

Broadwater County Planning Board By-Laws

ARTICLE I – NAME

Section 1. Name

The official name of the organization is “The Broadwater County Planning Board”.

ARTICLE II – OFFICIAL SEAT

Section 1. Official Seat

The official seat of the Planning Board is in the county courthouse of Townsend, Montana. Meetings will be held in the Broadwater County Flynn Building except for occasions when the Board, by a majority vote of those present at any regular or special meeting otherwise direct.

ARTICLE III – OFFICERS

Section 1. Officers

The elective officers of the Planning Board include of a President and Vice-President.

Section 2. Nomination and Election of Officers

Nomination of elective officers will be made from the floor at the annual election meeting which will be held on the first regular meeting of each year. The election will follow immediately thereafter. Officers may be nominated from among the appointed board members only. A nominee receiving a majority vote of those present at the election will be deemed elected.

Section 3. Terms of Officers

The elective officers take office at the first regular meeting in January and serve for a term of one year.

Section 4. Vacancies in Offices

Vacancies in elective offices will be filled immediately by regular election procedure for the unexpired portion of the term.

Section 5. Duties of Officers

(a) President

The president will preside at all meetings and public hearings of the planning board and will call special meetings when he or she deems them necessary or is required to do so. The president shall appoint all committees, and will be an ex-officio member of each, without the power to vote. The president will certify the expenditure of planning board funds and sign the minutes of planning board meetings and all official papers and plans involving the authority of the planning board which are transmitted to the county commission. The president may discuss all matters before the planning board and make motions on all voting thereon. He/she will perform all the duties normally conferred by parliamentary usage on such officers and will perform such other duties as may be ordered by the planning board except as otherwise provided in these by-laws, in other planning board resolutions, or in county ordinances, or state law. The president will take the lead in promoting effective public relations in the development and implementation of a master plan for the jurisdictional area and related ordinances and regulations.

(b) Vice President

The vice president will assume the duties and powers of the president in his or her absence. If the president and vice-president are both absent, the remaining planning board members may elect a temporary president by a majority vote of those present at a regular or special meeting. This person will assume the duties and powers of the president and the vice president for that meeting.

(c) Planning Board Secretary

The secretary will keep the minutes of all regular and special meetings of the planning board. Such minutes will be approved by the planning board. He or she will also keep the minutes of planning board committee meetings when requested to do so. The secretary will give notice of all regular and special meetings to planning board members, prepare the agenda of regular and special meetings, serve proper and legal notice of all public hearings, and draft and sign the routine correspondence of the planning board. The secretary will maintain a file of all studies, plans, reports, recommendations and official records of the planning board and perform such other duties that are normally carried out by a secretary and as the planning board may direct.

Section 6. Order of Business – Regular Meetings for Administrative, Routine and Hearing – Type Matters

- (a) Call to order by President
- (b) Roll Call
- (c) approval of minutes of preceding meeting
- (d) Public hearings
- (e) Regular business

- (f) Petitions and communications from audience
- (g) Written communications
- (h) Reports from planning board members and committees
- (i) Staff reports
- (j) Adjourn

Section 7. Order of Business – Regular Meeting for Discussion of Matters Related to Comprehensive Planning

- (a) Call to order by President
- (b) Roll call
- (c) Approval of minutes of preceding meeting
- (d) Staff reports
- (e) Reports from planning board members and committees
- (f) Communications from audience (related to comprehensive planning only)
- (g) Adjourn

Section 8. Public Hearing Procedure

(a) President summarizes the application orally. The county planner presents a report which describes the key technical points of the application and the proposal's relationship to the comprehensive plan, other plans and the local government's land use regulations. The planner or assigned committee chairperson adds any related or background information. Board members are permitted to ask any relevant questions relating to the application, to the president or planner.

(b) Public hearing opened. Any petitions and data may be presented at this time.

(c) Proponents in audience given opportunity to speak in favor of application. Information submitted should be factual, relevant and not merely duplicative of previous presentations. A reasonable time will be allowed each speaker. Each person speaking must give name, address, and nature of interest in matter.

(d) Opponents in audience given opportunity to speak against application. Information submitted should be factual, relevant and not merely duplicative of previous presentations. A reasonable time will be allowed each speaker. Each person speaking must give name, address and nature of interest in the matter.

