

COMPOSITION AND PROCEDURES
OF
THE GEORGIA LAND CONSERVATION COUNCIL

Article I

NAME The name of the Council shall be “Georgia Land Conservation Council.”

Article II

MEMBERS OF COUNCIL Section 1. The Council shall consist of nine (9) members who shall be the State Property Officer, the Commissioner of the Department of Natural Resources, the director of the State Forestry Commission, the Executive Director of the State Soil and Water Conservation Commission, the Commissioner of the Department of Community Affairs, and four members to be appointed by and serve at the pleasure of the Governor of the State of Georgia.

TERM OF MEMBERS Section 2. Membership of the Council is determined by the holding of state office as hereinbefore set forth, and each standing member shall remain a member only so long as he or she holds one of the respective enumerated offices. The terms of the four members appointed by the Governor shall continue until their successors are duly appointed and qualified.

VACANCIES Section 3. No vacancy on the Council shall impair the right of the quorum to exercise all the rights and perform all the duties of the Council.

ENUMERATION OF OFFICERS Section 4. The State Property Officer shall serve as Chairperson of the Council. The Commissioner of the Department of Natural Resources shall serve as Vice-Chairperson of the Council and shall assume all general powers and duties of the Chairperson in the absence of the State Property Officer.

Article III

AUTHORITY These Procedures are established pursuant to authority and requirement of the Georgia Land Conservation Act approved April 14, 2005.

Article IV

MEETINGS Section 1. The Council shall hold meetings as often as deemed appropriate or necessary, but no less than once per quarter, in order to fulfill its duties under the law.

HOW CALLED Section 2. The Council shall set the date, time and place for any meetings to be held during the year.

WHEN CALLED Section 3. The Council may hold special meetings when same are called by the Chairperson, or by two (2) members of the Council. Such special meetings may be held as often as deemed appropriate and necessary, and the dates, times and places of such meetings shall be set by the Chairperson or members calling same.

NOTICE

Section 4. At least one week prior to any regular meeting, the Chairperson, or his or her designee, shall give notice of such meeting to all members of the Council. Said notice may be given in person, by telephone, by telegraph, by United States Mail, or by electronic mail and shall advise of the date, time, and place of the meeting. When a special meeting is called as provided by these Procedures, the person or persons calling same shall give notice by one of the methods hereinabove provided at least two days prior to said meeting.

QUORUM
VOTING

Section 5. At all meetings of the Council, five (5) members shall be necessary to constitute a quorum for the transaction of business. The act of a majority of the members present at the meeting at which there is a quorum shall constitute the action of the Council; however, approval for all land conservation project proposals requires an affirmative vote of at least five (5) members of the Council. In voting, each member of the Council shall have one vote.

MINUTES

Section 6. Written minutes shall be kept, recording the acts and proceedings at meetings of the Council. Such minutes shall be prepared by the staff or staff member of the Georgia Environmental Finance Authority, which supports the Council. The minutes of each meeting shall be prepared and provided in writing to the members of the Council as soon as possible following the meeting, but in no event later than one week prior to the next scheduled meeting of the Council, and shall be approved at such meeting of the Council.

TELEPHONE
MEETINGS

Section 7. The meetings of the Council may be conducted by means of conference telephone provided that all persons participating can hear each other. The place of such meeting shall be as provided for by these procedures. At such place of meeting, there shall be a speakerphone by means of which members of the public may attend and listen to the meeting. At least one member of the Council shall be present in the room with the speaker-telephone and participating at the meeting. The member of the Council presiding at the meeting shall personally call the roll when calling the meeting to order and shall personally ascertain by voice identification and such other means as a member may determine that the persons participating are the members of the Council. All votes shall be taken by such presiding member by roll call individually taken. Meetings of committees of the Council may also be conducted as provided in these Procedures. Meetings conducted by telephone conference call shall otherwise be conducted in the manner otherwise provided for meetings of the Council by these procedures and by the requirements of the open meetings laws. All notices of meetings to be conducted by telephone conference call to members and the public shall indicate that the meeting shall be conducted in that manner.

Article V

DUTIES OF
CHAIRPERSON

Section 1. The Chairperson shall exercise general powers and duties of supervision and management which have been approved by Council action. Without limiting the generality of the foregoing, he or she shall have the power, in addition, as follows: to see that all actions of the Council are carried into effect; and to execute in the name of the Council all documents and written instruments of every kind and character which have been approved by the Council.

APPOINTMENT
OF
COMMITTEES

Section 2. The Chairperson, with the approval of the Council, shall have the power and authority to appoint such Standing or Special Committees as he or she may think proper, and shall designate the Members thereof and prescribe their duties and powers. He or she shall appoint chairpersons and members of any committees and shall be an ex-officio member of any such committee thereof.

Article VI

NOTICE AND
WAIVER OF
NOTICE

Whenever, under the provisions of these Procedures, notice is required to be given to any member, it shall not be construed to mean personal service, but such notice may be given by personal telephone or in writing, by mail, by depositing the same in the post office or letter box, in a postpaid sealed wrapper addressed to such member at such address as appears on the records of the Council for such member, or the same may be given by telegram, duly addressed as aforesaid and dispatched through an established telegraph company, by electronic mail, or by facsimile transmission, and such notice shall be deemed to be given at the time when the same shall thus be mailed, telegraphed, or electronically mailed and shall be in full compliance with the manner of giving notice herein required. Any member may waive any notice required to be given under these Procedures.

Article VII

AMENDMENT
OF
PROCEDURES

These Procedures may be amended, altered or repealed upon the affirmative vote of five (5) members of the Council, provided such amendment, alteration, or repeal is proposed in writing at a prior meeting of the Council, and provided that notice of the meeting at which the vote is to be taken shall set forth the proposed amendment, alteration, or repeal, and shall state that the same shall be acted upon at the meeting for which notice is being given. Changes made to these procedures shall become effective upon approval by the Council.

Article VIII

DUTIES
OF
COUNCIL

Section 1. In accordance with OCGA 12-6A-5(d), the Council shall review each land conservation project proposal and shall consider the recommendations of both the Georgia Environmental Finance Authority (GEFA) and the Department of Natural Resources (DNR), taking into account all procedures, conditions, components, priorities, criteria, and rules and regulations promulgated by GEFA. Based on the presentation of a project proposal, the Council shall determine whether the project complies with all required terms and conditions, and if so, the council may approve such project.

Section 2. In accordance with OCGA 12-6A-5(e), the Council shall determine the required components, the format of presentation, and the conditions used to provide priority ranking for all project proposals to be presented to the Council. Additionally, the Council shall determine the means, such as a memorandum of understanding, by which the cities or counties of an approved project proposal may enter into partnerships with organizations which are tax-exempt under 501(c)(3) corporations of the federal Internal Revenue Code.

Section 3. In accordance with OCGA 12-6A-5(f), the Council, at a minimum shall use the following criteria in granting project approval:

- (1) a project shall promote the permanent protection of conservation land;
- (2) the project must identify and commit to the employment of local land use ordinances and local conservation and preservation ordinances, policies, and regulations which further the achievement of the permanent protection of conservation land; and
- (3) project proposals which are multijurisdictional in scope or regional in impact will receive additional ranking points.

Article IX

LEGAL COUNSEL

The Attorney General of the State of Georgia shall be legal counsel for the Authority. The Attorney General, or such persons as may be so designated, shall represent the Authority in all legal matters.