

**COASTAL BEND COUNCIL OF GOVERNMENTS**  
**ADVISORY COUNCIL ON AGING**  
**BYLAWS**

**ARTICLE I – NAME**

The name of this organization shall be the Coastal Bend Advisory Council on Aging (CBACOA).

**ARTICLE II – AUTHORITY**

The creation of the Coastal Bend Advisory Council on Aging of the Coastal Bend Council of Governments (CBCOG), is authorized by Resolution #234 of the CBCOG on February 22, 1974, and under Title III of Public Law 93-29, as a necessary component to enable the Council of Governments to initiate and conduct Comprehensive Areawide Planning under provisions of the Older Americans Act as amended.

**ARTICLE III – PURPOSE**

The purpose of this Council shall be to:

Promote the interests of the elderly and

- (1) Serve as an advisory body of the Coastal Bend Council of Governments - Area Agency on Aging (CBCOG-AAA) on all matters relating to development and administration of the Area Plan for Programs on Aging and operations conducted there under;

- (2) Identify within the Region, specific prioritized needs of persons aged 60 and over and all existing and potential programs and resources presently being directed and which might be directed toward the solution of these needs;
- (3) To cooperate with appropriate state, local, federal, private and public agencies; and such other agencies as may be deemed resourceful, in bringing prioritized needs and resources together through the coordinating and planning activities in the design of the Area Plan;
- (4) Supervise implementation of the Area Plan for Programs on Aging after official acceptance by the CBCOG;
- (5) To perform review-and-comment functions, when such action is deemed necessary, on programs designed to provide services for persons aged 60 and over within the Region, submitting recommendations to the CBCOG for final action.

#### **ARTICLE IV – DEFINITIONS**

- (1) Advisory Council of Aging (ACOA): An advisory body of the CBCOG-AAA with consumer, provider, and general public representation. The Council is responsible for assisting the Area Agency on Aging (AAA) in developing and implementing planning activities for persons aged 60 and over in the Coastal Bend Region. The ACOA Chairman shall be appointed by the Chairman of the CBCOG upon recommendation by the ACOA and/or the CBCOG.

- (2) Area Plan on Aging: This plan must set forth in detail how the area agency proposes to develop a comprehensive and coordinated system for the delivery of social services to persons aged 60 and over, evaluating the effectiveness of the use of resources in meeting such needs. The State Plan shall set forth the criteria established by the State agency, for determining whether an area plan as submitted by an area agency meets all of the requirements of the Older Americans Act of 1965 as amended, (Public Law 106-501, 106<sup>th</sup> Congress, Older Americans Act Amendments, November 13, 2000).
- (3) CONSUMERS: - Those persons aged 60 and over that are eligible for benefits as indicated in the Older Americans Act.
- (4) SERVICE PROVIDERS: - Those persons who can be described as paid personnel of agencies and organizations who provide services to persons aged 60 and over.
- (5) GENERAL PUBLIC: - Those persons of the total population of Region 20, Coastal Bend "consumer or providers."

## **ADVISORY COUNCIL ON AGING - PROPOSED BYLAWS REVISION**

### **ARTICLE V – MEMBERSHIP V. (3)**

- (1) ACOA membership shall be determined through common agreement of the members and shall be confirmed by the CBCOG. "Employees of programs funded by Older Americans Act are ineligible for membership". The membership shall be no less than fifteen and no more than fifty. Member's names will be entered into the AAA records for official recognition.

- (2) Membership eligibility for the ACOA shall be open to interested private individuals, groups, agencies, institutions and organizations. Prospective Council members may be nominated by members of the CBCOG.

The membership will reflect the geographic and socio-economic distribution of the region's population and will include low-income and minority persons aged 60 and over, at least in proportion to the number of low-income and minority persons aged 60 and over in said area. Consumers are to compose at least 50% of the Council.

The representative composition of the ACOA shall be reviewed by the ACOA and make recommended changes when necessary to the CBCOG for approval.

- (3) Membership appointments shall be made for five year terms. However, upon expiration of the five year term, reappointment may be made for a subsequent five year period.
- (4) Representatives of organizations, groups, or agencies to the ACOA shall be nominated by the participating agencies.

Provider, general public, and consumer membership shall become effective when a proposed member receives a majority affirmative vote of the ACOA and is confirmed by the CBCOG.

- (5) A Membership Committee will be appointed by the ACOA Chairman to recommend nominees. Nominees recommended for membership shall be invited to appear before the Membership Committee for a personal interview before their name is submitted to the ACOA for action.

## **ARTICLE VI – MEETINGS**

- (1) **MEETING** - The ACOA shall meet at least once each month and at such other times as the Chairman deems necessary, or upon the written request of not less than five members of the ACOA. The date, place and hour of said meeting shall be determined by the Chairman, and notifications may be by mail or telephone. All meetings of the ACOA as a whole and its committees, shall be open to the public. Actions requiring approval of the CBCOG shall be transmitted at least two weeks prior to the meeting of the CBCOG. Notice of special meetings and matters of business to be addressed in special meetings will be distributed at least 24 hours prior to any special called meeting. The annual meeting shall be the first one held in the calendar year.
- (2) **VOTING** - Each ACOA member shall have one vote whether or not he/she represents an organization or is a private individual. An ACOA member must be present to vote.
- (3) **ATTENDANCE** - All members are expected to attend all regular and called meetings. Absence from three consecutive regular meetings without excuse or notification will require replacement or reinstatement by the ACOA.
- (4) **QUORUM** - A quorum at any ACOA meeting will be ten. If less than a quorum of the ACOA is present at any meeting, a majority of the ACOA members present may adjourn the meeting. The act of a majority of the ACOA members voting at a meeting at which a quorum is present, will be the act of the ACOA unless otherwise specified in these Bylaws.
- (5) **PARLIAMENTARY PROCEDURE** - ACOA activities shall be governed by Robert's "Rules of Order".

