

CASCADE COUNTY PLANNING BOARD BYLAWS

ARTICLE I

NAME: The name of this organization shall be the Cascade County Planning Board.

DEFINITIONS:

Cascade County Planning Board: shall be referred to in this document as the "**Board**".

Cascade County Board of Commissioners: shall be referred to in this document as the "**Commission**".

ARTICLE II - GOVERNMENT

The constitution for the Board shall consist of the provisions of Title 76, Chapter 1, Montana Code Annotated, 2015, and the Board shall perform all duties required hereunder.

ARTICLE III- PURPOSE

The purpose of the Board shall be to ensure the promotion of public health, safety, morals, convenience, and order of the general welfare and for the sake of efficiency and economy in the process of community development and shall serve in an advisory capacity to the local governing bodies establishing the Board. The Board shall propose policies for the planning and promotion of orderly growth and development of lands, as defined in the Cascade County Growth Policy, over which the Board has jurisdiction including:

- 1) Subdivision plats;
- 2) The development of public ways, public places, public structures, and public and private utilities;
- 3) The laying out and development of public ways and services to platted and unplatted lands;
- 4) Conserving, stabilizing, and protecting the use value of property;
- 5) Encouraging the proper use of land;
- 6) Providing healthy surroundings for family life in rural and residential areas; and
- 7) Fostering a plan in which the growth of the area will be commensurate with and promotive of the efficient and economical use of public funds.

In accomplishing this objective, it is the intent of the legislature that the Board shall serve in an advisory capacity to presently established boards and officials.

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Cascade County, Rina Ft Moore - Clerk & Recorder



ARTICLE IV - MEMBERSHIP

Section One - Membership

The Board shall consist of not less than five members appointed by the Commission.

Section Two - Appointments

- A) One (1) official member must be a member of the governing board of a conservation district, an associate member of a conservation district designated by the governing board of a conservation district, or a member of a state cooperative grazing district if officers of either of the districts or the designated associate member of a conservation district reside in the county.
- B) The citizen members of the Board shall be resident freeholders in the area over which the Board has jurisdiction. Additional citizen members may be appointed by the Commission.
- C) The membership, as well as the jurisdictional area of the Board may be increased to provide for representation and planning of any additional cities, counties or towns seeking representation. In the event that any city or town subsequently becomes represented on the Board, additional members of the Board representing such cities or towns shall be appointed by the respective city councils.

Section Three - Term of Office

- A) Official Members - The term of each official member shall be coextensive with the respective term of office to which he has been elected or appointed.
- B) Citizen Members - The terms of each citizen member shall be two (2) years, except that the terms of the first members appointed shall be fixed by agreement and rule of the governing bodies represented on the Board for one (1) or two (2) years in order that a minimum number of terms shall expire in any year.

Section Four - Vacancies

Vacancies occurring by death or resignation on the Board of official members and citizen members shall be filled by the governing bodies having appointed them for the unexpired term(s).

Vacancies occurring in citizen members on the Board at the end of a term shall be filled by the Commissioner.

Section Five - Qualifications

The citizen members should be qualified by knowledge and experience in matters pertaining to the development of the County.

Section Six – Removal

Any citizen appointee may be removed from office by a majority vote of the governing body of the governmental unit represented by such appointee.

Section Seven - Compensation

The members of this Board shall receive no salary for their services on the Board.

ARTICLE V - OFFICERS

Section One - Officers

- A) **Elective Officers** - At its first regular meeting in each year, the Board shall elect from its members a President and Vice-President. The Vice-President shall have authority to act as President of the Board during the absence or disability of the President.

Section Two - Duties of Officers

- A) **President** - The President shall have the usual executive power of supervision and management, such as may pertain to the Office of President and such powers and duties as are in these Bylaws and are designated from time to time by the Board and the Executive Committee.
- a. **They shall:**
- i. Preside at all meetings of the Board;
 - ii. Be the ex-officio member of all committees;
 - iii. Advise the Planning Administrator of any organization, person or persons acting in this capacity;
 - iv. Execute with the Planning Administrator, organizations, person or persons acting in this capacity, all legal documents;
 - v. Appoint the Chairman, members of standing and special committees;
 - vi. Call special meetings as provided in these Bylaws and others as the President deems them necessary; and
 - vii. Represent the Board or designate their alternate, with other groups and at public meetings and conferences.
- B) **Vice-President** - The Vice-President shall perform the duties of the President in all cases in which the President is unable to serve. They shall perform such other duties as the President and Executive Committee may assign to them.

C) **Secretary** - The Secretary of the Board shall be the Planning Administrator.

a. **They shall:**

- i. Be responsible for the minutes of the Board and issue calls and notices pertaining to the Board;
- ii. Make up the agenda for the meetings;
- iii. Keep a roll of membership and attendance; and
- iv. Supervise the balloting of all members at all elections.

