

Clark County Off-Highway Vehicle Advisory Committee Operating Guidelines



Contents

Purpose	1
Membership	2
Appointed Members	2
Non-Appointed Participants	2
Acceptance of Service	2
Roles, Accountability, and Mutual Responsibilities	3
Individuals Members	3
The Advisory Committee as a Group	3
Compliance with State and County mandates	3
Public comment during meetings	4
Balanced representation of interests and agencies	4
Use of time	4
External communications	4
Committee records, including Advice and Recommendations	4
Development of Committee Advice and Recommendations	5
Evaluation and reflection	5
Decision Making	5
Consensus	5
Voting	6
Leadership and Organizational Structure	6
Chair	6
Vice Chair	6
Issue Managers	7
County Staff	7
Working Groups	

Purpose

The Off-Highway Vehicle Advisory Committee (“Advisory Committee”) is an advisory group convened by Clark County. The Advisory Committee broadly represents the diverse interests and needs of the off-highway vehicle (OHV) community in Clark County as it relates to planning, maintaining and protecting motorized recreation in southern Nevada.

The goal of the Advisory Committee is to develop consensus advice and recommendations to Clark County regarding OHV recreation that also meets the County’s interests and needs pertaining to future economic growth and development while minimizing impacts where possible to OHV recreation. The Advisory Committee will also be a forum to review policy and planning proposals from other local, state or federal agencies that could impact OHV recreation and to provide recommendations on those proposals to minimize and mitigate impacts to OHV recreation in Clark County. It is the intent of the Advisory Committee to work cooperatively with various land management agencies and to develop and advance productive relationships with these agencies to maintain and protect OHV recreation in Clark County.

Through its open public meetings, advice on OHV recreation and the ongoing responsibilities of Committee members to communicate with their respective constituencies, the Committee will assist the broader public in becoming more informed and meaningfully involved in OHV recreation in Clark County.

Membership

The Advisory Committee is comprised of 10 members appointed by the Clark County Board of County Commissioners (BCC).

Appointed Members

The 10 BCC-appointed members will represent a balance of stakeholder interests in the following categories:

- OHV racing organization (2 seats)
- Casual (non-organized) OHV recreationist (2 seats)
- OHV association or OHV club (2 seats)
- At-Large member (1 seat)
- Nevada OHV Commission, **Non-Voting** (1 seat)

Nevada Open Meeting Law defines a quorum as a simple majority of the membership of a public body. Therefore, the Advisory Committee must have six (6) members present to have a quorum and a meeting.

Non-Appointed Participants

Given the nature of OHV recreation in Clark County, it is highly likely that the issues considered by the Advisory Committee will not be under the legal jurisdiction of Clark County. It is more likely that issues deliberated by the Advisory Committee will be legal jurisdiction of a federal or state agency responsible for designating OHV recreation areas, adopting and enforcing policies affecting OHV recreation and impacting OHV recreation.

As such, the Advisory Committee will be engaging non-appointed participants who will be strongly encouraged to select representatives to attend, as invited, with appropriate levels of decision-making authority and responsibility to support the Advisory Committee's deliberations and work. Individuals invited to participate by the Advisory Committee will represent their home agencies and may participate in Advisory Committee discussions and deliberations on both substantive and procedural matters as invited. However, they will refrain from being a part of the formal consensus or from voting when the Advisory Committee is determining what substantive advice it wishes to issue or what procedural direction it wishes to take.

Acceptance of Service

By accepting appointment by the BCC, Advisory Committee members are expected to attend as many Committee meetings as possible. If a Committee member or his/her alternate are absent for three consecutive committee meetings, they shall be considered for replacement.

Should a vacancy occur on the Committee, the County will open an application period for the purposes of filling that specific vacancy using the same application package and process used for recruiting the original membership of the 2018 Advisory Committee.

The term of membership for the 2018 Advisory Committee shall be until August 7, 2021.

Roles, Accountability, and Mutual Responsibilities

Individual Members

Advisory Committee members will abide by the following norms as individual members of the Advisory Committee:

- ❑ Members will acknowledge the group's diversity and value different points of view. They will respect each other's opinions and will operate in consistently constructive ways, even if other members are less constructive. They will avoid personal attacks.
- ❑ Members will make every effort to attend meetings, to participate actively, to read and be prepared to discuss information and issues, and to be available for work between formal meetings. They will represent information, especially information contained in draft documents, accurately and appropriately.
- ❑ Members will listen carefully to each other and not interrupt. They will keep an open mind and come to meetings with interests, not entrenched positions. They will identify their interests and objectives to everyone. They will also openly explain and discuss the reasons behind their statements, questions, and actions.
- ❑ Members will be responsible for representing the interests and concerns of the organizations, institutions, and constituencies they represent at the table. They will consult with their constituencies on a regular basis concerning the discussions and recommendations of the Advisory Committee.
- ❑ Members are responsible for keeping each other informed and briefed on the issues pertaining to Advisory Committee activities and of the interests that they represent at the table. Meeting agendas will not allow time for recapping past discussions and decisions for the purposes of updating members and alternates who have missed past meetings.
- ❑ In striving to reach agreement, members will listen carefully to the views expressed by others, avoid interruptions, and seek ways to reconcile others' views with their own. They will focus on constructive problem solving and providing input into key issues that can become the basis for consensus recommendations and/or decisive votes.
- ❑ Members will adhere to the group's ground rules and respect the procedural guidance and recommendations of the Advisory Committee Chair, Vice Chair, the County District Attorney's Office and County staff.

