

## **LARIMER COUNTY COMMUNITY CORRECTIONS DEPARTMENT**

### **BYLAWS**

#### **ARTICLE I ORGANIZATION**

- Section 1 It is the purpose of these Bylaws to delineate the authority, responsibilities and inter-relationships of the Larimer County Board of Commissioners (herein referred to as the Governing Body), and the Larimer County Community Corrections Department (herein referred to as the Department), and the Larimer County Community Corrections Board (herein referred to as the Community Corrections Board), and to encourage a flexible, efficient and effective community corrections program in Larimer County.
- Section 2 The Department will operate as specifically authorized by the Governing Body under the procedures set forth in Colorado Revised Statutes (1973), Article 27 of Title 17, and any amendments or revisions thereto.
- Section 3 The Director of the Larimer County Community Corrections Department shall administer the day-to-day operations of the Department's Services with the advice and consent of the Community Corrections Board established in accordance with these Bylaws.

#### **ARTICLE II GOVERNING BODY**

- Section 1 The ultimate authority for the operation of the community corrections program lies with the Governing Body.
- Section 2 The Governing Body has by resolution established a Community Corrections Board, which shall be advisory to the Governing Body, and delegates such powers as necessary to accomplish the purposes of community corrections as established by the above mentioned statute. The authority of the Community Corrections Board is limited to the specific powers granted to it by the Governing Body.
- Section 3 The Governing Body shall reserve the right to veto any action or resolution taken by the Community Corrections Board.
- Section 4 The Community Corrections Board will deliver to the Governing Body minutes of all scheduled or unscheduled meetings.
- Section 5 The Community Corrections Board will deliver to the Governing Body all "Motions for Action(s): (See Article VI, Section 3). The Governing Body will approve or veto such motions. If such a motion is vetoed, the Community Corrections Board may request an explanation in writing.

Section 6                    The Community Corrections Board will advise the Governing Body of all "Resolutions" (See Article VI, Section 2). The Governing Body reserves the right to veto any such resolutions. The Community Corrections Board may request an explanation of any such veto in writing.

Section 7                    The Community Corrections Board shall deliver to the Governing Body all "Motions of Advisement" (See Article VI, Section 4). These motions are considered a courtesy and require no action from the Governing Body.

Section 8                    The Community Corrections Board shall not have the power to override a veto of the Governing Body.

**ARTICLE III                    COMMUNITY CORRECTIONS MEMBERSHIP**

Section 1                    Community Corrections Board members will be appointed by the Governing Body and shall serve two years or until their successor is appointed. Community Corrections Board members who are appointed ex-officio may be re-appointed. It is the general policy of the Governing Board that other Board members may be re-appointed to serve only three consecutive terms, or six years, whichever is longer. However, the Governing Body will consider requests on a case-by-case basis for making exceptions to this policy.

Section 2                    Each Community Corrections Board member shall be entitled to one vote.

Section 3                    The recommended composition of the Community Corrections Board shall include: the County Administrator, a Chief of Police or designee, a Public Defender, the District Attorney for the Eighth Judicial District or designee, a Probation Officer, a Department of Corrections Parole Officer, a District Judge of the Eighth Judicial District, an educator, the Larimer County Sheriff or designee; an employment counselor, a mental health professional, the Director of the Larimer County Department of Social Services or designee, the Larimer County Director of Criminal Justice, and eight members of the community; and that such membership shall be representative of the various social and ethnic groups of Larimer County to the extent possible. The District Judge of the Eighth Judicial District may serve as a voting or non-voting member at the discretion of the Chief Judge.

Section 4                    The Community Corrections Board shall continue to serve until such time as the Governing Body does, by written resolution, order the Community Corrections Board to dissolve.

Section 5                    A member representing a specific agency, such as Sheriff, Police or District Attorney, may designate another member of that agency to attend with voting rights at any meeting in his or her place. Members from the community-at-large may not designate such an alternative.

- Section 6 Member attendance at Board meetings shall be taken, and shall be reviewed periodically by the Executive Board. Any member who has three (3) unnotified absences during a twelve (12) month period for regular Board meetings, or three (3) unnotified absences during a four (4) month period for Selections Subcommittee meetings shall be reviewed for absentee reasons to determine member status. Any recommendation for removal of a member shall be made by the Board to the Governing Body, which has the right to make the final decision.
- Section 7 Members are expected to attend monthly Board meetings whenever possible, and a four (4) month rotating weekly Selections Subcommittee meetings. Members are requested to notify the staff liaison when they expect to miss any regularly scheduled Board meetings or Selections Subcommittee meetings.
- Section 8 Whenever a vacancy exists on the Community Corrections Board, the successor may be nominated by the Community Corrections Board delivering a Motion for Advisement to the Governing Body for their approval or veto.

