

ARTICLE 8 Boards and Commissions¹

Division 1 General Provisions

Sec. 2-8-10. Definitions.

As used in this Article, the following terms shall be defined as follows:

Board or Commission means any advisory, policy-making, rule-making or formally constituted body created or established by the Board of Trustees. As used in this Article, Board or Commission shall not include the Board of Trustees but shall include the Board of Adjustments, and Planning and Community Development Commission, except where this definition conflicts with the definitions of those terms found in this Article or with any provision of state law.

Board of Adjustments means the body established by the Board of Trustees pursuant to Section 31-23-307, C.R.S.

Committee means an ad hoc, advisory body established by the Board of Trustees, whether for a specified period of time or for the completion of a particular task or series of tasks, which may be dissolved at any time by the Board of Trustees in accordance with the provisions of this Article.

Planning and Community Development Commission means the body established by the Board of Trustees pursuant to Section 31-23-201, et seq., C.R.S.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-20. Scope.

- (a) Except to the extent otherwise specifically provided, this Section shall apply to all boards and commissions. The Board of Trustees may at any time, by ordinance, create a board or commission. The ordinance creating such a board or commission shall specify the powers, duties, number and qualifications of its members. The Board of Trustees may at any time, by ordinance, abolish any existing board or commission, except those required by state statute.
- (b) The Board of Trustees may by resolution create such ad hoc advisory committees as the Board of Trustees deems necessary or desirable to assist in the proper and effective functioning of the Town. Such resolution shall, at a minimum, provide for the purpose, membership and responsibilities of the committee. No member of an ad hoc advisory committee may receive any monetary compensation for service. The Board of Trustees may terminate the service of any member of any ad hoc advisory committee at any time.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-30. Recruitment and appointment.

- (a) Notice of openings shall be posted publicly in the appropriate media. Interested individuals shall submit a board or commission application to the Mayor and Town Clerk. All board and commission appointments shall be made by the Mayor and confirmed by the Board of Trustees. All members of the Planning and Community Development Commission and the Board of Adjustments shall be residents of the Town. The Mayor may

¹Editor's note(s) — Sec. 2 of Ord. No. 1056 Editor's note(s) — adopted Apr. 15, 2019, amended Art. 8 in its entirety to read as herein set out. Former Art. 8 pertained to the same subject matter, and derived from the prior code, and Ord. 956, 2014.

appoint one (1) or more nonresidents to any other board or commission, provided that a majority of the members are residents of the Town.

- (b) The Mayor shall appoint one (1) member of the Board of Trustees as an ex officio member of each board or commission to serve as a liaison to the Board of Trustees. The Town Administrator may, but is not required to, appoint one (1) member of Town staff as an ex officio member of any board or commission to serve as a liaison to the Town Administrator. Trustees and staff assigned to any board or commission shall be nonvoting members.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-40. Terms, vacancies and membership.

- (a) Term. Member terms shall consist of two (2) years. Each term shall begin on the day of appointment and end on the same day in the final year of the term. However, whenever possible, each appointee to a board or commission shall hold office until his or her successor is appointed and qualified. Appointments for less than a full term may be established and started at the time of appointment.
- (b) Removal of member. Any board or commission member may be removed by a vote of the majority of the commission or board which the member serves for misfeasance, malfeasance or nonfeasance in office, and the vacancy created shall be filled in the same manner as any other vacancy. Any member absent from three (3) consecutive regular meetings or five (5) meetings in one (1) calendar year (except where the Board of Trustees finds that exceptional circumstances exist) shall be deemed to have forfeited his or her seat upon declaration of the Mayor, and a vacancy shall result without the need for formal removal proceedings. All members of boards, commissions and ad hoc committees are subject to the Town's Ethics Code.
- (c) Vacancies. All vacancies shall be filled in the same manner as for an expired term, but the appointment shall be effective immediately when made and only for the balance of the unexpired term. A citizen may serve and participate on up to two (2) boards or commissions at the same time. A board or commission member can serve up to six (6) consecutive years on one (1) board or commission. After six (6) consecutive years on one (1) board or commission, the member may reapply to serve additional terms at the discretion of the Mayor.
- (d) Chairperson, vice chair and second vice chair. The members of each board or commission shall select a chairperson and vice chair from among the board or commission's voting membership annually to serve for one (1) year with a maximum of three (3) terms as chair. No chairperson shall be elected who has not completed at least one (1) year as a member of the board or commission, unless no other person is eligible or otherwise willing to serve as chair.

