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AB

BY-LAWS
OF THE
EVARO-FINLEY-O'KEEFE COMMUNITY COUNCIL

Article 1
Authorization

- I. In accordance with MCA 7-3-111 and 7-3-417(2), the Missoula County Commissioners create the Evaro-Finley-O'Keefe Community Council.

Article 2
Statement of Purpose

- I. The Evaro-Finley-O'Keefe Community Council shall strive to promote the interests and welfare of its citizens in Missoula County, Montana. In order to accomplish this goal, the Evaro-Finley-O'Keefe Community Council shall act as a liaison between the Missoula County Commissioners and the Citizens of the Evaro-Finley-O'Keefe Community, as described in Exhibit A & Exhibit B, to provide useful and beneficial information which will aid the County Commissioners in making decisions regarding the Evaro-Finley-O'Keefe Community; to inform citizens of the Evaro-Finley-O'Keefe Community of issues and problems before the County Commissioners which will impact them; to provide leadership and support to the community's efforts to secure orderly growth and development in the Evaro-Finley-O'Keefe Community; and to serve as a channel of communication with local, state and federal government officials and agencies regarding matters of concern to the citizens of the Evaro-Finley-O'Keefe Community.
- II. Because the vast majority of the Council area intersects with the Flathead Indian Reservation, the Evaro-Finley-O'Keefe Community Council may also interact with the Tribal Council, staff and other members of the Confederated Salish and Kootenai Tribes of the Flathead Reservation. It is also important to note that formation of this Council does not affect the jurisdictional authority or Tribal sovereignty of the Confederated Salish and Kootenai Tribes.

Article 3
Definitions

- I. "Council" shall mean the Evaro-Finley-O'Keefe Community Council.
- II. "Commissioners" shall mean the board of County Commissioners, Missoula County, Montana.
- III. "The Evaro-Finley-O'Keefe Community" shall mean the geographic area represented by the Evaro-Finley-O'Keefe Community Council. This area shall be described in Exhibit "A" and Exhibit "B" attached.
- IV. "MCA" shall refer to the Montana Code Annotated as amended.



Article 4
Duties and Responsibilities

- I. The Evaro-Finley-O'Keefe Community Council shall have the duty and responsibility to:
- a. Serve as a purely advisory panel with no power to levy taxes or impose its will upon the citizens of the Evaro-Finley-O'Keefe Community, as described in Exhibit A and Exhibit B.
 - b. Promote the purposes described in Article 2, by facilitating communication with and among the various boards that govern the Evaro-Finley-O'Keefe Community infrastructures, namely: Arlee and Frenchtown School District, Arlee and Frenchtown Rural Fire District, and any other government entity within the boundaries of the Evaro-Finley-O'Keefe Community.
 - c. Communicate regularly with the citizens of the Evaro-Finley-O'Keefe Community through printed media, town meetings, and any other means deemed necessary or desirable in order to obtain the opinions, comments and suggestions regarding issues which are of concern to the Evaro-Finley-O'Keefe Community.
 - d. Attend meetings of the Boards of County Commissioners and other county boards and commissions and any other meetings where issues of importance to the Evaro-Finley-O'Keefe Community will be discussed. Attendance may be by the entire Council or a designated representative.
 - e. Consult with county planning staff, in any potential development of a Community Long Range Plan, and present the complete plan and updates to the Planning Board and Commissioners for consideration, adoption and implementation.
 - f. Keep a record of all acts meetings and monies received and disbursed by the Council.
 - g. Make an annual report to the Commissioners concerning the activities of the Council during the previous year.

Article 5
Election and Appointment

- I. Number and Composition:
- a. The total number of Council Members shall be five (5). Council members shall be residents of the Evaro-Finley-O'Keefe Community, as described in Exhibit A and Exhibit B as defined herein.
- II. Selection and Term:

- a. Five (5) Council members shall be elected following the procedures set forth in MCA 13-1-104(3) and 13-1-401.
- b. Initially, the five (5) Council members shall be appointed by the Board of County Commissioners.
- c. The terms of the Council members shall be staggered so that two (2) members or one (1) member shall be elected each time.
- d. The initial terms for members shall be determined by the Commissioners so that there will be two (2) members with one-year terms, two (2) members with two-year terms, and one (1) member with a three-year term.
- e. Thereafter, the term of office shall be three (3) years. A member's term begins upon their completion of the oath of office administered by the Chair of Commissioners or his/her representative and concludes at the end of the designated term.
- f. Members' terms will be limited to three (3) consecutive 3-year terms for a total of nine (9) years. Alternates will serve terms at the discretion of the Commission, unless otherwise specified in the Bylaws. Partial terms and the time served as an alternate will not count against the term limit.

