



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

PLANNING DEPARTMENT

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MEMORANDUM

TO: Rapid City Council

FROM: Teresa Whitney, Air Quality Specialist

DATE: May 21, 2001

RE: Changes to Rapid City Area Air Quality Board Bylaws

At the Rapid City Area Air Quality Board meeting on May 14, 2001, the Board unanimously approved the changes to the Bylaws. A copy of the proposed revisions has been attached. If you have any questions, please feel free to call me at 394-4120.

Recommendation: Approval of the attached changes to the Rapid City Area Air Quality Board Bylaws.



EQUAL OPPORTUNITY EMPLOYER

*Adopted November 12, 1991, DATE at regular monthly
Rapid City Area Air Quality Board meeting*

**BYLAWS OF THE
PENNINGTON COUNTY RAPID CITY AREA AIR QUALITY BOARD**

Article I. Name of the Board

The name of this organization shall be the ~~Pennington County~~ **Rapid City Area** Air Quality Board, hereinafter referred to as “the Board.”

Article II. Authorization

This Board is established pursuant to Pennington County Ordinance No. 12 Revised, “Air Quality Ordinance” **and Rapid City Municipal Code Chapters 8.34 through 8.44.**

Article III. Purpose

The purpose of the Board is to achieve and maintain compliance with the National Ambient Air Quality Standards in accordance with Pennington County Ordinance No. 12 Revised, Air Quality Ordinance **and Rapid City Municipal Code Chapters 8.34 through 8.44.** Further, the Board shall achieve and maintain the PM10 National Ambient Air Quality Standards by controlling fugitive emissions **including street sanding, parking lots, continuous operations and construction as well as open burning** and wood burning so as to protect the health and welfare of all the people who inhabit the county **and the city**; to limit environmental damage to plant and animal life within the county **and the city**; and to promote commercial and industrial development while limiting environmental degradation; and to educate the residents of the county **and the city** of air quality issues.

Article IV. Responsibilities and Duties of the Board

The duties of the Air Quality Board shall be to ~~supervise and give direction to~~ **advise** the Director of **Rapid City** Air Quality **Division**, review and approve compliance plans, serve as an appeals board **for contested permits and violations**, and make recommendations to the Board of County Commissioners **Pennington County Commission and the Rapid City Council** on policies relating to the air quality of Pennington County **and Rapid City.**

Article V. Membership

~~The Pennington County Commissioners shall appoint the members to the Air Quality Board. The Board shall consist of seven voting members and three non-voting ex-officio members. Six of the voting members of the Air Quality Board shall be appointed by the Mayor of Rapid City and confirmed by the Rapid City Council for a term of three (3) years on a staggered term basis. One of the voting members (the at large member) will be appointed by the Pennington County Commission for a term of three (3) years when this term is up for appointment or reappointment. The seven voting members shall be residents of Pennington County. The voting members will include:~~

1. Two members representing industry.
2. One member representing the engineering profession.
3. One member representing environmental interests.
4. One member representing homeowners.
5. One member representing the business community.
6. One member at large.

The three ex-officio members shall include:

1. One member representing State Government. (Secretary of the Department of Environment and Natural Resources or designee.)
2. One member representing the City of Rapid City, South Dakota. (Mayor of Rapid City or designee.)
3. One member representing the Pennington County Commission. (Chairman of Pennington County Commission or designee.)

~~All voting members of the Air Quality Board shall be appointed by the Board of County Commissioners for a term of three years. The terms of all members shall begin September 1 and terminate on August 31 of the appropriate year. Members may be reappointed for a second three-year term. Appointments to fill vacancies shall be for only the unexpired portion of the term. No member shall serve more than two consecutive terms. However, exceptions to this provision may be approved to allow a one-year extension when it is in the best interest of the city and county by providing continuity of board membership.~~

Three (3) consecutive unexcused absences of a member of the Board from regularly scheduled monthly meetings shall result in a recommendation to the

Pennington County ~~Board of Commissioners~~ **or the Rapid City Council** to replace that member. All absences shall be considered unexcused unless a majority of the Board votes to excuse an absence.

Article VI. Officers

Section 1. The officers of the Air Quality Board shall consist of a Chairman and Vice-Chairman.

Section 2. The Chairman shall preside at all meetings and hearings of the Board and shall have duties normally conferred by parliamentary usage on such officers. The Chairman shall designate a member to monitor the financial condition of the Air Quality ~~Office~~ **Division**.

Section 3. The Vice-Chairman shall act for the Chairman in his or her absence.

Article VII. Election of Officers

Section 1. An annual organizational meeting shall be held at the regular meeting in September.

Section 2. Nominations may be made by a nominating committee which will be appointed by the Chairman at the regular meeting in ~~August~~ **September** and/or from the floor at the organizational meeting. Election of officers specified in Section I of Article VI shall immediately follow the nominations.

Section 3. A candidate receiving a majority vote of the entire membership of the Board shall be declared elected and shall serve for one year or until his or her successor shall take office.

Section 4. Any officer can be removed from office by a 75% vote of all voting members at a regular Board meeting provided said officer is notified of the proposed removal 15 days before the meeting. In the event of the removal or resignation of the Chairman the Vice-Chairman shall assume the Chairman's responsibilities for the remainder of the term. In the event the Vice-Chairman's position is vacated the office shall be filled at the next regular meeting by the regular election procedure.

Article VIII. Meetings

Section 1. **Six regularly scheduled** meetings shall be held ~~monthly~~ **per year** at a time and place determined by the Board. Public notice of the meetings, including proposed agendas, shall be provided at least twenty-four hours prior to any meeting. Public notice shall be made by posting copy of the notice, visible to the public, at the ~~Office of the County~~

~~Commissioners and at the Air Quality Office~~ **City of Rapid City Air Quality Division**. For special or rescheduled meetings notice shall be delivered in person or by mail or by telephone to members of the local news media who have requested notice.

Section 2. A quorum shall consist of four (4) members of the Board. Voting shall be by oral question and answer.

Section 3. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call a special meeting when requested to do so by a majority of members of the Board. All members of the Board shall be notified ~~in writing~~ not less than ~~five (5) days~~ **24 hours** in advance of such a special meeting.

Section 4. All meetings or portions of meetings at which official action is taken shall be open to the general public. However, the Board may meet in closed session to discuss personnel or legal matters **in accordance with South Dakota law**.

Section 5. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at the meetings of this Board.

Article IX. Order of Business

The order of business at regular meetings shall be as follows:

- 1. Call to Order**
- ~~2.~~ Approval of Minutes
- ~~3.~~ Approval of **Meeting** Agenda
- ~~III.~~ ~~Items from Invited Guests~~
- ~~IV~~**4.** Reports from Committees and Staff
- ~~V~~**5.** Unfinished **Old** Business
- ~~VI~~**6.** New Business
- ~~VII~~**7.** Items from Board Members
- ~~VIII~~**8.** Items from the Floor
- ~~IX~~**9.** Adjournment