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HIDALGO COUNTY SUBDIVISION ADVISORY BOARD OPERATING POLICIES AND PROCEDURES

A. PURPOSE AND AUTHORITY

1. The Hidalgo County Subdivision Advisory Board ("SAB") has been established by the Commissioner's Court (the "Court") of Hidalgo County (the "County"), pursuant to Section G.8. of the Hidalgo County Subdivision Rules as amended and restated June 17, 1998 (the "Rules"), in an effort to involve the community in issues related land development, plat review, and enforcement measures. The SAB sits in an advisory capacity to the Court regarding these issues.
2. The SAB is vested with the authority to review and submit a recommendation to the Court for approval, conditional approval and disapproval of application for the subdivision of land, including preliminary and final plats. The SAB may also recommend variances or exemptions from the Rules, pursuant to the provisions of said rules and applicable state law. The SAB sits in an advisory capacity to the Court regarding these issues.
3. The SAB is vested with the authority to review requests for "Certificates of Compliance with Plat Requirements", or authorization to connect to public utilities, and recommend the approval, conditional approval or disapproval for the applications pursuant to the provisions of Chapter 232 of the Texas Local Government Code. The SAB sits in an advisory capacity to the Court regarding these issues.

B. APPOINTMENTS, TERMS AND VACANCIES

1. Procedures for the appointment of members of the SAB, terms of office, and filling of vacancies are governed by the Rules.
2. Members serve without compensation except for specifically authorized expenditures for travel, conference, enrollment fees, or other similar expenses. Written authorization from the Court is required prior to any expenditure.
3. Members may be removed (i) for cause, (ii) in the manner provided in the Rules, or (iii) by the Court following a recommendation received from the Chairman pursuant to these Operating Policies and Procedures.

C. OFFICERS, QUORUM AND MEETINGS

1. The Chairman of the SAB is designated by the Court. At the first meeting of each calendar year the SAB will elect a Vice-Chairman and such other officers as it may deem appropriate. The Chairman will act as presiding officer over all meetings of the SAB, or any committee of the SAB, and will execute all documentation that may be required to be executed on behalf of the SAB. The Vice-Chairman will fulfill the duties of the Chairman during the absence of the Chairman. There is no limitation on the number of terms any member may serve

as an officer.

2. ~~Three (3) or more members will constitute a quorum. Three (3) or more members will constitute a quorum. No meeting shall be conducted without a quorum. As a matter of public policy and as required by the Rules the SAB shall be subject to the Texas Open Meetings Act and shall be required to post public notice of any meeting at least seventy-two (72) hours before any meeting is called to order.~~ *Three (3) or more members will constitute a quorum. No meeting shall be conducted without a quorum. As a matter of public policy and as required by the Rules the SAB shall be subject to the Texas Open Meetings Act and shall be required to post public notice of any meeting at least seventy-two (72) hours before any meeting is called to order.*
3. *Meetings may be conducted by videoconference call. A quorum must be physically present at one location. Notice of a meeting to be held by videoconference call must specify the location where a quorum of the governmental body will be physically present. Any member who participates via zoom, including the Chairman, is counted as present and may vote, except if audio or video connection is lost. While on video conference, each participant's face must be clearly visible and voice audible to each participant and to members of the public. At any time that the meeting is no longer visible or audible to the public, the meeting must recessed until the problem is resolved. If not resolved within 6 hours, the meeting must be adjourned. Audio and video quality must meet the standards as set forth by the Department of Information Resources. No meeting shall be conducted without a quorum. As a matter of public policy and as required by the Rules the SAB shall be subject to the Texas Open Meetings Act and shall be required to post public notice of any meeting at least seventy-two (72) hours before any meeting is called to order.*
4. Minutes shall be kept of the SAB's proceedings in accordance with the requirements of the Rules. The minutes of SAB meetings constitute a public record.
5. Regular SAB meetings are scheduled for ~~5:30 p.m. on the first and third Tuesday~~ **4:00 pm on the third Tuesday** of each month in the Commissioner's Courtroom, I00 E. Cano, 1st Floor, Edinburg, Hidalgo County, Texas. **If a regular BBLA meeting is scheduled, the AB meeting will take place at 4:15 pm.** A regular meeting may be re-scheduled or a special meeting called by the Chairman or three members of the SAB, provided that the meeting is called in compliance with posting requirements as defined herein. The Hidalgo County Planning Department will be responsible for preparation and posting of all agendas for all SAB meetings. Regular meetings may be canceled by the Chairman if the Planning Department notifies the Chairman that there have been no items submitted for consideration to the Planning Department which are ready for review by the SAB.