## **ARTICLE VII – OFFICERS**

The Officers of the ACOA will be a Chairman, a Vice-Chairman and a Secretary nominated by the ACOA and confirmed by the CBCOG. The AAA shall provide staff and other such persons the ACOA deems necessary. Officers shall serve terms for one year or until successors have been chosen. Consecutive terms not exceeding two years are permitted. The Director of the AAA or his duly authorized representative, shall serve as ex-officio member of the ACOA and shall attend all ACOA meetings. The election of officers will be held prior to the annual meeting of the ACOA.

## **ARTICLE VIII – DUTIES OF OFFICERS**

- (I) The CHAIRMAN shall preside at all meetings of the ACOA and shall be authorized to act on behalf of the ACOA. It shall be the Chairman's duty to see the transaction of all business is in accordance with the law, these Bylaws, and Robert's "Rules of Order". This officer shall be an ex-officio member of all standing committees and shall perform all the duties incident to the office and such other and further duties as may from time to time be required or requested of this officer by the ACOA. The Chairman shall represent the ACOA in presentations to the CBCOG, unless such responsibility is delegated by the Chairman.

The VICE-CHAIRMAN shall perform all the duties of the Chairman in case of that officer's absence or disability, and such other and further duties as may from time to time be required or requested of this officer by the ACOA. In case the Chairman and Vice-Chairman are absent or unable to perform duties, the ACOA may appoint a Chairman ProTempore.

The SECRETARY shall keep or supervise the keeping of the Minutes of all meetings of the ACOA in files and shall perform such other duties and future duties as may be required or requested of this office by the ACOA.

- (2) If the Chairmanship shall become vacant by reason of resignation, disqualification, or any other cause, the ACOA shall/may elect a successor for the un-expired term subject to the CBCOG's confirmation.

#### **ARTICLE IX – NOMINATING COMMITTEE**

The Chairman of the ACOA shall appoint a Nominating Committee of five members of the ACOA, with provider and consumer representatives. The Committee shall prepare a slate of officers selected from among the members of the ACOA.

After asking for additional nominees from the floor, a slate of three officers shall then be elected by the ACOA, subject to CBCOG's confirmation.

#### **ARTICLE X – SPECIAL AND OPERATING COMMITTEES**

Special and Operating Committees may be appointed by the Chairman or the ACOA as needed. The Chairman of such committees shall be responsible to the Chairman for the performance of tasks assigned.

Consultants of Special and Operating Committees may be appointed from outside the ACOA in order to bring more information to bear on specific questions.

"A standing committee consisting of service providers, primarily, but not limited to employees of Older Americans Act funded programs, 'will be maintained for the purpose of advising the ACOA from the professional service providers' point of view."

#### **ARTICLE XI – COMPENSATION**

Members of the ACOA and members of Special and Operating Committees will receive no compensation for their services. However, if said members' institution, facility, agency, or organization does not grant mileage reimbursement to attend monthly ACOA meetings, the AAA will offer said mileage reimbursement upon submission of a "Local Travel Expense Statement" as provided by the CBCOG-AAA, which is subject to availability of CBCOG-AAA grant funding.

#### **ARTICLE XII – CONFLICT OF INTEREST**

A conflict of interest will occur if membership on the ACOA is used for purposes that are, or give the appearance of being, for private gain on the part of the individual member or for any institution, facility, agency, or organization represented by the member.

Whenever an ACOA member believes that a matter to be voted upon would involve him or her in a conflict of interest, he/she must announce the conflict of interest and abstain from voting on any such matter.

#### **ARTICLE XIII – AMENDMENT PROCEDURES**

These Bylaws may be amended in accordance with the following procedures: A proposed amendment which has been petitioned to the ACOA by at least five members, shall be delivered to the Secretary two weeks in advance of the next regular meeting of the ACOA.



The Secretary shall thereafter forward to each member of the ACOA a copy of such proposed amendment, together with a notice that it will be the subject of action at the next regular meeting of the ACOA.

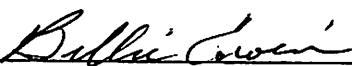
Such proposed amendment shall be presented at the next regular meeting of the ACOA and be considered as moved and seconded for adoption and shall be deemed adopted upon receiving the affirmative vote of two-thirds of the members of the ACOA present. The adopted amendment shall become effective when approved by the CBCOG; provided however, no amendment shall be made of the first sentences of Article V., 2 composition unless the Federal Law referenced herein changes.

Duly adopted at a meeting of the Coastal Bend Council of Governments on the 27<sup>th</sup> day of September, 1974 (Resolution #280).

Duly amended on the 7<sup>th</sup> day of September, 1976, the 12<sup>th</sup> day of March, 1979, the 23<sup>rd</sup> day of April, 1982, the 27<sup>th</sup> day of January, 1984, the 25<sup>th</sup> day of July, 1986, the 13<sup>th</sup> day of December, 1991, the 31<sup>st</sup> day of March, 2006 and the 30<sup>th</sup> day of May, 2008.

  
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Lee Roy Kieschnick, Chairman  
Coastal Bend Council of Governments

May 30, 2008  
Date

  
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Billie Erwin, Chairwoman  
Advisory Council on Aging

May 30, 2008  
Date