The Advisory Committee as a Group

The following norms will guide the work of the Advisory Committee:

Compliance with State and County mandates

- ❑ Advisory Committee meetings and activities will fully comply with State of Nevada and Clark County laws, statutes, regulations, and policies concerning ethics, conflict of interest, and open meetings. Advisory Committee members will receive training regarding these mandates.
- ❑ All Advisory Committee meetings, including any subcommittee or working group meetings, shall be open to the public and subject to Nevada open meeting law.
- ❑ Advisory Committee discussions and deliberations shall be open, transparent, and in compliance with the state statutes governing serial communications.

Public comment during meetings

- ❑ The public will be given the opportunity for at least two formal comment periods during the course of each Advisory Committee or any subcommittee/working group meetings.
- ❑ Those wishing to provide public comment will be strongly encouraged to direct their comments towards the issues and topics of focus on the agenda of individual meetings.

- All Advisory Committee members are strongly discouraged from making statements as individuals during public comment periods.
- Members of the audience are asked to comment during public comment periods and refrain from making statements from the audience as to maintain meeting decorum.

Balanced representation of interests and agencies

- Each interest and organization at the table, whether BCC-appointed or ex-officio, will have a single seat at the table. Primary and alternate members are responsible for ensuring that their constituency is represented by a single voice at each meeting.
- The Advisory Committee is expected to be a well-informed group focused on problem solving and providing constructive input on OHV recreation.

Use of time

- All members and agency staff will respect time by being on time. Meetings will begin and end on time unless otherwise agreed to by the Committee.
- When making comments, members and other meeting participants will consider the time needed for others to share their perspectives.

External communications

- All members and agency staff will avoid characterizing the views or opinions of other Advisory Committee members outside of any Committee meeting or activity.
- All members and agency staff will accurately describe the level of consensus or agreement that has been achieved for every adopted Advisory Committee recommendation that is conveyed to any agency or outside party.

Committee Records, including Advice and Recommendations

- The Committee will maintain a written record that will accurately summarize the content of any recommendations made by the Committee at Committee meetings. This written summary will be prepared in draft form and all Committee members will be provided an opportunity to suggest revisions to a draft meeting summary if they do not believe it accurately portrays the content of the Committee's deliberations.
- All Advisory Committee advice and recommendations shall be documented in writing in meeting summaries or in Committee correspondence signed by the Committee chair.
- All Advisory Committee and working group meetings will be recorded in accordance with Nevada Open Meeting Law.

Development of Committee Advice and Recommendations

- The initial impetus for the research and consideration of an issue upon which Committee advice or recommendations may be needed may come from a request of an individual Committee member, an issue manager, a chartered working group, or the Advisory Committee.
- Once an issue has been identified, the Advisory Committee will select an issue manager to coordinate research and work on the issue. An issue cannot move forward without an issue manager.
- The issue manager will coordinate information gathering and discussion concerning the issue.

- Draft advice and recommendations may be initially developed by an issue manager or working group. They may not be developed by representatives of the organizations who might receive the advice or who might be involved in implementing the recommendations.
- If draft advice or recommendations are under development and deliberation by a working group, they may not be presented to the Advisory Committee without the agreement of the working group. Once a working group has come to agreement upon the draft advice to be presented to the full Committee, members and alternates cannot re-open working group agreements or change their support for the draft advice unless significant new information has come to light after the working group reached agreement. In the event that a working group cannot reach agreement on the advice within a reasonable amount of time or the time allotted within its charter, the working group will defer the issue back to the Advisory Committee for action.

Evaluation and reflection

- At the end of the year, or at other times as necessary, the Committee will evaluate the effectiveness of the Advisory Committee, issue managers, and working groups in accomplishing their missions.

Decision Making

Consensus

The Advisory Committee will work to achieve consensus as much as possible. Consensus will represent substantial agreement that the Committee agrees it can move forward. The Committee recognizes that there are several levels of consensus that may be possible. The first is unanimous agreement among all Committee members. The second is a consensus that can be characterized as all Committee members being willing to “live with” a recommendation. The third is one or more Committee members registering dissent but not wishing to block the Committee from providing advice that might otherwise be characterized as a consensus of the Committee but for their dissent. At this level, the Committee can acknowledge disagreement and document the reasons. This will be termed broad support for a particular recommendation, meaning that most of the Committee members support a particular recommendation, but there are specific and identifiable areas of disagreement by a few members.