D. ATTENDANCE

In order to ensure an expedient County review process for the public regarding land development and utility connections, it is extremely important that members are available for meetings. Therefore, an exceptional attendance record is expected from all members. Except in the case of an emergency, ~~a member who is absent more than: (i) three (3) consecutive times from any regular or special meeting of the board; or (ii) who fails to attend fifty percent (50%) or more of the regular and special meeting of the board during~~

~~any twelve-month period; in either instance, without legitimate excuse to be determined by the majority of the board, shall be automatically dropped from membership. Additionally, the Chairman is authorized to review attendance records and recommend to the Court the removal of any member whose attendance record is less than desirable and which has created a burden to the remaining members or has resulted in an inability to call meetings to order for a lack of quorum.~~ *a member who misses 3 consecutive meetings or 50% of meetings in a 12-month period is automatically removed from the Board. The Chairman has discretion to ask the Commissioners Court to remove a member who is frequently absent which results in a burden to the other members, as well as a member who is absent or who only appears via Zoom and makes it difficult to achieve the required quorum.*

A member who cannot attend a regular or special board meeting shall notify the Chairman, Vice Chairman, or the Planning Administrator no later than ~~4:00~~ *2:00* p.m. on the date of such regular or special meeting of the reason such member will not attend the meeting.

When a vacancy exists due to the member either being automatically dropped from the membership or following Court action based on the recommendation of the Chairman, the Court may fill the vacancy at a regular scheduled meeting in the manner provided in the Rules.

E. CONFLICT OF INTEREST

Members of the SAB are subject to the conflict-of-interest provisions of Section G.8.G of the Subdivision Rules. *In accordance with Section G.8.G of the Subdivision Rules and Sections 232.034 of the Local Government Code, the affidavit is required to be filed with the County Clerk prior to the meeting in which the conflict of interest arises or as soon as practical after the conflict is discovered.* In the event any member of the SAB has a conflict of interest, as defined in the Rules, that member shall file an affidavit prior to any vote or decision regarding the matter in which the member has an interest. If a member first learns of a conflict during a meeting of the SAB, the member shall immediately announce on the record the existence and nature of such conflict and shall thereafter refrain from any participation in the consideration of the matter and shall, as soon as practical following the meeting, file the required affidavit.

F. ADMINISTRATIVE TRAVEL

As funding and budgetary constraints permit, travel and lodging will be provided for authorized meetings and conferences being conducted outside the 4-County Rio Grande Valley Areas. Compensation for travel will be calculated at the same rates and under the same regulations as are established for County employees. Authorization for travel must be granted by the Court prior to any travel taken and before submission to the Auditor's and/or Treasurer's office for payment processing.

G. PROCEDURES FOR PLACING ITEMS ON SAB AGENDA

1. No item shall be placed on an agenda for consideration by the SAB until the item has received all requisite approvals of any applicable municipality, water supply corporation, sanitary sewer service provider, irrigation or water district and/or Drainage District. In addition, approvals from all County departments other than the Planning Department must be noted on the item prior to placement on an SAB agenda. The item will be placed on a SAB agenda and acted upon by the SAB within forty-five (45) days following the receipt by the Planning Department of the item containing all requisite approvals. Failure of the SAB to act to approve, conditionally approve or disapprove an item within such 45 day period shall result in the item being deemed approved and submitted to the Court.
2. The SAB may take the following actions with respect to an item presented to it for consideration: a) approve the item; b) approve the item subject to the applicant meeting certain conditions; c) reject the item; or d) table the item or take no action on the item and request that the applicant or Planning Department provide the SAB with additional information, data, etc. A notation of the approval, approval with conditions or rejection of the item by the SAB shall be noted on the face of the item and signed by the Chairman.
3. Items approved without conditions, and items deemed approved due to inaction by the SAB, shall be submitted to the Court on the next available agenda date.
4. Items conditionally approved by the SAB shall be referred to the Planning Department for further review and, except as herein provided to the contrary, shall be submitted to the Court only when all conditions required by the SAB have been met. If the SAB issues a conditional approval of an item, the SAB shall set out in detail the conditions which must be complied with in order to allow the item to proceed through the approval process.
5. Except as herein provided to the contrary, items rejected by the SAB shall be referred back to the Planning Department, and shall not be submitted to the Court until the SAB has again reviewed the item and granted approval or conditional approval for the item. If the SAB rejects an item, it shall set out in detail the reasons for the rejection.
6. The Planning Department shall issue notice to the applicant in writing of any action taken on an item within 5 business days following the action by the SAB. The Planning Department shall maintain a log of notices issued pursuant to this section which shall note the person to whom notice is delivered, the date of delivery, the manner of deliver and other information deemed necessary by the Planning Department.
7. If the applicant disputes the conditional approval or rejection of an item by the SAB, such action may be appealed to the Court in compliance with this paragraph. Written notice of the appeal, together with a detailed written explanation of the reasons why the decision of the SAB is incorrect, must be received by the Planning Department on or before the 15th day following the issuance by the Department of the notice of

rejection or conditional approval under the immediately preceding paragraph. Upon the filing of such appeal, the Planning Department shall cause the item to be placed on the next available Court agenda for consideration and action by the Court. Failure to file an appeal with the Planning Department within the prescribed period shall constitute the applicant's acceptance of the conditions or the bases of the rejection, as applicable.