III. Training

- a. During the first year of their term, new Council members agree to participate in board training approved by the Commissioners.

IV. Resignations, Terminations, and Vacancies:

- a. Membership may be terminated by a member's resignation, by a member ceasing to reside in Missoula County, or by failing to meet the obligations of their office. Resignations from the Council shall be in written form.
- b. Vacancies shall be filled by appointments by a Qualified Elector who has completed an application expressing their qualifications and interests in filling the vacancy and submitted it to the Missoula County Office of Elections and Board of County Commissioners. After the applications have been validated by the Office of Elections, the Qualified Elector(s) shall be appointed by the Missoula County Commissioners to fill the vacancy(ies).

Article 6
Officers and Duties

- I. The Council shall elect from its members a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer at its first regular meeting following the annual Council member elections.
- II. The Chairperson shall preside over all meetings and shall perform all other duties as may be prescribed in these By-Laws or by Council action.
- III. The Vice Chairperson shall have the authority to act as Chairperson in the Chairperson's absence or disability.
- IV. The Secretary shall be responsible for keeping the minutes of each meeting and shall act as a chairperson in the absence both the Chairperson and the Vice Chairperson.
- V. The Treasurer shall keep accurate records of all receipts and disbursements of monies received and paid by the Council, and shall provide a monthly report to the Council of all financial activity to date. Financial records shall be open to the public for their inspection at all reasonable times.
- VI. Council members may be elected for up to two offices.
- VII. The terms of officers shall be for a period of one (1) year, commencing at the first regular Council meeting following their election.
- VIII. The Council may remove any officer, at any time, from his or her duties upon a majority vote of the Council.

Article 7
Meetings

- I. Regular meetings: The Council shall fix the time and place for holding regular meetings and they shall be published according to legal requirements for such meetings. Regular meetings shall have seven (7) days advance notice.
- II. Special Meetings: Special Meetings of the Council may be called by the Chairperson or by a quorum. The Chairperson shall give two (2) days advance notice to all members of any Special Meeting and the public.
- III. Quorum: A quorum shall consist of three (3) members. No action of the Council may be taken unless authorized by a quorum present at a regular or special meeting.
- IV. Open Meetings: The Council shall agree to comply with the Montana Open Meeting Law (MCA 2-3-201 et seq.).

Article 8
Parliamentary Authority

- I. Standard and customary parliamentary procedure shall govern in all parliamentary matters, except as expressly stated herein and unless the context hereof requires otherwise.

Article 9
Code of Ethics

- I. The holding of public office or employment is a public trust, created by the confidence which the electorate reposes in the integrity of public officers and employees. A Council member or employee shall carry out his/her duties for the people of the Evaro-Finley-O'Keefe Community.
- II. Any person whose conduct departs from his/her duty shall be liable to the people of the Evaro-Finley-O'Keefe Community.
- III. No Council member or employee shall:
- a. Disclose or use confidential information acquired in the course of his/her duties to further substantially his/her personal economic interest;
 - b. Accept a gift of substantial value or a substantial economic benefit tantamount to a gift. Pursuant to M.C.A. 2-2-104(1)(b) gifts to members will not exceed a value of \$50.00 in any fiscal year;
 - c. Acquire an interest in any business or undertaking which he/she has reason to believe may be directly and substantially affected to its economic benefit by official action taken by the Council; and
 - d. Within six (6) months following the voluntary termination of his/her office or employment, obtain employment in which he/she will take direct advantage, unavailable to others, of a matter or matters directly involved during his/her term of office or employment.
- IV. Conflict of interest: A member of the Council who may have a financial or personal interest in an item under consideration by the Council shall declare that he/she may have a conflict of interest. The Council shall then decide whether such a member has such a conflict. That member shall be excused from the Council in the decision on the conflict and shall not participate in the vote taken on the item. If it is determined that such member has a conflict, he/she will not participate upon a vote or discussion of such item. Such member may participate as part of the public in attendance in providing information to the Council on the item. Any disqualification shall be entered into the minutes of the meeting.

