

**BY LAWS OF SAN MIGUEL DWI PLANNING COUNCIL
LAS VEGAS, NEW MEXICO**

Date Adopted September 2015

ARTICLE I – OFFICES

The principal office of the Driving While Intoxicated (DWI) Planning Council, hereafter referred to as the DWI Planning Council, shall be in the City of Las Vegas, County of San Miguel, and the State of New Mexico. The address of the registered office may be changed by the DWI Planning Council.

ARTICLE II – PURPOSES

To review current local drug and alcohol abuse programs in order to identify areas of unmet needs and to develop funded comprehensive programs to combat drug-related crime in San Miguel County. The mission of the San Miguel County DWI Planning Council is to foster cooperation among County and Municipal Government entities, neighborhood groups, community organizations, education establishments, businesses, service providers, law enforcement and judicial entities, religious institutions, and citizens of all ages to assure the optimal delivery of services in order to reduce the incidence of D.W.I. and negative effects of alcohol use by children, youth and adults in San Miguel County, and to create conditions that promote healthy, productive lifestyles.

ARTICLE III – GOALS

- A. To combat drug and alcohol related crime through the community activities such as neighborhood watch, crime watch, drug and alcohol abuse education and rehabilitation programs, and any other activity dedicated to the reduction of drug and alcohol abuse and related crime.
- B. To gather and disseminate drug and alcohol related crime data to the public and to the judiciary and legislature recommending changes in laws and procedures related to drug and alcohol abuse.
- C. To support law enforcement officials in the enforcement of laws against drug and alcohol related crimes.

ARTICLE IV – FINANCING

To receive and maintain a fund or funds of real or personal property, or both, under the laws, statutes, ordinances, and policies that govern San Miguel County government and, subject to the limitations and restrictions hereinafter set forth, to use and apply the whole or any part of income therefrom and the principal thereof exclusively for accomplishing the scope of work agreed upon with funding agencies.

ARTICLE V ó MEMBERS

Membership of the DWI Planning Council shall include:

- A. Persons who subscribe to the philosophy and goals of the DWI Planning Council and who wish to assist in accomplishing its stated purposes. The members of the planning council shall be selected to represent a broad spectrum of interests and may include county officials, DWI program and service providers, law enforcement officers, District Attorney's Office, alcohol counselors and therapists, school administrators, and local political leaders.
- B. Representation of agencies and organizations whose purposes are in agreement with those of the DWI Planning Council. Those members who represent agencies must be so designated in writing by the directorship of the agencies or organizations they represent.
 - 1) Those members, who are absent for three consecutive meetings without agency representation, will be removed/replaced from the Council, with the exception of Law Enforcement Officials.

ARTICLE VI – MEETINGS

- A. The DWI Planning Council shall meet once a month. Time, location, and date of these meetings shall be set by decision of the DWI Planning Council.
- B. Regular meeting:
A regular meeting of the DWI Planning Council shall be held on the last Thursday of each month at a place to be announced by notification of the DWI Coordinator. The purpose of this meeting will be to conduct regular business of the DWI Planning Council.
- C. Special Meeting:
Special meeting of the members may be called by the Chair or any two officers, or by a written petition signed by not less than thirty-three percent (33%) of the members.
- D. Place of Meeting:
The DWI Planning Council may designate a suitable meeting place within San Miguel County for any Regular or Special meeting called by the Chair, or any other officer.

E. Notice of Meeting:

Written or verbal notice of any meeting given the time, place and date of the meeting shall be given five (5) days before the date of the meeting, either personally, by mail, email, or phone, by or at the direction of the Chair or the Secretary, or the Officer or persons calling the meeting, to each person entitled to a vote at the meeting.

F. Quorum:

A Quorum constitutes all those present with a minimum of four (4) Members and one (1) Officer, or a combination of five (5) Members and Officers, with a minimum of one (1) Officer.

ARTICLE VII – COMMITTEES

A. The Chair shall appoint the members of the Standing Committees.

B. Meetings of the committees shall be held at such times and places as may be designated by the Chairperson of each committee.

C. Quorum:

A majority of any whole committee shall constitute a quorum for conducting the business of the committee, and the act of the majority of the committee present at a meeting shall be the act of the committee.

ARTICLE VIII – OFFICERS

A. Number:

Elected Officers of the DWI Planning Council shall be a Chair and Vice Chair. Program staff will be assigned the duties of Planning Council Secretary as part of their employment duties and will not be subject to election or term.

B. Election and Terms of Office:

- 1) The officers of the DWI Planning Council will be elected at the August Meeting by a majority vote of the members.
- 2) Each officer will hold office until a successor will have been elected or until he or she resigns or has been removed in the manner hereinafter provided.

C. Removal:

Any officer may be removed by a majority vote of the members at a regular meeting at which a quorum is present, wherever in their judgment the best interests of the DWI Planning Council would be served thereby.

D. Vacancies:

A vacancy in office because of death, resignation, removal or otherwise, may be filled by the Chair for the unexpired portion of the term.