#### **ARTICLE IV**

#### **OFFICERS**

- Section 1 The officers of the Community Corrections Board shall be a Chair, Vice-Chair, and a Secretary, each of whom shall be elected by a simple majority of the voting members present. Such other officers and assistant officers, as may be deemed necessary, may be elected by a simple majority of the voting members present.
- Section 2 The term of office of the officers is one (1) year. The officers shall be elected annually at the first meeting of the Community Corrections Board each calendar year. Each officer shall hold office until their successor shall have been duly elected and qualified or until their death or until they resign or are removed in the manner hereinafter stated, whichever occurs first.
- Section 3 Any officer elected or appointed by the Community Corrections Board may be removed by resolution of the Community Corrections Board whenever in their judgment the best interest of the Department would be served thereby. The cause of removal shall be included in the minutes and thereby become part of the public record.
- Section 4 A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by action of the Community Corrections Board for the unexpired portion of the term.
- Section 5 The Chair shall be the principal officer of the Community Corrections Board and shall, in general, supervise and control all meetings and enforce these Bylaws.



Section 6 In the course of regular proceedings, in the absence of the Chair or a vacancy in that office, or where the Chair has demonstrated an inability or refusal to act in the usual course, the Vice-Chair shall perform the duties of the Chair. The Vice-Chair shall perform such other duties as may be assigned to him by the Chair of the Community Corrections Board.

Section 7 The Secretary shall oversee that minutes from the Community Corrections Board meetings are kept by Community Corrections administrative staff and ensure that the Governing Body shall receive copies of all minutes, motions, resolutions, reports and perform other duties as may be assigned by the Chair of the Community Corrections Board.

## **ARTICLE V MEETINGS**

Section 1 The time and place for the Community Corrections Board meetings shall be approved by the Chair. Meeting agendas shall be emailed to members seven (7) days prior to the meetings whenever possible.

Section 2 The Community Corrections Board will meet at least once each month unless voted otherwise by the Board.

Section 3 A quorum shall be deemed formed when there are present in excess of fifty percent (50%) of the then appointed members of the Community Corrections Board. However, in no case shall less than six (6) members present constitute a quorum.

Section 4 Robert's Rules of Order, as revised: shall govern the conduct of the Community Corrections Board meetings, except where modified by a majority vote of the Community Corrections Board.

Section 5 All meetings, scheduled or unscheduled, shall be public meetings unless otherwise determined by the majority of the present voting members consistent with Colorado Open Meeting Law, C.R.S. (repealed) replace with (2015) 24-6-402

## **ARTICLE VI MOTIONS AND RESOLUTIONS**

Section 1 If a quorum is formed, a simple majority vote of those present shall be considered a favorable vote upon all motions or resolutions considered by the Community Corrections Board.

Section 2 A motion for a "Resolution" shall be used or made for all procedural matters of concern to the Community Corrections Board, or matters concerning the operating procedures of the Department.

Section 3 A "Motion for Action" shall be used or made when matters directly related to Department modifications or budget revisions or Department success are of major concern to the Community Corrections Board. Such motions shall be delivered to the Governing Body as soon as possible, for their approval or veto.

Section 4 A "Motion for Advisement" shall be used or made for all other matters which are of concern to the Community Corrections Board and upon which they have no delegated authority to act. Such motions shall be delivered to the Governing Body as a courtesy.

Section 5 Any voting member of the Community Corrections Board may cast a dissenting or assenting opinion to all motions or resolutions for further clarification or convenience for the Governing Body.

#### **ARTICLE VII DEPARTMENT STAFF**

Section 1 The Governing Body has the complete authority to hire and fire the Director of the Department, and the Director shall make all appeals to the Governing Body.

Section 2 The Community Corrections Board may submit motions of advisement concerning the hiring and firing of the Director of the Department to the Governing Body.

Section 3 The Director of the Department should attend all meetings of the Community Corrections Board, and shall not be considered a voting member.

Section 4 The Director of the Department shall deliver monthly progress, audit outcomes and budget reports to the Community Corrections Board, and shall be prepared to answer questions concerning the Department's current status.

