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ARTICLE II. - RURAL LAND BOARD

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Sec. 26-2. - Board; organized; purposes.

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- (1) Margaret Graves, William M. Lear, Jr., Frank Penn and Pamela G. Miller, all being residents of Fayette County, are hereby authorized and requested to serve as incorporators for and to organize a non-profit, non-stock Kentucky corporation under the provisions of Chapter 273 of the Kentucky Revised Statutes, to be named the "Fayette County Rural Land Management Board, Inc." and hereinafter referred to as the "rural land board."
- (2) The rural land board shall be an agency and instrumentality of the urban county government. It is organized for the purpose of preserving and managing agricultural, rural and natural lands within Fayette County consistent with the Rural Service Area Land Management Plan.

(Ord. No. 4-2000, § 1, 1-13-00)

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Sec. 26-3. - Board; membership.

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- (1) The rural land board shall consist of ~~thirteen-sixteen~~ (163) members. ~~Eleven~~ Thirteen (134) members shall be voting members and ~~two-three~~ (32) members shall be ex officio non-voting members.
- (2) The ~~eleven-thirteen~~ (134) voting members shall be residents of Fayette County and shall have demonstrated an interest in farming, farmland preservation, conservation of natural areas, or other agricultural, rural and natural lands preservation and management issues. They shall be appointed by the mayor, subject to confirmation by a majority of the council, from the following:
 - (a) Two (2) members from a list of not less than four (4) names submitted by the Fayette County Farm Bureau, provided that each nominee must be either a landowner or an operator of land, who manages the production of agricultural crops or livestock;
 - (b) Two (2) members from a list of not less than four (4) names submitted by the Kentucky Thoroughbred Association, Inc., provided that each nominee must own a farm in Fayette County;
 - (c) One (1) member from a list of not less than two (2) names submitted by the Home Builders Association of Lexington, Inc.;
 - (d) One (1) member from a list of not less than two (2) names submitted by the Lexington-Bluegrass Association of Realtors, Inc., provided that each nominee must be a licensed realtor;
 - (e) One (1) member from a list of not less than two (2) names submitted by the Greater Lexington Convention and Visitors Bureau established at section 2-170 of this Code;
 - (f) One (1) member from a list of not less than two (2) names submitted by the Fayette County Neighborhood Council, Inc.;
 - (g) One (1) member from names submitted by private non-profit organizations involved in land conservation, such as, but not limited to, the Land & Nature Trust of the Bluegrass, Inc., the Nature Conservancy, the Bluegrass Conservancy, Inc., and the Sierra Club, Inc.;
 - (h) One (1) member from names submitted by governmental entities or private non-profit organizations involved in historic preservation, such as, but not limited to, the Historic Preservation Commission established at article 13-4 of the zoning ordinance, the Bluegrass Trust for Historic Preservation, Incorporated, and the Kentucky Heritage Council established at KRS 171.3801; and
 - (i) One (1) member from a list of not less than two (2) names submitted by the Greater Lexington Chamber of Commerce, Inc., provided that each nominee must have a background in agricultural lending or agricultural finance.

Comment [EO1]: Approved by the Planning & Public Safety Committee on October 16, 2018, per the Subcommittee on Boards & Commissions.

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(j) ~~Two (2) members from a list of names submitted by the urban county council, with each council member submitting no more than one name, provided that each nominee be a leader and meet the qualifications specified in Section 26-3(2).~~

Comment [EO2]: Approved by the Planning & Public Safety Committee on October 16, 2018, per the Subcommittee on Boards & Commissions.

(3) The ~~two-three (32)~~ non-voting members shall be ex officio members of the rural land board and shall consist of the individuals holding the following positions:

Comment [EO3]: Approved by the Planning & Public Safety Committee on October 16, 2018, per the Subcommittee on Boards & Commissions.

(a) The Fayette County extension agent appointed pursuant to KRS 164.605, et seq. or any successor position; and

(b) The district conservationist for Fayette County appointed by the Natural Resources Conservation Services of the United States Department of Agriculture pursuant to 7 CFR § 600.6, or any successor position.

(c) ~~One (1) member of the Lexington Fayette Urban County Council.~~

Comment [EO4]: Approved by the Planning & Public Safety Committee on October 16, 2018, per the Subcommittee on Boards & Commissions.

(Ord. No. 4-2000, § 1, 1-13-00)

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Sec. 26-4. - Board; terms; removal of members.

