

KANKAKEE RIVER BASIN AND YELLOW RIVER BASIN DEVELOPMENT COMMISSION BYLAWS

PREAMBLE

Under IC 14-13-9, the Kankakee River Basin and Yellow River Basin Development Commission is empowered to adopt rules for the transaction of business. The following bylaws are intended to reflect provisions of Indiana law governing the Commission and to provide further order in the execution of its statutory powers and duties.

I. MEMBERSHIP

Section 1. Appointments

The Commission is comprised of nine (9) members. The county executives in Jasper, Lake, LaPorte, Marshall, Newton, Porter, Starke, and St. Joseph Counties will each appoint one (1) member. The ninth member shall be the Director of the Indiana Department of Natural Resources or the Director's designee.

Section 2. Terms

The length of a member's term is four (4) years. However, initial appointments by the executives of LaPorte, Marshall, Porter, and Starke Counties shall be two (2) years in length, and four (4) years for each successive appointment. Lengths of terms notwithstanding, a member's period of service continues until a successor is appointed. Terms continue until a successor is appointed.

Section 3. Non-Voting Members

At the Commission's discretion, one (1) non-voting member appointed by the county executive in Iroquois County, Illinois and one (1) non-voting member appointed by the county executive Kankakee County, Illinois may be invited to serve on the commission as non-voting members. Non-voting members are ineligible to serve as officers of the Commission.

Section 4. Qualifications

All members must possess a background in construction, project management, flood control, drainage, or another similar professional background.

Section 5. Verification of Membership

An appointment of a member is verified when 1) denoted in writing on standard letterhead of the appointing authority, signed by an authorized representative of the appointing authority, and received and reviewed by the Commission or the Commission's authorized

representative; 2) reflected in the minutes or official records of the appointing authority; or 3) recorded in the video or digital record of the appointing authority's proceedings.

Section 6. Vacancies

If a member vacates a position on the Commission, the member's appointing authority may appoint a new member to complete the vacating member's unexpired term.

Section 7. No Action by Appointing Authorities

If a county declines to make an appointment to the Commission by September 1, 2019, the Surveyor of that county will be accepted as a voting member of the Commission for a term consistent with those described in Section 2.

Section 8. Reappointment

A member who is appointed to the commission is eligible for reappointment.

II. QUORUM

A quorum is constituted by the presence of five (5) voting members, and the affirmative votes of (5) members are required for any action taken by the Commission.

III. VOTING

Section 1. Any member appointed under Article I, Section 1 may vote.

Section 2. A vote shall be recorded at the request of any voting member upon being seconded by another voting member.

Section 3. At least five (5) affirmative votes are required for the commission to take any action.

Section 4. Any voting member may allow a proxy, designated in advance in writing, to cast a vote on his or her behalf. However, for the Commission to take any action, at least five (5) affirmative votes must be cast by members appointed under Article I, Section 1 and IC 14-13-9-9.

IV. OFFICERS

Section 1. Election of Officers

At the first meeting following July 1 of every year, the Commission shall elect from among its voting members a Chair, Vice-Chair, Secretary, and Treasurer.

Section 2. Terms of Officers

The terms of officers shall last no more than one (1) year. Officers may be re-elected, although it is the goal of the Commission to encourage a regular rotation of members serving as officers.

Section 3. Duties of the Chair

The Chair shall preside over meetings of the Commission, appoint the chairpersons and members of all standing committees, appoint special committees, and serve as an ex-officio member of all standing committees. The Chair shall represent all other functions usually attributed to the office.

Section 4. Duties of the Vice-Chair

The Vice-Chair shall perform the functions usually attributed to the office, including chairing meetings of the Commission when the Chair is absent. The Vice-Chair shall become Chair when the Chair position becomes vacant.

Section 5. Duties of the Secretary

The Secretary shall ensure accurate minutes of all meetings of the Commission and standing committees, ensure the maintenance and safekeeping of official files, and assist the Chair with official correspondence, and maintain a roll of members.

Section 6. Duties of the Treasurer

The Treasurer shall oversee the funds of the Commission, a duty which includes monitoring their disbursement as authorized by the Commission; ensuring the accurate accounting or receipts and disbursements; making reports to the Commission; verifying annual financial statements for official report or publication; assist in the drafting of the annual budget; and ensuring the submission of all reports required by law. The treasurer of the commission may receive, disburse, and handle money belonging to the commission, subject to applicable statutes and procedures established by the commission.