The election of officers shall occur at the first meeting of each calendar year. Each board and commission shall also have a second vice chair, who may be either a voting member or the staff or Board of Trustees' liaison. Members of any board or commission may serve multiple terms as officers if reelected annually.

(1) Chairperson responsibilities:

- a. The chair shall determine the agenda and preside over all meetings of the board or commission.
- b. Ensures compliance with town rules and ethics code.

(2) Vice chair:

- a. The vice chair shall be the second ranking officer and in the absence or disability of the chair shall exercise all of the chair functions.

(3) Second vice chair:

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- a. The second vice chair shall keep or cause to be kept minutes of all meetings of the board or commission and the membership.
 - b. Shall perform other duties as the Board may direct or as may be required by law.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-50. Compensation.

Members of Town boards and commissions shall serve without compensation. The Board of Trustees may elect to provide a stipend to members at its discretion.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-60. Meetings; reports.

- (a) Each board and commission shall hold its regular monthly meeting on a day and at a time established by its membership. The chairperson shall have the authority to cancel any monthly meeting if there are no items on the agenda for that meeting. All meetings of boards and commissions shall be open to the public, and the Town Clerk is responsible for providing public notice at least twenty-four (24) hours in advance of all meetings. A simple majority of the members of a board or commission shall constitute a quorum. All actions taken by the Board of Trustees, Planning and Community Development Commission, the Board of Adjustments, and the Revolving Loan Fund Committee shall be by recorded vote. A copy of the list of attendees, agenda and minutes of each meeting shall be furnished to the Town Clerk within ten (10) days of the meeting for posting on the Town Website.
- (b) Boards and commissions may only vote on issues during public meetings. In order to comply with open meetings laws, boards and commissions may not vote or make decisions on any issue through email or other forms of electronic communications. Emails, other than agendas, minutes, or informational items such as articles from media or professional paper sent among board or commission members may be sent to no more than two (2) members, including the sender.
- (c) During January of each year, each board and commission shall submit to the Board of Trustees a summary of key accomplishments of the prior year and the work program and intended goals for the following year, including the board or commission's role in implementing priorities set forth in the Comprehensive Plan and other relevant Town policy documents.

(Ord. No. 1056, § 2, 4-15-2019)

Division 2 Establishment

Sec. 2-8-110. Lyons Arts and Humanities Commission.

- (a) Commission established. There is hereby established an Lyons Arts and Humanities Commission that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by this Article.
- (b) Members. The Lyons Arts and Humanities Commission shall have no more than seven (7) voting members and any number of appointed nonvoting members.
- (c) Responsibilities. The powers and duties of the Lyons Arts and Humanities Commission shall be as follows:
 - (1) Produce, present, exhibit, advance and preserve art, music, theatre, dance and literature.

(Supp. No. 9)

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- (2) Enhance the public environment of the Town through art for the enjoyment of residents and visitors.
 - (3) Present the Town as a leading creative community in the region.
 - (4) Educate the public and promote the importance of culture to the Town.
 - (5) Promote the contribution of the arts to the local economy.
 - (6) Promote diversity and pluralism in art in public places.
 - (7) Encourage the display of creative works of the Town area people.
 - (8) Showcase the cultural, historical, current and future significance of the Town.
 - (9) Actively seek funding sources, including grants, to sustain and enhance the programs offered.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-120. Board of Adjustments.

