

**BYLAWS OF THE  
PERRY COUNTY HERITAGE TOURISM COMMISSION**

**Article 1: GENERAL**

**1.01 Authority and Governing Law.** Section 67.1367, RSMo (2016) authorizes the County of Perry to impose a transient guest tax to fund the promotion of tourism. The revenue received from the tax must be deposited in a special fund and used solely to promote tourism. The Perry County Heritage Tourism Commission has been appointed by the Perry County Commission to administer the transient guest tax proceeds within the guidelines of a budget reviewed by the Perry County Economic Development Authority and approved by the Perry County Commission.

**1.02 Purpose.** The Perry County Heritage Tourism Commission, hereinafter referred to as "Tourism Commission," shall work with members of the tourism industry within the County of Perry, hereinafter referred to as "County," to increase travel in and to the County to promote jobs, revenue, and economic growth for the County.

**1.03 Organization.** The Tourism Commission is established by the Perry County Commissioners under Section 67.1364 RSMo. The Tourism Commission shall serve as an advisory board to the Perry County Commission. The Tourism Commission shall make recommendations to the Perry County Commission regarding the use of transient guest tax proceeds.

**ARTICLE 2: TOURISM COMMISSION MEMBERS**

**2.01 Composition.** The Tourism Commission shall consist of five (5) members who shall be known as Tourism Commission members. The Tourism Commission members shall be appointed by the Perry County Commission. Of the five (5) Tourism Commission members one (1) shall be a representative of the Perry County Commission; one (1) shall be a representative of the City of Perryville; one (1) shall be a representative of the lodging industry participating in the transient tax; and two (2) shall be active in the tourism industry. All Tourism Commission members shall be residents of the County of Perry. No Tourism Commission member shall receive compensation for their services; however, a Tourism Commission member may be reimbursed for their actual expenses reasonably incurred in the performance of their duties. Tourism Commission members shall serve a term of three (3) years. Tourism Commission members may serve no more than two (2) consecutive terms.

**2.02 Termination.** Any Tourism Commission member may resign upon providing two (2) months' written notice to the Perry County Commissioners. During the two-month notice period, the resigning Tourism Commission members shall, to the extent they are able, continue to attend meetings and work with the Tourism Commission to ensure continuity.

**2.03 Liaison Members.** One (1) member of the City of Perryville and one (1) member of the County of Perry may serve on the Tourism Commission as a liaison in a non-voting capacity.

### **ARTICLE 3: MEETINGS**

**3.01 Annual Meeting – Time and Place.** An annual meeting of the Tourism Commission shall occur on the third Thursday of October at 4:00 p.m. at the Catalyst Center at 508 North Main Street, Perryville, MO 63775, or at such other time or place as may be determined by the Tourism Commission. All meetings shall be open to the public and the Tourism Commission shall comply with Chapter 610 of the Missouri Statutes regarding governmental bodies and open records and meetings. Additional regular meetings may be scheduled as necessary upon approval of a majority of the Tourism Commission and notice of the meeting shall be given as described below.

**3.02 Notice.** Notice of the date, time, and place of each meeting and its tentative agenda shall be posted on a bulletin board or other prominent place at the County's Administration Building at least twenty-four (24) hours, exclusive of weekends and holidays, prior to the commencement of the meeting.

**3.03 Special Meetings.** The Tourism Commission may hold special meetings. Notice of a special meeting shall be sent to each Tourism Commission member at least five (5) days prior to such meeting and the notice shall state the purpose for which such meeting is called.

**3.04 Quorum.** At any regular or special meeting of the Tourism Commission, three (3) Tourism Commission members shall constitute a quorum. A majority of the quorum shall be required for any Tourism Commission action.

**3.05 Voting.** In any proceeding for which voting by Tourism Commission members is required, each Tourism Commission member shall be entitled to cast one (1) vote.

**3.06 Participation by Electronic Means.** Tourism Commission members may participate in and act at any meeting through the use of a conference telephone or other electronic communication equipment by which all person participating in the meeting can at a minimum hear each other. Participating in this manner shall constitute attendance and presence in person at the meeting for all purposes, including fulfilling quorum requirements and other requirements of this Article.

**3.07 Orientation.** At regular intervals as may be decided by the Tourism Commission, orientation regarding the purpose and activities of the Tourism Commission shall be conducted for the benefit of new Tourism Commission members.

**3.08 Officers.** At the Tourism Commission's annual meeting, which occurs in October each year, it shall elect a Chair, Vice Chair and Secretary. The Tourism Commission may also appoint any other officer considered desirable and necessary. Officers shall serve

terms of three (3) years and may serve a maximum of two (2) consecutive terms in each office. Initial appointments may serve staggered terms so that no more than two terms are scheduled for reappointment in any given year.

**3.09 Vacancies.** Any Tourism Commission member who is absent for three (3) consecutive scheduled meetings of the Tourism Commission shall automatically be removed from the Tourism Commission, unless confined by illness or unless their absence is for a legitimate reason as determined by the majority vote of the other Tourism Commission members. A vacancy resulting from the death, resignation, removal, incapacity, or disqualification of a Tourism Commission member shall be filled by the Perry County Commission as provided by Ordinance. The Tourism Commission shall make nominations to the Presiding Perry County Commissioner to fill any vacancy.