Section 7. Other Officers

The Commission may establish and fulfill other offices it deems necessary.

Section 8. Vacancies

In the case of a vacancy of in the position of Chair, the Vice-Chair shall become the Chair for the remainder of the Chair's unexpired term. In the event of vacancies of all other offices, the Commission may elect from among the voting members a replacement to complete the unexpired term of the vacated office.

V. DUTIES OF COMMISSION MEMBERS

Section 1. Meeting attendance and conduct

Members are expected to attend all or a substantial number of Commission meetings; to participate in Commission discussions; to share their unique expertise with the Commission

and the public; to act and speak with civility; to promote good order; and to avoid impugning the views or motives of other Commission members.

Section 2. Fulfillment of Legal Obligations

Members are expected to help fulfill and exercise the powers, duties, and obligations of the Commission as defined in IC 14-13-9 and elsewhere in Indiana law.

VI. MEETINGS

Section 1. Frequency

The Commission shall meet no less than four times per year. Otherwise, the Commission shall meet on the call of the Chair, the Commission's Executive Director, or a quorum of voting members.

Section 2. Meeting Conduct

Unless otherwise stated in these bylaws, all meetings shall be conducted in a manner consistent with *Robert's Rules of Order* as revised and updated from time to time.

Section 3. Remuneration of Commission Members for Meetings

Commission members are entitled to per diem and travel reimbursement as permitted under IC 4-10-11-2.1(b) and travel policies and procedures established by the Indiana Department of Administration.

VII. TECHNICAL ADVISORY COMMITTEE

Section 1. Establishment

Indiana law establishes a formal advisory committee comprised of the North-Northwest Regional Director of the Indiana Association of Soil and Water Conservation Districts and the Surveyor of each county represented on the Commission. However, if a Surveyor is appointed to the Commission, the county executives in that county shall appoint an advisory committee member in the place of the surveyor.

In order to ensure sufficient expertise and continuity of knowledge on the advisory committee, the Commission may add members to the advisory committee under its general authority to create advisory panels under Indiana law. These additional members shall be approved by the Commission upon recommendation of the Executive Director or any Commission member.

The terms of such additional members shall be for no more than four (4) years. When adding additional members, the Commission shall ensure that the member possesses expertise in agriculture, drainage, regulatory affairs, hydrology, surveying, project planning, or similar areas of knowledge.

Additional advisory committee members appointed by the Commission may not serve as chairs or officers of the advisory committee.

Unless appointed to serve on the Commission, County Surveyors may designate a standing proxy to serve on the advisory committee or defer to their county executive's designation of a standing proxy.

Section 2. Chair

The first Chair of the Technical Advisory Committee shall be appointed by the Chair of the Commission. The Committee may select other officers it deems necessary. Effective July 1, 2020, all officers shall be elected by a vote of the Committee.

Section 3. Records

The Committee shall keep a record of all of its business and recommendations.

Section 4. Meetings

The Committee shall meet at the direction of the Commission

Section 5. Duties

At the direction of the Commission, the Committee shall receive information, conduct hearings, and issue written recommendations regarding the Commission's work, projects, and plans.

Section 6. Remuneration for Meetings

Committee members are not entitled to per diem or mileage expense reimbursement, although the Commission may decide to budget resources for this purpose.

VIII. OTHER COMMITTEES

The Chair of the Commission may appoint special committees and advisory committees, including but not limited to a budget committee, nominating committee, personnel committee, and communications committee.

IX. STAFF

The Commission may employ an Executive Director and other persons deemed necessary to advise the Commission and carry out its policies, procedures, and directives.

X. BUDGET

The Commission shall adopt an annual budget as soon as practicable in each calendar year, and submit the budget to each county, municipality, or agency appropriating money for the use of the commission. After approval of the budget by the commission, money may be

expended only as budgeted unless a majority vote of the commission authorizes other expenditures.


XI. RECORDS

The commission shall keep a record of the commission's resolutions, transactions, and findings. Such records shall be made available to the public in a manner consistent with Indiana law.

XII. AMENDMENTS

These bylaws may be amended by majority vote at any regular meeting of the Commission, provided that proposed amendments have been sent to the Commission at least two (2) calendar weeks in advance of the meeting.

AS AMENDED BY COMMISSION ON MARCH 7, 2025

Signed by:

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3/11/2025

Craig Cultice
Secretary