- (a) Board established. There is hereby established a Board of Adjustments that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by Section 31-23-307, C.R.S., and this Code. The Board of Adjustments shall be comprised of seven (7) members. All members must live within the Town limits for a minimum of one (1) year.
- (b) Responsibilities. The Board of Adjustments shall:
 - (1) Hear and decide appeals from any order, requirement, decision or determination made by any administrative official charged with the enforcement of this Code.
 - (2) Hear and decide all requests for a variance from the bulk requirements of this Code.
 - (3) Recommend the granting or denial of variances to the Board of Trustees.
 - (4) Conduct an administrative review of the decisions of the Town Inspection Division, including, but not limited to, all matters relating to building construction.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-130. Economic Vitality Commission.

- (a) Commission established. There is hereby established an Economic Vitality Commission that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by the Town.
- (b) Members. The Economic Vitality Commission shall have no more than seven (7) voting members and any number of appointed non-voting members.
- (c) Responsibilities. The powers and duties of the Economic Vitality Commission shall be as follows:
 - (1) Advise the Board of Trustees on matters relating to ways to develop new business, strengthen and support existing business, increase the Town's sales tax base and otherwise promote economic development in the Town.
 - (2) Serve as the majority of the voting members of the of the Main Street Committee, as established by resolution of the Board of Trustees. The Chair of the Economic Vitality Commission shall serve as the Chair of the Main Street Committee.

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- (3) Promote a business-friendly environment that encourages the retention of locally-owned businesses and growth of new business consistent with the Comprehensive Plan and the Lyons Primary Planning Area Plans.
 - (4) Actively foster an economic environment that promotes financial sustainability for the Town.
 - (5) Initiate plans and recommendations to enhance an economic environment in which local business can prosper.
 - (6) Establish practical guidelines for the formation of public-private partnerships.
 - (7) Develop, use, and revise a comprehensive integrated effort to communicate Town's unique characteristics, business establishments, and scheduled activities to target day-trip visitors, consumers, investors, prospective business owners, and local residents.
 - (8) Collaborate with organizations, individuals, and public and private entities located within and outside of the Town of Lyons for the purposes expressed herein for the Economic Vitality Commission for developing partnerships for special events to attract visitors to the Town.
 - (9) Encourage practices that enhance and sustain the Town's visual appeal to visitors through improvements to storefronts, signage, parking areas, window displays, and public art.
 - (10) Collaborate with the Historic Preservation Commission and public and private entities aimed at rehabilitating historic buildings and promoting historic preservation practices.
 - (11) Identify and continuously improve upon ways to make the Town a destination for residents and visitors.
 - (12) Leverage the Town's history, natural setting, parks, recreational activities, unique retailers and relationship with music and arts communities to attract tourists.
 - (13) Actively seek funding sources, including grants, to sustain and enhance the programs offered.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-140. Historic Preservation Commission.

- (a) Commission established. There is hereby established a Historic Preservation Commission that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by this Article.
- (b) Members. The Historic Preservation Commission shall have no more than seven (7) voting members and any number of appointed of non-voting members.
- (c) Responsibilities. The powers and duties of the Historic Preservation Commission shall be as follows:
 - (1) Encourage and cultivate good stewardship and pride in owners of historic properties in the Town.
 - (2) Help property owners voluntarily preserve their historic landmarks.
 - (3) Promote heritage tourism.
 - (4) Create and maintain a registry of designated properties.
 - (5) Identify incentives available through the historic designation process.
 - (6) Collaborate with the PCDC and Economic Vitality Commission on historic preservation matters.
- (d) Leverage technology, social media, and marketing to make a digital map of Lyons highlighting historic sites within Lyons.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-150. Parks and Recreation Commission.

