

# **Bylaws of the Aging Advisory Council of the Capital Area Council of Governments**

## **Article I – Name, Purpose, Responsibilities**

As a designated Area Agency on Aging (AAA), CAPCOG is required by federal law to have an advisory council to assist the agency with furthering its mission of developing and coordinating community-based systems of services for older adults and caregivers in the region.<sup>1</sup> The Capital Area Council of Governments (CAPCOG) established the Aging Advisory Council on May 21, 1974, to fulfill this requirement.

The Council's primary responsibility is to assist the CAPCOG's AAA in the development, implementation, review and update of a comprehensive area plan to serve the elderly of State Planning Region 12. The Council's responsibilities are:

1. To review and comment for the CAPCOG Executive Committee on applications requesting state or federal funds to serve the elderly in State Planning Region 12 and on the area plan.
2. To advise CAPCOG's member cities, counties, and special districts, directly or through the CAPCOG Executive Committee, on matters within their jurisdiction to increase awareness of aging issues and how best to address them.
3. To assist the aging program staff in encouraging aging-oriented agencies to coordinate aging activities, to initiate programs serving the needs of the elderly, and to pool resources directed toward those programs.
4. To act as advocates, particularly in their appointed county, in recognizing the needs and promoting the interest and rights of the elderly.
5. To promote public awareness of aging issues as well as program plans and objectives through frequent publicity, presentations to civic organizations and other interested groups, and public hearings using information gathered from participation on the Council.
6. To be sensitive to the needs of the elderly and suggest priorities to be followed in meeting those needs, especially for the county the Council member represents.
7. To meet, when possible, for educational purposes with groups, agencies and individuals involved in providing services for the elderly.
8. To assist the aging program staff in evaluating programs funded under the Older American's Act of 1965, as amended.

## **Article II – Membership**

### **Number**

The Council shall be composed of the following members appointed by the CAPCOG Executive Committee, as well as one Silver-Hair Legislator representing the CAPCOG region appointed by the Chair of the Council following each Texas Silver-Haired Legislative Election.

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<sup>1</sup> See 45 CFR §1321.63, 42 USC §3026(a)(6)(D), 26 TAC §213.1(5)(N), and 26 TAC §213.3(6)(E)

Table 1. Aging Advisory Council Composition

County/City	Number of Representatives
Bastrop County	1
Blanco County	1
Burnet County	1
Caldwell County	1
City of Austin	3
Fayette County	1
Hays County	2
Lee County	1
Llano County	1
Travis County	3
Williamson County	2
Executive Committee Liaison (non-voting)	1
Texas Silver-Haired Legislator representing Region 12 (non-voting)	1
<b>TOTAL</b>	<b>19 total 17 voting</b>

CAPCOG’s Director of Aging Services shall serve as staff liaison and shall attend each Council meeting.

## Qualifications

Council members must reside in or be employed in Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, or Williamson Counties. Council members representing a city or county must reside in or work in that city or county. As required by law, more than 50 percent of the council’s voting members must be older individuals (at least 60 years old), and the council must include older minority individuals who are participants or eligible to participate in Older Americans Act programs. The Council should include older individuals identified as in the greatest economic need and individuals in the greatest social need as defined in 45 CFR §1321.65(b)(2). Also as required by the law, the Council shall include:

1. Representatives of older individuals.
2. Family caregivers, which may include older relative caregivers.
3. Representatives of health care provider organizations, including providers of veteran’s health care (if appropriate).
4. Representatives of service providers’ organizations, which may include legal assistance, nutrition, evidence-based disease prevention and health promotion, caregiver, long-term care ombudsman, and other service providers.
5. Individuals with leadership experience in the private and voluntary sectors.
6. Local elected officials.
7. The general public; and
8. As available:
  - a. Representatives from Indian Tribes, Pueblos, or Tribal aging programs; and
  - b. Older relative caregivers, including kin and grandparent caregivers of children or adults age 18 to 59 with a disability.

## Term

1. Except for the Silver-Haired Legislator appointed by the Chair, the term of appointment for a

member of the Council shall begin on the date of appointment by the CAPCOG Executive Committee, and be through the first Executive Committee meeting of each even-numbered year. The Silver-Haired Legislator appointed by the Chair shall continue to serve in that role until such time as they do not hold the office or the Chair appoints a different Silver-Haired Legislator to the role.

2. A member may be reappointed by the CAPCOG Executive Committee.
3. In the case of a vacancy, the CAPCOG Executive Committee may appoint a replacement to serve for the remainder of the unexpired term.
4. A member may be removed for good cause by the CAPCOG Executive Committee.

## **Vacancy**

A vacancy occurs when:

1. A member dies;
2. A member's term expires and the member is not reappointed; or
3. A member resigns in writing to the CAPCOG staff liaison and the Council Chair with notification to the Executive Committee at its next regular meeting); or
4. A member is removed; or
5. A member no longer satisfies the qualification requirements.

## **Attendance**

1. Members are expected to attend all meetings.
2. Attendance records documenting Council member absences will be maintained by the staff liaison. If a Council member is unable to attend a scheduled meeting, notification must be provided to the staff liaison at least five business days prior to the meeting for an absence to be excused in order to allow sufficient time to ensure there will be a quorum. If a member is unable to attend a meeting, the member may send a representative who assumes all but the voting rights and responsibilities of the member.
3. A member is no longer considered in good standing and is subject to removal when, within one calendar year, he or she has unexcused absences for more than 50 percent of the actual number of meetings held. The staff liaison shall notify a member in writing if they become subject to removal due to this policy.
4. If the staff liaison decides to remove a member due to attendance, he or she will notify the committee member in writing.
5. Members so removed may appeal in writing to the CAPCOG Executive Committee within two (2) weeks of the date of notification. Appeals will be dealt with in a timely manner and the member will be notified in writing of the decision.

