylaws, Robert's Rules shall take precedence.

Section 2. Quorum. A quorum for the transaction of business shall consist of a majority of the voting members of the Board (i.e., 6 of the 11 members). A majority of the total voting membership must vote in the affirmative to take any action, regardless of the number of members present.

Section 3. Voting. Every Member entitled to vote at a meeting of Members may authorize another Member to act for him or her by proxy at such meeting. Every proxy must be signed by the Member. No proxy shall be valid for more than one meeting of the Members. Every proxy shall be revocable at the pleasure of the Member executing it, except as otherwise provided by law.

Section 4. Regular Meetings. The Board shall meet in regular session at least four times per year; the place and time to be determined at the beginning of the calendar year. Notification will be made to the membership at least one week prior to each meeting.

Section 5. Special Meetings. Special Meetings may be called at any time by the Chairperson or upon written demand by at least three (3) members of the Board with 24 hours notice; when action is needed prior to the next meeting.

Section 6. Organizational Meeting. The organizational meeting shall be held at the first meeting of the New Year.

ARTICLE VIII – ADMINISTRATION

Section 1. Administration. Administration of the Board will be conducted by the Board staff person, who will be named by the County Planning Department. Administrative duties shall include, but not be limited to, the following:

- (a) Maintaining regular contact with the membership and coordination of meetings
- (b) Recording and maintaining minutes of all meetings of the Board
- (c) Ensuring that all notices are duly given in accordance with the provisions of these bylaws or as required by law
- (d) Providing for the retention and storage of all Board records.

ARTICLE IX – COMMITTEES

Section 1. Committees. Committees, either Standing or Ad-Hoc, shall be established by Board vote on an as-needed basis. Ad Hoc Committees may be temporary in nature. Each committee shall consist of a committee chairperson who is an AFPB member and at least one additional AFPB Board member appointed by the Board. All committees shall be responsible to the Board, keep written records and shall make reports of their activities to the Board.

ARTICLE X - POLICIES AND PROCEDURES

Policies and procedures for the operation of the Agriculture and Farmland Protection Board not otherwise covered herein and within the discretion of the Board, shall be established by action of the Board and may be modified from time to time.

ARTICLE XI - ADOPTION AND AMENDMENTS

These bylaws shall be adopted by an affirmative vote of a majority of the members of the Board and amended by motion carried by two-thirds of the voting members at any regularly scheduled or special meeting of the Board, so long as proposed changes to the bylaws were presented in writing to all members at least one week before the meeting.

1. (a) A

county legislative body may establish a county agricultural and farmland protection board which shall consist of eleven members, at least four of whom shall be active farmers. At least one member of such board shall represent agribusiness and one member may represent an organization dedicated to agricultural land preservation. These six members of the board shall reside within the county which the respective board serves. The members of the board shall also include the chairperson of the county soil and water conservation district's board of directors, a member of the county legislative body, a county cooperative extension agent, the county planning director and the county director of real property tax services. The chairperson shall be chosen by majority vote. Such board shall be established in the event no such board exists at the time of receipt by the county legislative body of a petition for the creation or review of an agricultural district pursuant to section three hundred three of this article, or at the time of receipt by the county of a notice of intent filing pursuant to subdivision four of section three hundred five of this article. The members of such board shall be appointed by the chairperson of the county legislative body, who shall solicit nominations from farm membership organizations except for the chairperson of the county soil and water conservation district's board of directors, the county planning director and director of real property tax services, who shall serve ex officio. The members shall serve without salary, but the county legislative body may entitle each such member to reimbursement for actual and necessary expenses incurred in the performance of official duties.

(b) After the board has been established, the chairperson of the county legislative body shall appoint to it two qualified persons for terms of two years each, two qualified persons for terms of three years each and two qualified persons for a term of four years. Thereafter, the appointment of each member shall be for a term of four years. Appointment of a member of the county legislative body shall be for a term coterminous with the member's term of office. Appointment of the county planning director and county director of real property tax services shall be coterminous with their tenure in such office. The appointment of the chairperson of the county soil and water conservation district's board of directors shall be for a term coterminous with his or her designation as chairperson of the county soil and water conservation district's board of directors. Any member of the board may be reappointed for a succeeding term on such board without limitations as to the number of terms the member may serve.

(c) The county agricultural and farmland protection board shall advise the county legislative body and work with the county planning board in relation to the proposed establishment, modification, continuation or termination of any agricultural district. The board shall render expert advice relating to the desirability of such action, including advice as to the nature of farming and farm resources within any proposed or established area and the relation of farming in such area to the county as a whole. The board may review notice of intent filings pursuant to subdivision four of section three hundred five of this article and make findings and recommendations pursuant to that section as to the effect and reasonableness of proposed actions involving the advance of public funds or acquisitions of farmland in agricultural districts by governmental entities. The board shall also assess and approve county agricultural and farmland protection plans.

(d) A county agricultural and farmland protection board may request the commissioner of agriculture and markets to review any state agency

rules and regulations which the board identifies as affecting the agricultural activities within an existing or proposed agricultural district. Upon receipt of any such request, the commissioner of agriculture and markets shall, if the necessary funds are available, submit in writing to the board (i) notice of changes in such rules and regulations which he or she deems necessary, (ii) a copy of correspondence with another agency if such rules and regulations are outside his or her jurisdiction, including such rules and regulations being reviewed, and his or her recommendations for modification, or (iii) his or her reasons for determining that existing rules and regulations be continued without modification.

(e) The county agricultural and farmland protection board shall notify the commissioner and the commissioner of the department of environmental conservation of any attempts to propose the siting of solid waste management facilities upon farmland within an agricultural district.

2. Upon the request of one or more owners of land used in agricultural production the board may review the land classification for such land established by the department of agriculture and markets, consulting with the district soil and water conservation office, and the county cooperative extension service office. After such review, the board may recommend revisions to the classification of specific land areas based on local soil, land and climatic conditions to the department of agriculture and markets.