- (a) Commission established. There is hereby established a Parks and Recreation Commission to act as an advisory commission to the Board of Trustees on all matters pertaining to the operation, maintenance, improvement and development of the Town's parks and recreation programs and facilities.
- (b) Members. The Parks and Recreation Commission shall have no more than seven (7) voting members and any number of appointed non-voting members.
- (c) Responsibilities. The responsibilities of the Parks and Recreation Commission shall be as follows:
 - (1) Advise the Board of Trustees on all matters pertaining to the Town parks and recreation facilities and programs.
 - (2) Monitor the use and maintenance of the Town park facilities.
 - (3) Prepare and promote recreational projects for Town residents.
 - (4) Serve as a community liaison, receiving suggestions and ideas from the public to communicate to the Board of Trustees.
 - (5) Recommend applications to funding sources to support the Parks, Open Space and Trails Plan, with the approval of the Board of Trustees.
 - (6) Act on matters related to the public pedestrian, equestrian, bicycle, recreation and trails systems, including sidewalks (all collectively to be known as "pathways").
 - (7) Actively seek funding sources, including grants, to sustain and enhance the programs offered.
 - (8) Create, research, and recommend practices to improve and promote environmentally safe parks and open spaces in coordination with the Ecology Board, the Sustainable Futures Commissions and other boards and commissions.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-160. Planning and Community Development Commission.

- (a) Commission established. There is hereby established a Planning and Community Development Commission that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by this Code and granted pursuant to Article 23 of Title 31, C.R.S.
- (b) Members. The Planning and Community Development Commission shall have no more than seven (7) voting members who shall live in the Town for at least one (1) year prior to serving on the Commission.
- (c) Responsibilities. The responsibilities of the Planning and Community Development Commission shall be as follows:
 - (1) Advise, recommend and assist the Board of Trustees and the Town administrative officers in matters relating to planning the physical growth of the Town.
 - (2) Review recommendations of staff regarding proposals submitted to the Town for annexation, subdivision or other land development.
 - (3) Develop, revise, and adopt the Comprehensive Plan (a document intended to satisfy the requirements of Section 31-23-201 et seq., C.R.S. requiring Statutory Towns to produce a Land Use Master Plan) and other broad based planning documents in accordance with the Colorado Revised Statutes, the Lyons Municipal Code, and based upon direction from the Lyons Board of Trustees.

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- (4) Identify and recommend professional guidance for development of the Comprehensive Plan and other planning documents consistent with the availability of funding and with the approval of the Board of Trustees.
 - (5) Hear, decide and recommend to the Board of Trustees all matters pertaining to zoning, interpretation of zoning codes and the zoning map.
 - (6) Adopt or recommend adoption of subdivision, zoning, platting, planned unit development (PUD), or other similar land development regulations as required by the Lyons Municipal Code after satisfying all applicable notice, due process, and hearing requirements for legislative actions or quasi-judicial actions as required by the Colorado Revised Statutes and as directed by Town policy, the Lyons Municipal Code, and the Board of Trustees.
 - (5) Perform any other function or action that, in the opinion of the Planning and Community Development Commission, is relevant to its role in advising the Board of Trustees on matters related to annexation, subdivision and land development.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-170. Sustainable Future Commission.

- (a) Commission established. There is hereby established a Sustainable Future Commission that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by this Article.
- (b) Members. The Sustainable Future Commission shall have no more than seven (7) voting members and any number of appointed non-voting members.
- (c) Responsibilities. The powers and duties of the Sustainable Future Commission shall be as follows:
 - (1) Advise the Board of Trustees on matters relating to practices and policies that support and improve the environmental stewardship of the Town and its citizens.
 - (2) Raise awareness of sustainable practices, such as solid waste reduction, thoughtful consumer consumption, buying locally grown or made goods, responsible water use and reduction in the use of environmentally harmful substances;
 - (3) Evaluate and implement appropriate strategies as outlined in the Boulder County Consortium of Cities' Sustainable Energy Plan and promote sustainable practices within the Town.
 - (4) Facilitate communication and partnership between the municipal government and private groups involved in sustainability efforts.
 - (5) Improve the environmental footprint of the Town government in areas relating to utility and building practices, municipal buildings, solid waste management and parks.
 - (6) Promote a sustainable sensibility among the citizenry.
 - (7) Identify funding sources as appropriate and recommend them to the Board of Trustees for approval.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-180. Ecology Advisory Board.