## **Article III - Officers**

### **Election**

The Council shall elect a Chair and Vice-Chair from among its members. Election of the Chair and Vice-Chair will occur at the first meeting of each even-numbered year.

### **Term**

1. Officers serve a two-year term that expires on the date of the first meeting of the next even-numbered year following their election.
2. Officers may serve a maximum of two (2) consecutive terms.

## **Vacancy**

In the event either officer is unable to complete his/her term, the Council will elect a replacement at the next meeting to serve the remainder of the term.

## **Duties**

1. The Chair shall preside at all meetings of the Council.
2. In the case of a tie during a vote at which a quorum is present, the Chair will be deemed to have the authority to break the tie.
3. The Vice Chair shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the Council.
4. In case the Chair and Vice Chair are absent or unable to perform their duties, the Council may appoint a Chair pro tem.

## **Other Officers**

The Council may elect other Officers from time to time to carry out its responsibilities. This may be done by a simple majority vote of the Council members at any regularly scheduled meeting where a quorum is present.

## **Article IV - Meetings**

### **Regular**

1. The Council shall meet at least quarterly on a day, time and place specified by the staff liaison.
2. Written notice, including an agenda, of each regular meeting shall be prepared by the staff liaison and electronically transmitted to each Council member at least 72 hours prior to the scheduled meeting start time.

### **Special**

1. The Council shall meet specially if called by the CAPCOG Executive Director, the CAPCOG Council liaison, the Council Chair or requested in writing by at least one-third of the membership, excluding vacancies, of the Council.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describe the purpose or purposes of the meeting. Only that business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least 72 hours prior to the special meeting.

### **Quorum and Action**

1. A majority of the total voting membership, excluding vacancies, constitutes a quorum for conducting Council business.
2. A majority vote of the members present at a meeting at which a quorum is present is necessary for action by the Council. During a meeting at which a quorum has been established, and then subsequently lost due to members leaving, all remaining business items requiring a Council vote or action must be postponed until the next scheduled meeting at which a quorum is established.
3. A Council member may not transfer voting rights by proxy.

### **Open Meetings and Records**

1. All meetings of the Council shall be open to the public. CAPCOG's Executive Committee considers the Council strictly advisory and therefore the Council's meetings are not considered

meetings of a “government entity” subject to the Texas Open Meetings Act (Chapter 551 of the Texas Government Code).

2. Minutes of Council meetings, documents distributed, and other records are property of CAPCOG and shall be maintained in accordance with CAPCOG’s Records Retention Schedule. These materials are available for public view, at the CAPCOG offices or upon receipt of a written request by the interested party.
3. Except where these bylaws require otherwise, *Robert’s Rules of Order* shall govern the conduct of Council meetings.

## **Conflict of Interest**

1. As specified in 45 CFR §1326.63(d), except for the Executive Committee liaison, individuals may not serve on both the Council and the CAPCOG Executive Committee.
2. To the extent that the Council may review and make recommendations on any grant applications submitted to CAPCOG, a Council member other than an elected public official, who is a member of the governing body, an officer, or an employee of an applicant for funding, must disclose his or her status before the application is considered by the Council and may not participate in discussion of or vote on the application. The member is counted in determining the existence of a quorum.
3. A vote cast in violation of this section is not counted.

## **Professional Conduct**

Council members should maintain objectivity and professionalism when carrying out business of the Council. Council members will not discriminate based on race, color, religion, sex, sexual orientation, gender identity, national origin, disability or age. In the event a Council member acts in a manner which brings the work of the Council into question or controversy, it shall be the responsibility of the CAPCOG Executive Director to address the incident with the appointing member of the CAPCOG Executive Committee and if appropriate, to recommend removal from the committee to the Executive Committee.

## **Article V – Subcommittees**

### **Ad Hoc**

1. Ad hoc subcommittees may be appointed by the Chair or the staff liaison with the approval of the Council and shall serve for special purposes to comply with special needs.
2. Membership on ad hoc subcommittees shall be established to achieve the purpose for which the subcommittee was created. Members of the Council that are not in good standing are not eligible to appointment to ad-hoc committees.
3. The method for calling ad hoc subcommittee meetings shall be the same as that for calling Council meetings or at the discretion of the ad hoc subcommittee membership to discharge their responsibility.
4. Chairs of the ad hoc subcommittees shall be appointed by the Chair of the AAC.

### **Standing**

Standing subcommittees shall be:

1. Public Awareness
2. Evaluation
3. Planning
4. Membership

Each member of the Aging Advisory Council shall actively serve on at least one, and no more than two, standing subcommittee(s).

Standing subcommittees shall have a minimum of three members and a maximum of five members.

Terms of membership on standing subcommittees shall be two years and mirror terms on the AAC.

The method for calling standing subcommittee meetings shall be at the discretion of the standing subcommittee membership to discharge their responsibility.

Chairs of the standing subcommittees shall be elected by the standing subcommittee membership or may be appointed by the Chair of the AAC.

Standing subcommittee members shall attend all subcommittee meetings. The same attendance requirements for AAC meetings shall apply to standing subcommittee meetings.

## **Article VI - Amendments**

### **By CAPCOG Executive Committee**

The CAPCOG Executive Committee may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

## **Bylaws History**

Adopted 5/21/1974

Revised 7/21/1981

Revised 8/20/1985

Revised 5/13/1992

Revised 4/8/1998

Revised 12/8/1999

Revised 9/13/2000

Revised 2/14/2001

Revised 4/14/2003

Revised 12/8/2004

Revised 1/10/2007

Revised 1/14/2009

Revised 5/10/2012

Revised 2/2018

Revised 3/13/2019

Revised 12/13/2023