

**BY-LAWS**  
**CITY OF BENTONVILLE TREE AND LANDSCAPE ADVISORY COMMITTEE**

**ARTICLE 1: Members, Term, Attendance.**

- 1.1. The members and terms of office shall be as stipulated by City Ordinance No. 98-90.
- 1.2. When a new member is appointed to the Committee, the position number he/she is filling will be so designated at the time of appointment.
- 1.3. Missing three (3) consecutive regular meetings or a total of four (4) meetings in a one (1) year period, except in extraordinary cases, may at the recommendation of the Committee constitute cause for removal by the Bentonville City Council.
- 1.4. Members should advise the Planning Department representative before the meeting date if they expect to be absent or late.

**ARTICLE 2: Officers, Election and Term, Duties, Chairing the Meeting, Signing for the Committee.**

- 2.1 The members shall elect a Chairman and a Vice-Chairman at the first regular meeting of the year, and the term of office shall be for two (2) years, or until the next officers have been elected.
  - 2.1.1 After the Chairman's two (2) year term has ended the Vice-Chairman shall succeed the Chairman and a new Vice-Chairman shall be elected.
- 2.2 The Chairman shall decide points of order or procedure, following Robert's Rules of Order.
- 2.3 In case the Chairman is absent, the Vice-Chairman shall assume the duties as the Chairman.
- 2.4 The Chairman shall be responsible for the following tasks; however, he/she may delegate authority for performing them to another member of the Committee or to the Planning Department staff representative.
  - 2.4.1 Furnish a current copy of the by-laws and appoint orders at meetings as required.
  - 2.4.2 Prepare the minutes of meetings and public hearings.
  - 2.4.3 Distribute the minutes of all meetings and public hearings to all Committee members prior to the next regularly scheduled meeting.

- 2.4.4 Distribute the proposed order of business items and notice of regular and special meetings.
- 2.4.5 Maintain correspondence and file and place notices of public hearings and advertisements.

2.5 When the certifying signature is required, the Chairman's signature shall be utilized unless such authority has been designated by the Chairman to another Committee member or to the Planning Department staff representative.

### **ARTICLE 3: Meetings, Scheduling, Quorum, Majority, Order of Business, Public Hearings.**

- 3.1 Committee meetings shall be open to the public as provided by the Arkansas Freedom of Information Act.
  - 3.1.1 The regular meetings of the Tree and Landscape Advisory Committee shall be on the third Thursday of each month at 10:00 a.m. in the City of Bentonville City Hall Building located at 305 SW "A" Street, Bentonville. A virtual meeting option will be made available for members unable to attend in person.
  - 3.1.2 The Chairman or any three (3) members may call special meetings at any time.
- 3.2 No formal business shall be conducted without a quorum and no member may vote by proxy.
  - 3.2.1 A quorum shall exist when a majority of the appointive members are present.
  - 3.2.2 The affirmative vote of a simple majority of the full membership of the Committee shall carry any motion or resolution.
  - 3.2.3 The Planning Department staff representative shall be an ex-officio member and shall have no vote. The Planning Department staff representative shall not be counted in arriving at a quorum.
- 3.3 The order of business shall follow the distributed agenda unless otherwise agreed to by the members.
- 3.4 Public hearings shall be conducted informally, and the Chairman shall make all rulings and determinations regarding the scope of the inquiry, the admissibility of evidence, the order in which evidence, objection, and arguments will be heard, and other like matters, except that other members shall be privileged to make inquiries personally and to call for a vote on any ruling of the Chairman,

whereupon the vote shall determine the rule. It shall be the purpose of the Chairman to expedite the hearing, confining the participants to the presentation of only essential matters, but entertaining the presentation of sufficient matter to do substantial justice to all concerned parties to the proceedings. Final or official action shall be taken only in regular meetings unless the public hearings are continued to a special session of the Committee after the hearing.

#### **ARTICLE 4: Committees.**

- 4.1 The Chairman may establish standing, special, or advisory sub-committees. Sub-committee members may be persons other than members of the Tree and Landscape Advisory Committee, but a committee member shall be named as either active or ex-officio Chairman of each sub-committee.
- 4.2 Meetings shall be called by the Chairman of the sub-committee, or a majority of the membership of the sub-committee, notifying the others.

#### **ARTICLE 5: Records, Actions, Studies, Recommendations, Public Access.**

- 5.1 The Committee shall keep a file including all official documents of the Committee including, but not limited to reports, records of decisions, recommendations, and studies made by the Committee or its employees in the discharge of its duties and responsibilities.
- 5.2 Records shall be kept open to the public, available without fees or delays, subject only to the necessity for good order in the office of the Committee.

#### **ARTICLE 6: Amendments to These By-Laws, Timing, Majority.**

- 6.1 These by-laws shall be adopted, and later suspended, changed, or canceled only after an affirmative vote of a majority of the membership of the Committee. Amendments shall be proposed in writing at a regular meeting, unless ten (10) days' notice and the written amendment itself have been given to all members, in which case motion may be made at a special meeting ten (10) days after all the members have received the proposed changes to the by-laws.

**COMMITTEE ACTION: by majority of the appointed members so voting, these by-laws as amended for the City of Bentonville Tree and Landscape Advisory Committee are hereby approved this 18<sup>th</sup> day of April, 2024.**