- (a) Board established. There is hereby established an Ecology Advisory Board to act as an advisory commission to the Board of Trustees on all matters pertaining to the establishment of provisions for the proper utilization and protection of the natural resources and for the protection of watershed resources for the

Town. The Ecology Advisory Board shall conduct research into its local land and water areas and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which, in its judgment, it deems necessary for its work. It shall keep an index of all open space and natural, aesthetic or ecological areas within the Town, as the case may be, with the plan of obtaining information pertinent to proper utilization of such areas, including lands owned by the State or lands owned by the Town. It shall also keep an index of all wetlands and riparian areas in a like manner and may recommend to the Board of Trustees a program for the protection, development or better utilization of all such areas.

- (b) Members. The Ecology Advisory Board shall have no more than seven (7) voting members and any number of appointed non-voting members.
- (c) Responsibilities. The responsibilities of the Ecology Advisory Board shall be as follows:
 - (1) Advocate for a balanced ecosystem that preserves the hydrologic and environmental integrity of the environmental systems present, including, but not limited to, parks and open space and the St. Vrain River Corridor.
 - (2) Study, investigate, advise and develop and/or update annually a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of vegetated areas within the Town community including trees, shrubs, bushes and native perennials and other woody vegetation in parks, along streets and in other public areas.
 - (3) Research, create, and recommend budgets and alternative cost saving programs to the Board of Trustees for the use environmentally safe applications of products that promote the safety and welfare of natural native landscapes around Town parks and open space.
 - (4) The Ecology Advisory Board shall review site designs for all ecologically important parcels of land in order to provide findings, report and make recommendations that uphold the integrity of the environment in the Town, while balancing the desire for development, recreation and economic vitality.
 - (5) Advise, assist and consult with the Parks and Recreation Director, the Public Works Director or any Town employees who may impact the natural environments in the Town.
 - (6) With the assistance and direction of the Parks and Recreation Director or Public Works Director, may conduct or assist in the conduct of fundraising activities, preservation programs or public or private engagement opportunities, including, but not limited to, ecology-focused workshops or classes, monitoring programs, volunteer projects and social gatherings.
 - (7) Act as liaison for local residents, public officials and Town employees to assist in managing, controlling and/or elimination and disposal of local and state noxious weeds. Prepare a sustainable weed management plan that may include approved and recommended measures and practices for the management, control, elimination and disposal of local and state noxious weeds, as well as appropriate fertilization of non-weed species. Such management plan may be adopted by the Board of Trustees and, once adopted, shall govern the management, control, elimination and disposal of local and state noxious weeds by landowners and public employees within the Town.
 - (8) Assist and advise the Board of Trustees on policy and operations pertaining but not limited to community gardens, a continuous multi-use pathway along the St. Vrain River, equal access to valuable conservation areas, a local monitoring program, arboretum and botanical gardens.
 - (9) Maintain the Town's Tree City USA status and promote the growth and viability of the Town's urban forests. Retain the focus that a healthy, vibrant ecosystem is a fundamental foundation to maintaining a vibrant economy through ecotourism.

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- (10) Advise the Board of Trustees and other boards and commissions regarding stream-related activities and to assure the river assets are considered in Town projects. A sub-group of the Ecology Advisory Board will be assigned to specifically address issues within the river corridor including, but not limited to:
- a. Ensuring Town projects meet flood mitigation and watershed health goals.
 - b. Research and recommend policies for adoption by the Board of Trustees to promote flood mitigation, river restoration, and overall watershed health.
 - c. Coordinating with stakeholders within the Town's watershed planning area including, but not limited to, fishing, boating, camping, and private land owner stakeholders.
 - d. Represent the Town at the St. Vrain Creek Coalition or similar bodies to represent the Town's interests.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-190. Utilities and Engineering Board.