E. Chair:

The Chair will be the principal executive officer of the DWI Planning Council and shall, supervise the business of the overall meetings of the general membership and in general shall perform the duties to the office of the Chair.

F. Vice Chair:

In the absence of the Chair, the Vice Chair shall perform the duties of the Chair.

G. Compensation:

Elected officers and members of the DWI Planning Council shall receive no salaries; certain expenses incurred by officers in the performance of their duties may be reimbursed or compensated by resolution of the membership, as allowable by the policies of the County of San Miguel and the limitations of the funds.

H. Secretary:

The Program Staff assigned to carry out the Secretary duties shall:

- 1) Keep the minutes of the meetings of the DWI Planning Council;
- 2) See that all notices are given in accordance with the provisions of these bylaws;
- 3) Be custodian of the DWI Planning Councils records, all records to be maintained at the DWI Program Office;
- 4) Keep a register of members' contact information;
- 5) Perform all the duties of the office of Secretary and such other duties as the Chair may assign from time to time.

ARTICLE IX – FISCAL YEAR

The fiscal year of the DWI Planning Council shall begin on the first (1st) day of July, and shall end on the the thirtieth (30th) day of June in each year.

ARTICLE X – FISCAL RESPONSIBILITIES

- A. Deposits:
All funds received by the DWI Planning Council and not otherwise employed shall be deposited in a timely manner to the credit of the DWI Planning Council through the San Miguel County Finance Department or San Miguel County Treasurer's Office.
- B. Loans:
No loans shall be contracted on behalf of the DWI Planning Council and no evidence of indebtedness shall be issued in its name.
- C. All expenditures of the San Miguel County Planning Council must follow San Miguel County rules of procurement and the limits set forth by funding agencies.
- D. The Budget for the San Miguel County Planning Council will be managed by the Program Coordinator and overseen by the County Finance Director and County Manager.
- E. Gifts:
The DWI Program Office may accept on behalf of DWI Planning Council any contribution, gift, bequest, or devise for the general purposes or any special purpose of the DWI Planning Council. Expenditures of non-grant funds must be approved by the DWI Planning Council.
- F. Reports:
A summary report of the financial operations of the DWI Planning Council shall be made by the Program Coordinator monthly at DWI Planning Council meetings.

ARTICLE XI – BOOKS AND RECORDS

The DWI Planning Council shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the DWI Planning Council and committees having any of the authority of the DWI Planning Council. All books and records of the DWI Planning Council may be inspected by any member for any proper purpose at any reasonable time.

ARTICLE XII – COORDINATOR SUPERVISION / RESPONSIBILITIES

- A. Supervision:
The DWI coordinator will be supervised by the county manager. The coordinator will work in conjunction with the SMC-DWI Planning Council and shall discharge the duties of the office under the direction of said council. The position will be evaluated by the SMC-DWI Planning Council and the county manager. The position is classified as an exempt employee, and is also contingent on availability of funding and position job evaluation.

B. Responsibilities and description of work performed:

The San Miguel County DWI coordinator shall render the following services for the county via the San Miguel County DWI Planning Council and the county manager.

- 1) Meet all objectives of the grants made to the county and council, and
- 2) Prepare appropriate funding applications as directed by the council, and
- 3) Respond to requests for data and reports for funding entities and research, including the State of New Mexico, and
- 4) Conduct the day-to-day activities of the council, which include but are not limited to coordinating council meetings, contact with public officials, collection and analysis of data, and to represent the council before the Board of County Commissioners, county officials, the public and the press, and
- 5) Manage the financial resources of the programs and submit timely reports of expenditures and request for reimbursements, and
- 6) Research and recommend programmatic direction, and
- 7) Attend training and meetings as needed, and
- 8) Supervise DWI program staff and contracts for which the council and county manager have oversight, and
- 9) Discharge such other DWI related duties as determined and directed by the council or county manager.

ARTICLE XIII – AMENDMENTS

A. Majority Requirements:

These bylaws may be altered, amended, or repealed, and new bylaws may be adopted by a vote of two-thirds (2/3) of the quorum of the general membership at any regular meeting.

B. Signature Requirement:

Proposed amendments must bear the signatures of three (3) current members and/or officers and must be presented in writing to the DWI Planning Council; said amendments will then be voted on at the next regular DWI Planning Council meeting.

**THE SAN MIGUEL COUNTY DWI PLANNING COUNCIL
RELATIONSHIP TO OTHER ENTITIES**

1. The San Miguel County DWI Planning Council makes recommendations to the San Miguel County DWI Program Staff who then reports to the Board of County Commissioners in an advisory capacity.
2. The DWI Planning Council advises the San Miguel County DWI Program staff relative to ideas, programs, etc. within the scope of the Strategic Plan and/or Mission of the Planning Council.
3. All entities receiving funding and/or equipment from the Board of County Commissioners as part of the Planning Council Strategic Planning must submit appropriate reports to the Planning Council.
4. Concerns of Planning Council members regarding programs, contractors, etc. should be expressed to the DWI Council Coordinator who is responsible to the County Manager and the Board of County Commissioners.