(e) Other interested parties allowed to comment briefly or make inquiries. Planner presents technical analysis, planning considerations and basic policy, cites possible alternatives and makes recommendations.

(f) Brief rebuttal for proponents and opponents heard separately and consecutively, with presentation limited to their spokesperson.

(g) Public hearing closed. Board members voice other significant considerations; pose any relevant questions through the president. The president interrogates proper parties for answers.

(h) Motion for disposition.

Section 9. Quorum

Three (3) members of the planning board will constitute a quorum for the transaction of business and the taking of official action. A quorum will constitute a majority of the total membership of the planning board. The total membership of the planning board is five (5) members.

Section 10. Motions

Motions will be restated by the president before a vote is taken. The name of the members making and seconding a motion will be recorded in the minutes of the meeting.

Section 11. Voting

Any action taken by a quorum of the planning board members at any regular or special meeting of the planning board will be deemed and taken as the action of the board. All matters requiring a public hearing before the planning board and all matters referred to the planning board by the county commissioners will be by roll call vote and the vote of each member shall be recorded in the minutes of the meeting.

Section 12. Staff Reports

On all matters considered by the planning board, any report and recommendations of the planning staff of a board committee must be presented to the board and recorded in the minutes of the meeting.

Section 13. Parliamentary Procedure

Parliamentary procedure in planning board meetings will be governed by Roberts Rules of Order, Revised, unless specifically otherwise provided in these by-laws, in other planning board resolutions, in county (or city) ordinances or in the State of Montana Planning Enabling Act (Sections 76-101 *et seq*, MCA).

ARTICLE IV – MEETINGS

Section 1. Regular Meetings: Time and Place

Regular meetings will be held on the third Wednesday of each month at 3:00p.m. in the county courthouse unless the planning board members determine a quorum will not be present on those days, or there is no business to discuss.

Any change in the hour, date and place of regular meetings will be given wide publicity for the convenience of persons having business before the board. When the regular meeting day falls on a legal holiday, the meeting will be on the following Wednesday.

Section 2. Recessed Meetings

Any regular meeting may be recessed to a definite time and place by a majority vote of the planning board members present at the meeting.

Section 3. Special Meetings

Special meetings may be called by the president, and must be called upon the written request of any two (2) members of the planning board.

Section 4. Notice of Meetings

The secretary will give written notice of all regular and special meetings to the members of the planning board. Notice of all regular meetings will be postmarked at least three days (72 hours) prior to the meeting. Notice of all special meetings will be postmarked at least two days (48 hours) prior to the meeting. The notice must state the time and place of the meeting and will be accompanied by an agenda of the matters to be considered by the planning board at such meeting. The agenda of all regular meetings will be closed six days prior to the following meeting of the planning board.

Petitions and communications from the audience and matters brought to the meeting by the planner and board members, which are not on the agenda for the meeting, may be received, but not discussed at the meeting. No discussion or official action may be taken on any matter at a planning board meeting which is not included on the agenda for such meeting or which has been added to the agenda after it has been mailed to the planning board members.

Section 5. Public Nature of Meeting and Records

All regular and special meetings, hearings, records and accounts shall be open to the public.

ARTICLE V – COMMITTEES

Section 1. Establishment of Committees

The planning board may establish such standing or special committees it deems advisable and assign to each committee specific duties or functions. Each standing committee will

consist of two (2) members. No standing or special committee may commit the planning board to the endorsement of any plan or program.

Section 2. Appointment and Terms of Committee Members

The president shall appoint the members of each standing or special committee and name the president of each committee. The members of each standing committee shall be appointed at the first regular meeting in July for a term of one year.

Section 3. Committee Vacancies

Vacancies on committees will be filled immediately by the president for the unexpired portion of the term.

Section 4. Meeting of Committees

All committees will meet at the call of the committee president, provided that the president of the planning board may, with adequate notice, call a special meeting of any committee at any time.

The secretary will issue notice of committee meetings at the request of a committee president or the planning board president.

Section 5. Quorum and Voting

A majority of the members appointed constitutes a quorum of all committees. The affirmative vote of a majority of the committee membership is required for the adoption of a matter before the committee.

ARTICLE VI – AMENDMENTS

Section 1. Amendments

These by-laws may be amended at any regular meeting by the affirmative vote of four (4) members of the planning board, provided the proposed amendments must have been submitted in writing at a previous meeting.