- (a) Board established. There is hereby established a Utilities and Engineering Board that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by this Code.
- (b) Members. The Utilities and Engineering Board shall have no more than seven (7) voting members and any number of appointed non-voting members.
- (c) Responsibilities. The powers and duties of the Utilities and Engineering Board shall be as follows:
 - (1) Review and make recommendations to the Town Administrator and Board of Trustees concerning the interpretation, application and amendment of the Manual of Design Criteria and Standard Specifications for Construction of Public Improvements of the Town.
 - (2) Perform other functions as requested by the Board of Trustees on matters related to public works and public engineering projects.
 - (3) Review and make recommendations to the Board of Trustees regarding utility rates, capital projects or other matters related to the Town enterprise funds and utilities.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-200. Lyons Housing and Human Services Commission.

- (a) Commission established. There is hereby established an Lyons Housing and Human Services Commission that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by this Section.
- (b) Members. The Lyons Housing and Human Services Commission shall have no more than seven (7) voting members and any number of appointed non-voting members.
- (c) Responsibilities. The responsibilities of the Lyons Housing and Human Services Commission shall be as follows:
 - (1) Advise the Board of Trustees on all matters pertaining to human services and aging, including education, health and mental well-being, transportation, social connections, safety net and economic support.
 - (2) Make it possible for residents of the Lyons area to have an opportunity to access services available throughout the county and help oversee programs and facilitate service delivery within the Town.

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- (3) Actively support the engagement of the aging generation in the Town, provide volunteer services within the Town to provide for basic aging needs, enhance communication to the Town regarding services available for this age group, and improve transportation resources.
 - (4) Advocate for, and increase access to, programs and opportunities that will help children, youth and families make healthy choices.
 - (5) Design programs that are tailored to and accessible to the most vulnerable households, including those in poverty, with disabilities, minorities or those affected by natural disasters and other debilitating shocks. This may include programs and policies to increase the resiliency of these groups in terms of emergency preparedness.
 - (6) Upon request by the Board of Trustees, the Lyons Housing and Human Services Commission shall consider, investigate, make findings, report and make recommendations upon any special matter or concern.
 - (7) The Lyons Housing and Human Services Commission shall take an active role in seeking funding sources, including grants, as well as technical partnerships with governmental and nonprofit agencies, to sustain and enhance the services and programs offered.

(Ord. No. 1056, § 2, 4-15-2019)

Sec. 2-8-210. Student Advisory Commission.

- (a) Commission established. There is hereby established a Student Advisory Commission that shall act as an advisory committee to the Board of Trustees and exercise the powers granted by this Section. The purpose of this commission is to:
 - (1) Engage young adults in local government who have recently reached, or will soon reach voting age;
 - (2) Ensure the Board of Trustees is aware of issues of interest among the young adult population;
 - (3) Encourage, recognize and promote the value of young adults in our community.
- (b) Members. The Student Advisory Commission shall have no more than seven (7) voting members and any number of appointed non-voting members, each of whom are between fourteen (14) and nineteen (19) years of age. At a minimum, the student must be in high school or equivalent academic program.
- (c) Responsibilities. The responsibilities of the Student Advisory Commission are:
 - (1) Advise the Board of Trustees on matters of importance to student-age citizens.
 - (2) Recommending programs, initiatives, and resources for young adults.
 - (3) Reviewing those town matters referred to it by the Board of Trustees or Staff, as appropriate, and making recommendations on those matters.
 - (4) Actively engage young adults in efforts to enhance the status of the community of Lyons including, but not limited to, the physical, sports, recreational, arts, and environmental status.
- (d) Each member may be assigned a liaison role to one (1) of the other Boards or Commissions so as to report back to this Commission of the ongoings of each Board or Commission and how it plays a role in the governance of the Town of Lyons.

(Ord. No. 1056, § 2, 4-15-2019)