Section Three - Elections and Terms of Office

- A) **Nominations** - Nominations may be made from the floor, provided the consent of the nominee has been previously obtained.
- B) **Election** - If there shall be more than one (1) nominee for any office, voting shall be by voice ballot and a majority of the votes cast shall be necessary for election. Elections shall be held annually at the first meeting in January.
- C) **Term of Office** - Terms of the members who are officers of the governing board of a conservation district or a state cooperative grazing district shall be coextensive with their respective terms of office to which they have been elected or appointed. The terms of the other members shall be two (2) years, except for the term of the first members appointed, which may be fixed by agreement and rule of the governing bodies represented on the Board for a period of time of one (1) or two (2) years in order to provide for terms with a minimum number of terms expiring in any single year; provided, however, any citizen appointed may be removed from office by a majority vote of the governing body of the governmental unit represented by such appointee. Nothing herein contained shall prevent the re-appointment of a member whose term has expired.

Section Four - Vacancies

In the event of a vacancy in any office, elected or appointed, the Board shall appoint a member to fill the office for the unexpired term.

ARTICLE VI - MEETINGS

Section One - Meetings

- A) **Regular Meetings** - The Board shall fix the time for holding regular meetings, but it shall meet at least once in the months of January, April, July, and October.

Regular meetings of the Board may be held each month or at the discretion of the Board provided that legal notice of the meeting has occurred properly.

B) **Special Meetings** - Special meetings may be called by the President or by two (2) members of the Board upon written request to the Secretary.

a. **Notice** - Notice of the date and the business to be brought before the meeting shall be sent by the secretary to the members in writing at least two (2) days in advance, unless the time of the special meeting has been fixed in a regular meeting at which all board members were present.

C) **Annual Meeting** - The regular meeting held in January shall be known as the annual meeting and shall be for the purpose of electing officers, receiving annual reports of officers, employees and committees and for such business as may arise.

Section Two - Quorum

A majority of members constitutes a quorum. An action of the Board is not official unless a quorum is present and unless the action is authorized by a majority of the quorum at a regular or properly called special meeting.

ARTICLE VII - POWERS AND DUTIES

The Board shall possess and have all powers and authority granted by the provisions of Title 76, Chapter 1, Montana Code Annotated 2015, as amended by State of Montana, and shall perform all duties required hereunder.

In accomplishing this objective, it is the intent of the legislature that the Board shall serve in an advisory capacity to presently established boards and officials, or such future boards and officials as the legislature may authorize.

ARTICLE VIII - COMMITTEES

Section One - Standing Committees

The President shall appoint such standing committees as are necessary for carrying out the work of the Board. This may include, but is not limited to, budget, rules and regulations, growth policy, plat, school district, traffic commission, park and recreation and zoning.

Section Two - Special Committees

The President shall appoint such special committees as are deemed necessary.

ARTICLE IX - FINANCIAL ADMINISTRATION

Section One - Fiscal Year

The fiscal year shall be from July 1st through June 30th.

ARTICLE X - PLANNING ADMINISTRATOR

Section One - Appointment

The Planning Administrator shall be a salaried employee hired by the Commission. The Commission shall assign staff employed by the County to assist the Board in conducting its duties. The Board may delegate to the Planning Administrator the authority to perform administrative acts in all cases except when final action of the Board is necessary. The County may make contracts for special or temporary service and any professional services.

Section Two – Duties

The Planning Administrator shall be assigned, by the Commission, as the chief administrative employee of the Board. They shall make recommendations to the Board relating to the program, policies, and activities of the planning program. They shall be responsible for the execution of plans and policies officially adopted by the Board and for coordinating the various interest of the Board.

They shall be appointed as the secretary to the Board. They shall execute with the President all legal documents of the Board, and in this capacity, shall use the title of secretary of the Board.

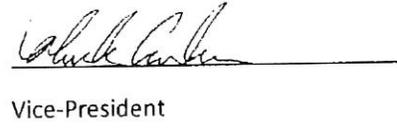
They or their designated staff, shall attend all meetings of the Board in a non-voting ex-officio capacity, and all meetings of the committees and any special committees of the Board unless appointed thereto by the Board. They shall make an annual report to the Board.

ARTICLE XI - AMENDMENTS

Provisions of these Bylaws not governed by a Resolution may be amended by a two-thirds vote, provided the amendment has been submitted in writing at the previous regular business meeting or in writing to every member at least before the meeting at which the amendment is to be acted upon. Changes required to bring these Bylaws into conformity with amendatory legislation shall be made by the President, Vice-President, and Secretary without approval of the Commission.



Ernest Meyer
President



Chuck Carter
Vice-President



B. K. A. J.
Public Works Director

Dated: January 17, 2017

Revised: January 2017