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(1) The voting members of the rural land board shall serve a term of four (4) years from the date of appointment, provided the terms of those originally appointed shall be staggered in the following manner: three (3) members shall be appointed for one (1) year; three (3) members shall be appointed for two (2) years; two (2) members shall be appointed for three (3) years; and three (3) members shall be appointed for four (4) years.

(2) Vacancies in the voting membership shall be filled for an unexpired term in the manner prescribed for the original appointment. The membership of the ex officio non-voting members shall be terminated upon leaving the specified offices.

(3) No voting member who was originally appointed to the rural land board for less than a four (4) year term and who has served two (2) consecutive full terms after his initial term may succeed himself until the lapse of twelve (12) months from the end of said consecutive term. No appointed voting member who has served two (2) consecutive full terms may succeed himself until the lapse of twelve (12) months from the end of said consecutive terms.

(4) A voting member of the rural land board shall be removed only by a majority vote of the council, and only for cause, except that a member of the board shall automatically be removed by operation of law in the event of three (3) unexcused absences, whether consecutive or non-consecutive, in any two (2) year period or in the event of absence from twenty-five (25) percent of the meetings in any two (2) year period. An unexcused absence is any absence in which the chair of the board or the rural land staff is not notified of the intended absence at least twenty-four (24) hours in advance of a regularly scheduled meeting. In the event of three (3) unexcused absences or the absence from twenty-five (25) percent of the meetings over any two (2) year period, within the meaning of this section, the rural land staff shall notify the mayor and council administrator that a vacancy exists on the rural land board.

(Ord. No. 4-2000, § 1, 1-13-00)

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Sec. 26-5. - Board; officers; quorum; staff.

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(1) The officers of the rural land board shall consist of a chair, a vice-chair, and other officers elected from the membership as set forth in the bylaws. They shall take office at the first meeting of the rural land board after their election. The duties of the officers shall be as specified in the bylaws. The rural land board shall determine its own rules and order of business and so provide for keeping a record of its proceedings.

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(2) A majority of the voting members of the rural land board, that is ~~six-seven~~ (76) voting members, shall constitute a quorum for transaction of business at any meeting of the rural land board. The acts of a majority of those voting members present at any regular or special meeting of the rural land board shall be the acts of the rural land board, except as provided below:

Comment [E05]: Each of these categories will increase by one (1) member due to the increased number of board members. This language was included in the draft provided by the Subcommittee on Boards & Commissions at the October 16th Planning & Public Safety Committee.

(a) It shall take a vote of ~~seven-eight~~ (87) voting members to:

1. Propose to the urban county council that section 26-10, relating to criteria to be used to evaluate applications for consideration of conservation easements, be changed or amended;
2. Approve, pursuant to section 26-14(2), the purchase of conservation easements;
3. Approve, pursuant to section 26-18(2)(a), the acceptance of payment for release of a conservation easement which has been included within the urban service area boundary; or
4. Approve, pursuant to section 26-18(3), the release of a conservation easement within the rural services area boundary.

(b) It shall take a vote of ~~six-seven~~ (76) voting members to adopt bylaws or regulations.

(3) The rural land board shall meet at a minimum on a quarterly basis at a date, place and time to be determined by the board.

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(4) The rural land staff shall serve as staff to the rural land board and shall be responsible for coordinating agendas, preparing minutes and handling logistical matters in order to expedite the board's function. Within the limits of the funds appropriated by the council in the annual budget, the other offices and agencies of the government shall provide the rural land board, either directly or by contract or agreement, with the facilities, materials, supplies, and staff needed for the conduct of its business.

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Sec. 26-6. - Board; powers and duties.

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The rural land board shall, as permitted by law:

- (1) Adopt bylaws and regulations which are not inconsistent with this chapter.
- (2) Enter into contracts and agreements with the urban county government, other governmental entities, and also private persons, firms and corporations in furtherance of the purposes of this chapter.
- (3) Solicit, acquire and hold conservation easements pursuant to the provisions of this chapter.
- (4) Enforce the terms and provisions of conservation easements pursuant to the provisions of this chapter.
- (5) Expend funds appropriated to the rural land board by the council, or donated or provided to the board from any other source.
- (6) Release or terminate any conservation easement pursuant to the provisions of this chapter.
- (7) Appoint standing and ad hoc committees, which may be comprised of rural land board members, employees of the urban county government, the public, or any combination of the foregoing.
- (8) Hold public forums for the purpose of gauging the will of the public on agricultural, rural and natural lands matters.

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