Section 5 The Community Corrections Board understands that all other staff personnel shall be hired through the standard Larimer County hiring procedures.

Section 6 The Community Corrections Board agrees that all other staff personnel problems, including appeals, shall be handled through the standard Larimer County grievance procedures.

Section 7 The Community Corrections Board may request any staff person to be present at a Community Corrections Board meeting and to answer all proper and relevant questions concerning the staff member's duties or progress.

Section 8 It is the responsibility of the Director of the Department to keep the Community Corrections Board fully informed of the status and problems of the Department.

#### **ARTICLE VIII DELEGATED POWERS**

- Section 1                      The Community Corrections Board will be informed monthly of the Department's financial status.
- Section 2                      All revisions of the stated Department objectives, methods, and evaluations shall be subject to review by the Community Corrections Board, with recommendations delivered to the Governing Body.
- Section 3                      All major Department modifications not previously mentioned are subject to review by the Community Corrections Board.
- Section 4                      The Community Corrections Board may establish standards for the operation of the Department. The standards established by a Community Corrections Board may exceed, but shall not conflict with, standards established for community corrections programs by the Division of Criminal Justice of the Department of Public Safety pursuant to C.R.S. 17-27-108. The Community Corrections Board shall, in coordination with state and local agencies and the Governing Body, monitor the Department and oversee compliance with state and local standards.
- Section 5                      The Community Corrections Board has the authority to accept or reject any offender referred for placement in the Department. If the referring agency does not provide an administrative review process in relation to such rejection after acceptance, the Community Corrections Board, through Department staff shall provide an administrative review process for any offender who is rejected after acceptance by such board. The Community Corrections Board shall provide written notification of the rejection after acceptance of any offender to the referring agency. The administrative review process shall be conducted in accordance with 17-27-102(1) and 17-23-103(5) and (7). The Community Corrections Board shall provide, in writing, acceptance criteria and screening procedures approved by the Governing Body to each referring agency. The administrative review process may be provided through Department internal procedures.
- Section 6                      The Community Corrections Board may serve in a planning and coordinating capacity by advising the Governing Body and consulting with officials of state criminal justice agencies to improve local community corrections services in accordance with 17-27-103(9).
- Section 7                      The Community Corrections Board, and each individual member of such board, shall be immune from any civil liability for the performance of the duties of such board or such individual member as specified in Article 27 of Title 17, Colorado Revised Statue, as amended, if such person was acting in good faith within the scope of such person's respective capacity, makes a reasonable effort to obtain



the facts of the matter as to which action was taken, and acts in the reasonable belief that the action taken by such person was warranted by the facts.

#### **ARTICLE IX**

#### **AMENDMENT OF THE BYLAWS**

- Section 1 These Bylaws may be amended at any scheduled meeting of the Community Corrections Board by a majority vote from the voting membership, and subject to approval by the Governing Body.
- Section 2 At least ten (10) days' notice in writing shall be given to the voting members and the Governing Body, of any proposed amendments to these Bylaws. The written notice shall also include the proposed amendments.
- Section 3 Amendments to these Bylaws shall take effect when they have been approved and approval is acknowledged by the signature of the Chair, the Secretary, and the Chair of the Governing Body.

#### **ARTICLE X**

#### **APPROVAL OF THE BYLAWS**

- Section 1 These Bylaws will be in effect upon approval of the Community Corrections Board and the Governing Body with such approval acknowledged by the dated signatures of the Chair and Secretary of the Community Corrections Board, and the Chair of the Governing Body.

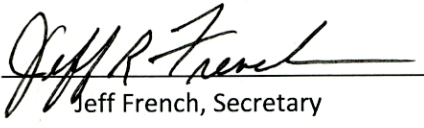
Adopted by the Larimer County Community Corrections Board on the 13<sup>th</sup> day of March 2018.

Larimer County Community Corrections Board

By: \_\_\_\_\_

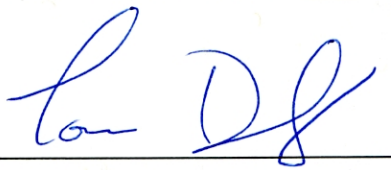
  
David Koons, Chair

By: \_\_\_\_\_

  
Jeff French, Secretary

Approved by the Larimer County Board of County Commissioners on this 29<sup>th</sup> day of May 2018.

By: \_\_\_\_\_

  
Tom Donnelly, Chair Pro Tem  
Larimer County Board of County Commissioners