**3.10 Parliamentary Procedures.** The current edition of Robert's Rules of Order shall be the final source of authority in all questions of parliamentary procedure for Tourism Commission meetings when such rules are not inconsistent with these Bylaws, County Ordinance, or state law.

**3.11 Retention of Records.** The Tourism Commission shall prepare minutes of its meetings. Approved minutes shall be distributed to the Perry County Commission and City of Perryville. The Perry County Clerk will be the custodian of the records of the Tourism Commission.

#### **ARTICLE 4: OFFICERS**

**4.01 Chair.** The Chair shall serve as the chief officer of the Tourism Commission and shall preside at all Tourism Commission meetings.

**4.02 Vice Chair.** The Vice Chair shall exercise the powers and authority and perform the duties of the Chair in the absence or disability of the Chair.

**4.03 Secretary.** The Secretary shall keep the minutes of the Tourism Commission meeting in one or more books provided for the purpose, see that all notices are duly given in accordance with these Bylaws or as required by law and, in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the Tourism Commission. The Perry County Clerk will be the custodian of the records of the Tourism Commission.

**4.04 Heritage Tourism Director.** The Heritage Tourism Director is a contracted advisor. The Heritage Tourism Director's supervisor is Chair of the Tourism Commission. The Heritage Tourism Director shall attend Tourism Commission meetings, report the tourism-related activities of the City and County and, generally, participate in discussion among the Tourism Commission. In the event of any conflict between orders, directives, or requests given to the Heritage Tourism Director by the Tourism Commission and the directions given to the Heritage Tourism Director by the Perry County Commission, City Administrator, or

Mayor, the Chair of the Tourism Commission shall address the issue directly with the City Administrator and/or the Perry County Presiding Commissioner to attempt to reduce any potential conflict the Heritage Tourism Director may have.

#### **ARTICLE 5: COMMITTEES AND DIVISIONS**

**5.01 Appointment and Authority.** The Tourism Commission may appoint such sub-committees and committee leaders as it considers appropriate in the furtherance of its purpose. It shall be the function of the Committees to make investigations, conduct studies and hearings, make recommendations to the Tourism Commission, and to carry on such activities as may be delegated to them by the Tourism Commission.

**5.02 Limitation of Authority.** No action by any Committee shall be binding upon, or constitute an expression of, the policy of the Tourism Commission until it shall have been approved or ratified by the Tourism Commission.

**5.03 Discharge.** Committees shall be discharged by the Chair of the Tourism Commission when their work has been completed and reports accepted or when, in the opinion of the Tourism Commission, it is considered wise to discontinue the Committee.

**5.04 Testimony.** If Committee action has been approved by the Tourism Commission, the Tourism Commission may request the Committee members to make presentation before any City board or other civic or governmental agency.

#### **ARTICLE 6: FINANCES**

**6.01 Fiscal Year.** The fiscal year of the Tourism Commission shall be January 1 through December 31 of each year.

**6.02 Funds.** The Tourism Commission shall maintain a complete and accurate accounting of its funds. Income and expenditures shall be reviewed by the Tourism Commission at scheduled meetings but in no case less than annually.

**6.03 Tourism Budget.** Annually, and at least ninety (90) days prior to the end of the fiscal year, the Tourism Commission shall cause to be prepared a detailed budget for the operation of the office for the forthcoming year.

**6.04 Review.** On an annual basis, the Tourism Commission's budget shall be reviewed by the Perry County Economic Development Authority and approved by the Perry County Commission.

**6.05 Audit.** The fiscal records of the Tourism Commission shall be audited annually by a certified public accountant.

**ARTICLE 7: ANNUAL REPORTS**

**7.01 Quarterly Reports.** Each quarter, the Heritage Tourism Director shall submit an activity report to the Tourism Commission. Upon approval, these reports shall be presented quarterly to the Perry County Economic Development Authority, Perry County Commission, and Perryville Board of Aldermen.

**ARTICLE 8: AMENDMENTS**

**8.01 Bylaw Amendments.** These Bylaws may be amended or altered by a vote of the majority of the Tourism Commission members.

**ARTICLE 9: LIABILITY**

**9.01 Liability.** None of the members of the Tourism Commission shall be personally liable under, upon, or in connection with any obligations or liabilities of the Tourism Commission.

**ARTICLE 10: EQUAL OPPORTUNITY**

**10.01 Equal Opportunity.** This organization shall be an equal opportunity employer and shall conform to the provisions of the Civil Rights Act of 1964 and related legislation.

**Certificate**

Upon motion duly made, seconded, and unanimously adopted, the undersigned, constituting all of the members currently serving on the Perry County Heritage Tourism Commission, do this \_\_\_\_\_ day of \_\_\_\_\_, 2021, adopt the foregoing Bylaws, and said Bylaws are hereby ratified and adopted by the undersigned.

\_\_\_\_\_  
Brent Buerck

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Keith Hoehn

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Justin Barnes

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Angela Swan

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Corey Hemman