In conveying recommendations, it is incumbent upon the Committee and its Chair to accurately describe the level of consensus that has been achieved. If consensus cannot be reached, and the Committee still wishes to convey advice on an issue, the views of Committee members may be expressed through majority and minority reports. The Committee Chair and Vice Chair are responsible for seeking and probing for consensus.

In addition to expressing consent or dissent regarding Committee recommendations, Committee members are free to abstain from a consensus if they have a conflict of interest that would prevent them from offering such advice, if it is not part of the mission or role of their organization or constituents to participate in discussions on the topic of the recommendations, or for whatever other reasons they may choose. It is the responsibility of each Committee member and alternate to affirmatively state their desire to abstain from participating in consensus if they so choose.

It is understood that a Committee member from a meeting does not imply consent to any recommendation. Alternatively, a member’s absence is not sufficient to compel the re-opening of a discussion or an adopted recommendation for reconsideration.

In no instance shall the Advisory Committee convey consensus recommendations or characterize its advice as being a consensus of the Committee unless there exists a quorum of a simple majority in attendance at the meeting at which consensus was determined.

Voting

For most Advisory Committee issues and recommendations, only after attempts to resolve conflicts and achieve consensus to agree on a mutually acceptable recommendation, will the Committee be asked to vote. A simple majority of the BCC-appointed members with a vote will be sufficient to arrive at a decision (5 votes out of 9 voting members), provided that a quorum is present at the time (6 members present). If a vote of the BCC-appointed voting members in attendance results in a tie, the vote will be recorded as a failure to pass and is insufficient to take action. If a subsequent motion and vote does not result in a simple majority, it will be recorded as a failure to pass and will result in no recommendations being made by the Advisory Committee. The areas of disagreement and the levels of agreement and disagreement will be documented fully and represented faithfully to those outside the Advisory Committee, including their communication and transmission along with recommendations or the lack there of.

Leadership and Organizational Structure

Clark County will provide administrative and legal staff support to the Advisory Committee. In addition, the following leadership positions will support the work of the Advisory Committee:

Chair

The Advisory Committee shall select a Chair who must be a BCC-appointed member of the Committee. The Chair will be responsible for protecting the interests of all Advisory Committee members. S/he will act in a fair and balanced manner with respect to the Committee's operation and the conduct of Committee meetings. The Chair will strive to determine the views of all Committee members regarding Committee advice and work to achieve consensus to the greatest extent possible. S/he will also work to understand when consensus is not possible and some other course of action is necessary.

The Chair will have the authority to represent and convey the views of the Advisory Committee to agencies, elected officials, and in public settings. With the support of the County staff, the Chair will be responsible for collaboratively developing meeting agendas and reviewing draft meeting summaries for accuracy and completeness.

The term of office for the Chair will run until September 30, 2019. Elections for the Chair will be held on annual basis thereafter.

Vice Chair

The Advisory Committee shall select a Vice Chair who must be a BCC-appointed member of the Committee. The Vice Chair will assume the responsibilities of the Chair in her/his absence.

Issue Managers

Issue managers must be BCC-appointed members who volunteer to track a particular issue on behalf of the Advisory Committee. Issue managers are responsible for framing and describing an issue; identifying information and data needs concerning the issue; providing updates or helping arrange Committee presentations on an issue; and recommending Advisory Committee work or action concerning an issue. Issue managers are not empowered to direct the work of County staff. Further, they are not authorized to represent the views of the Advisory Committee or its working groups to agencies, elected officials or in other public settings without the express consent and direction of the Advisory Committee.

County Staff

County staff will be charged with the following responsibilities:

- Providing the Advisory Committee with the legal and administrative support to comply with Nevada Open Meeting Law;
- Helping the Advisory Committee accomplish its mission in a neutral, balanced, and fair manner;
- Collaboratively developing meeting agendas and meeting designs with the Advisory Committee Chair, and others, as appropriate;
- Keeping Advisory Committee discussions focused and on track;
- Consulting with the Advisory Committee Chair, and others, as appropriate, regarding process management and the resolution of issues of concern; and
- Reviewing draft meeting summaries for accuracy and completeness.

Working Groups

The Advisory Committee may create working groups to address specific issues directly related to the Committee's mission and purpose. Prior to commencing work, the Advisory Committee will name a working group chair. The working group chair will be responsible for preparing a short, written charter that outlines purpose and mission; scope and authority; deliverables and work products; membership roles and responsibilities; and the specific timeframe associated with the group's work. In addition, working groups are subject to the Nevada Open Meeting Law and working group chairs will be responsible for complying with Nevada Open Meeting Law, including but not limited to creating and posting working group agendas, conducting meetings in compliance with the law, and preparing meeting minutes. The Advisory Committee Chair may enlist working group chairs to assist in collaboratively developing Advisory Committee agendas and in addressing other leadership needs of the Committee.