

RULES OF PROCEDURE
BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

The Bicycle and Pedestrian Advisory Commission (“Commission”) was officially established through Bill No. 23-10 and approved by the County Executive on June 8, 2023. Duties and role of the Commission are specified in §§1-2-1006 through 1-2-1011 of the Frederick County Code.

Section 1. Membership, Presiding Officers

The Commission consists of nine (9) voting members, appointed by the County Executive and confirmed by the County Council, and a member of the County Council who shall serve as an ex-officio non-voting member.

1.1 Chair

At its first meeting, and biennially thereafter, the Commission shall elect a Chair from among its members to serve a term of 2 years. The Chair shall be eligible for reelection for up to two consecutive 2-year terms. The Chair shall be the presiding officer at meetings of the Commission, and may call special meetings. The presiding officer shall decide on all points of order and procedure, subject to these Rules, unless otherwise directed by a majority of the voting members present. The presiding officer may appoint a parliamentarian to assist in the implementation of these rules of procedure at his or her discretion.

1.2 Vice-Chair

At its first meeting, and biennially thereafter, the Commission shall elect a Vice-Chair from among its members to serve a term of 2 years. The Vice-Chair shall be eligible for reelection for up to two consecutive 2-year terms. The Vice-Chair shall be the presiding officer at meetings when the Chair is absent. In the absence of both officers, a temporary Chair shall be elected by the voting members present.

1.3 Secretary

The Commission shall elect a member to serve as Secretary. The person so elected shall not be an officer of the County whose decisions may be appealed to the Board. The Secretary shall prepare written minutes of all meetings for approval by the Commission. In the absence of the Secretary, a temporary Secretary shall be elected by the voting members present.

1.4 Vacancy

Any vacancy in the membership of the Commission caused by the resignation, death, incapacity to discharge duties, or any other reason, shall be filled for the remainder of the term of the vacant position. Any vacancy on the Commission shall be filled on the same basis as the original appointment by the appointing authority (Frederick County Executive, with confirmation by the County Council) as soon as practicable. In the case of an expiration of term, a member may continue to serve until the

member's successor is appointed. Members may be reappointed, but may not serve more than two (2) full consecutive three-year terms. Initial members of the Commission who were appointed for a 3-year term may be reappointed for one (1) additional consecutive term.

1.5 Special Committees

Special committees may be appointed by the Chair for specific purposes, including investigation, research, or study.

1.6 Compensation

The members and officers of the Commission shall serve without compensation.

Section 2. Voting

2.1 Quorum

A quorum shall exist when a majority of the appointed, voting Commission members are physically present at a Commission meeting, except at a virtual or hybrid meeting. In the case of a virtual or hybrid meeting, a quorum will be established when a majority of Commission members are connected to the meeting with a functioning internet connection or telephone connection that allows all members to be heard. No decisions shall be made in the absence of a quorum.

2.2 Physical Presence

A Commission member must be physically present to cast a vote, unless the meeting is held as a hybrid or virtual meeting. In the case of a hybrid or virtual meeting, a Commission member must be connected to the meeting with a functioning internet connection or telephone connection that allows all members to be heard in order to cast a vote.

2.3 Recording Votes

Commission members' votes and abstentions shall be recorded on each motion.

2.4 Tie Votes

A tie vote by the Commission shall be interpreted as a defeat of the motion upon which the vote was taken.

2.5 Ethics Ordinance.

Commission members shall comply with the Frederick County Ethics Ordinance (Frederick County Code Chapter 1-7.1) and are encouraged to consult the Frederick County Ethics Commission or Frederick County Attorney's Office as to the propriety of their voting on any matters that may involve conflicts of interest or the appearance of a conflict of interest.

Section 3. Meetings

3.1 Attendance

Any voting member of the Commission who fails to attend at least 50% of the meetings during a calendar year (January—December) shall be considered to have resigned. Subject to confirmation by the County Council, the County Executive shall appoint a replacement to the Commission.

3.2 Regular Meetings

Regular meetings shall be held monthly and scheduled accordingly, and called at the judgement of the Chair and/or Vice-Chair, on the 1st Thursday of each month. Meetings may be postponed to such a day and time as directed by the Chair or Vice-Chair in consultation with Staff. If Frederick County Public Schools are closed due to inclement weather on the day of a regular scheduled meeting, the meeting shall not occur, but will be rescheduled to a future date by the Chair and Staff, unless a virtual meeting can be arranged.

3.3 Special Meetings

Special meetings may be held to address issues of a sensitive, significant, or urgent nature that cannot wait until the next regular meeting date. Special meetings shall be conducted according to procedures governing regular meetings and, when possible, shall be scheduled by the Chair, in consultation with Staff, with at least seven (7) days' notice provided to all Commission members.

3.4 Closed Sessions

Nothing contained herein shall be construed to prevent the Commission from holding closed sessions from which the public may be excluded in accordance with State law, but no resolution or recommendation shall be finally acted upon at such a closed session.

3.5 Open Meetings

Except as provided in Section 3.4 above, all Commission meetings shall be open to the public as required by the Maryland Open Meetings Act (Maryland Code, General Provisions Article, sections 3-101 through 3-501).

3.6 Staff

A County Staff person will be designated by the County Executive as a liaison to assist the Commission in its duties and to make available such services and facilities deemed necessary or appropriate for the performance of the Commission's duties and responsibilities. County Staff shall distribute agendas, documents, and meeting minutes to all Commission members at or before the next meeting.

3.7 Order of Business

The order of business shall be in accordance with the agenda prepared by Staff, in consultation with the Chair, and submitted to the Commission members prior to the scheduled meeting. Commission members who desire to add to the agenda should notify the Chair and Staff of their request within 5 business days of the scheduled meeting in order for the Chair to determine whether the item is added to the current meeting agenda prior to its posting and distribution, or placed on a meeting agenda further in the future.

3.8 Public Comment

At regular meetings there may be time set aside for public comments. Each member of the public may be given 3 minutes to speak. This time can be extended at any meeting by a majority vote of the members at the meeting.

Section 4. Conduct of Commission Members

4.1 Representing the Commission

A member shall not speak, offer testimony, or present written or verbal comments on behalf of the Commission except as authorized by a majority vote of the Commission. In any public or private statement concerning Commission affairs, members shall indicate whether they are speaking as an authorized representative of the Commission or for themselves.

4.2 Conduct at Meetings

Members shall conduct themselves at Commission meetings in a fair, understanding, and courteous manner. They shall strive to be considerate of all individuals, attitudes, and opinions involved in official Commission business. Members must first be recognized by the Chair in order to speak.

4.3 Gratuities and Entertainment

Members shall not accept gifts or compensation from any person or entity involved in matters that come before the Commission or matters which may reasonably be anticipated to come before the Commission.

Section 5. Implementation of Rules of Procedure

5.1 Roberts Rules

If in any case the Rules of Procedure do not address a particular process, a recent version of Roberts Rules of Procedure shall be followed.

5.2 Amendment to Rules

Proposed amendments to these Rules of Procedure may be introduced at any meeting of the Commission, shall be added to the agenda of the next meeting, and shall only be adopted upon the affirmative vote of a majority of the voting members of the Commission.