Article 10
Order of Business

- I. Unless otherwise determined by the Chairperson, the items to be included in -regular meetings shall be:
- a. Call to order
 - b. Roll Call
 - c. Approval of Agenda
 - d. Approval of the Minutes
 - e. Treasurer's Report
 - f. Communications
 - g. Reports from Council Members
 - h. Old Business (provide for public comment on items)
 - i. New Business (provide for public comment on items)
 - j. Public Comment on Non-agenda Items
 - k. Adjournment

Article 11
Communications

- I. Personal Communications of Members: Any individual member shall not sign written communications to others using the Council name, unless approved by the Council.
- II. Informal Communications: It is understood that informal discussions between individual members of the Council and members of the community on various issues affecting the community will occur from time to time. It is the expectation that Council members will report the content of these conversations to the rest of the Council at the next regularly scheduled meeting in order to assure that the views expressed are known to the entire Council.

Article 12
Financial Management

- I. While the County has no obligation to fund the Community Council, it is recognized that funds may be available from various sources from time to time.
- II. Compensation for Services: Council Members agree to serve without compensation except for reasonable and necessary expenses in the conduct of their business.
- III. Checks and Drafts: All checks, drafts or other orders for the payment of money, notes and other evidences of indebtedness, issued in the name of the Council, shall be signed by such officer or officers, agent or agents, and in such manner as shall, from time to time, be determined by resolution of the Council.

- IV. **Maintenance and Access to Records:** The Council shall maintain reasonable records of its proceedings and shall allow access to those records by the County, County Auditor, and any independent auditor employed by the County and to any duly appointed representatives of the State or Federal governments.

Article 13
Committees

- I. **Standing Committees:** Standing Committees of the Council members may be created for purposes and terms which the Council approves. At least one member of any committee must be a Council member. Members will be volunteers with the Chair being appointed by the Council. The Council member shall have the responsibility to be the contact person for County offices and to report back to the full Council.
- II. **Special or Ad Hoc Committees:** Special or ad hoc committees comprised of Council and non-Council members may be created by the Council for such special tasks as shall be needed or desirable for the purposes of the council and the Evaro-Finley-O'Keefe Community. At least one member of any special or ad hoc committee must be a Council member. The Council member shall have the responsibility to be the contact person for County offices and to report back to the full Council. The Chair will be appointed by the Council.

Article 14
Legal Assistance

- I. Legal assistance may be provided to the Council by the County Attorney if the County Attorney has the resources to provide such assistance.

Article 15
Amendments

- I. Amendments to the By-Laws may be introduced by any member of the Council at a regular or special meeting called for that purpose. All amendments proposed must be in writing and approved by the Missoula Board of County Commissioners before they are adopted.

Article 16
County Policies

- I. Council Members agree to comply with Missoula County policies and procedures, including fiscal and personnel policies.

Article 17
Severability

- I. If any of these By-Laws or any section, sentence, clause, phrase, or word of the application thereof in any circumstances shall be held to be contrary to the law, such portion is severable from the remainder of these By-Laws and of the application of any such provision, sentence, clause, phrase or word in any other circumstance shall not be affected thereby.

Article 18
Adoption

The following By-Laws were introduced before and approved by the Missoula Board of County Commissioners on the 5th day of Sept., 2013, and were adopted by the Evaro-Finley-O'Keefe Community Council on the 10th day of OCTOBER, 2013

EVARO-FINLEY-O'KEEFE
COMMUNITY COUNCIL

Ada Raep
Chairperson

Andy Hayer
Vice Chairperson

AKC
Secretary

Megann Pym
Treasurer

Pat W
Council Member

Council Member

Council Member
BOARD OF COUNTY
COMMISSIONERS:

M Landquist
Chairperson

Jan Carter
Commissioner

Bill Yarny
Commissioner

APPROVED AS TO FORM:

D J H
Deputy County Attorney

ATTEST:

Vickie M Zuer
Clerk and Recorder

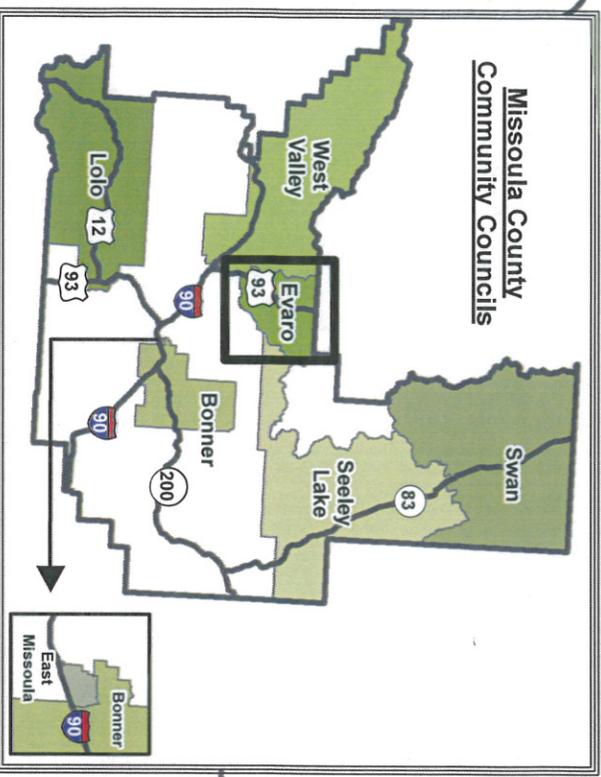


Evano – Finley – O’Keefe Community Council
Boundary Descriptions
Exhibit B

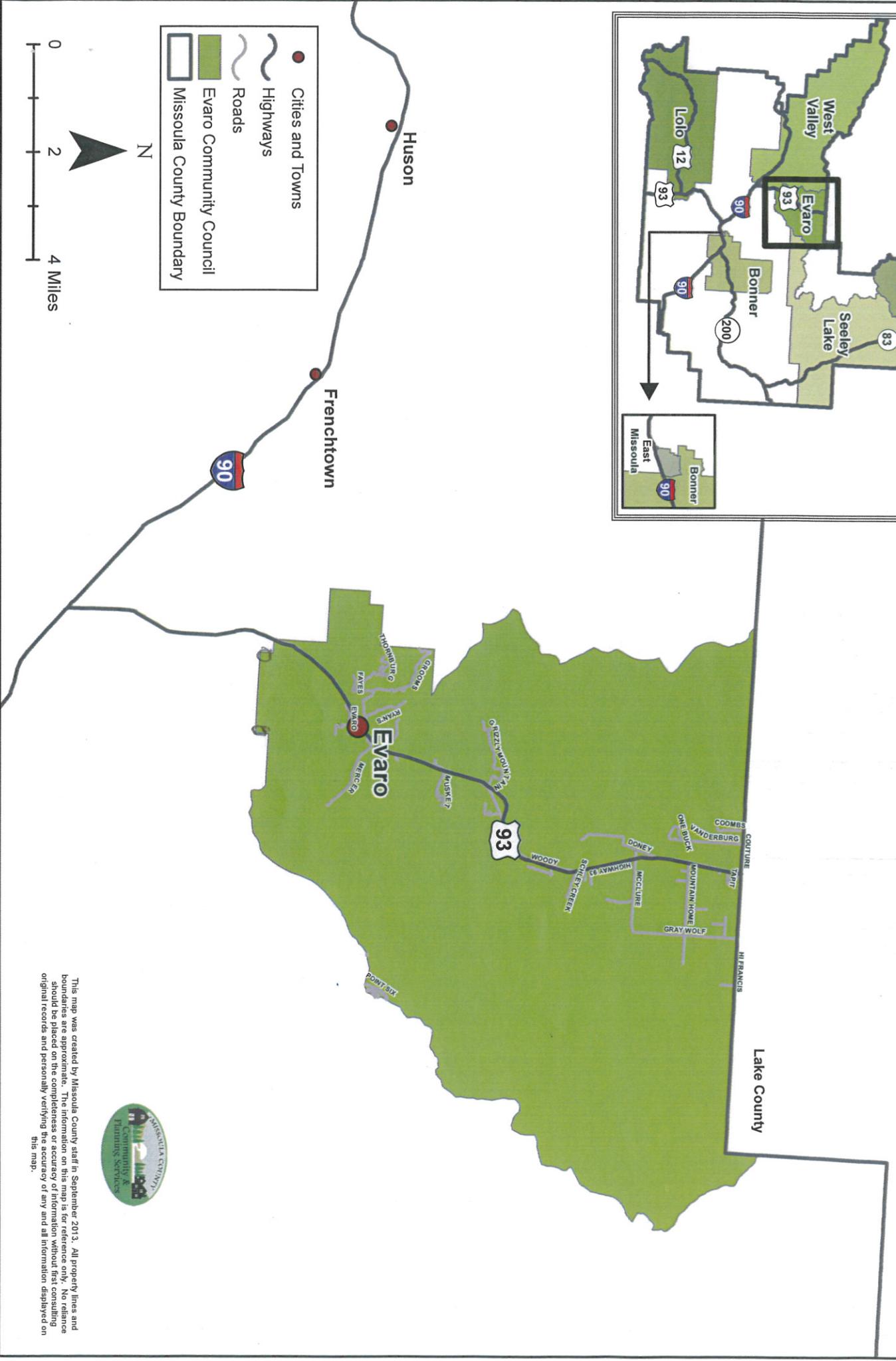
The Evano – Finley – O’Keefe Community Council, being the area enclosed within the following described perimeter boundary:

Beginning at the intersection of the north boundary of Missoula County, the south boundary of Lake County, the south boundary of the Flathead Indian Reservation, and the north line of Section 21, Township 16 North, Range 20 West; thence southerly along the Flathead Indian Reservation Boundary to the section line common to Sections 15 and 22, Township 15 North, Range 20 West; thence westerly along said section line to the northwest corner of said Section 22; thence southerly along the section line common to Sections 21 and 22, to the southwest corner of Section 22; thence westerly along the section line common to Sections 21 and 28 to the west one-sixteenth (W1/16) corner common to said sections; thence southerly along the west one-sixteenth (W1/16) line of Section 28 to the northwest one-sixteenth corner (NW1/16) of said section; thence westerly along the north one-sixteenth (N1/16) line of Section 28 to the north one-sixteenth (N1/16) corner common to Sections 28 and 29; thence southerly along the section line common to said sections to the southwest corner of Section 28; thence easterly along the section line common to Sections 28 and 33 to the northeast corner of Section 33; thence southerly along the section line common to Sections 33 and 34 to the centerline of the former alignment of U.S. Highway 93; thence southwesterly along said centerline to the township line common to Townships 14 and 15 North, Range 20 West; thence easterly along said township line to the west one-sixteenth (W1/16) corner of Section 3, Township 14 North, Range 20 West; thence southerly along the west one-sixteenth (W1/16) line of said Section 3 to the northwest one-sixteenth (NW1/16) corner of Section 3; thence easterly along the north one-sixteenth (N1/16) line of Section 3 and Section 2 to the northeast one-sixteenth (NE1/16) corner of Section 2, Township 14 North, Range 20 West; thence northerly on the east one-sixteenth (E1/16) line of said Section 2 to the east one-sixteenth (E1/16) corner of Section 2; thence easterly along the township line common to Townships 14 and 15 North, Range 20 West, to the Flathead Indian Reservation Boundary, said point being on the line common to Sections 1 and 36; thence easterly along said Flathead Indian Reservation Boundary to angle point Number 4 of the 143rd mile of said Reservation Boundary, said point also being the northwest corner of Government Lot 1, Section 31, Township 16 North, Range 18 West; thence northeasterly along a ridge top to an unnamed peak in the southwest one-quarter (SW1/4) of Protracted Block 38, unsurveyed Township 16 North, Range 18 West; thence northwesterly to the center of the outlet for an unnamed lake in the southwest one-quarter (SW1/4) of said Protracted Block 38; thence northerly along the centerline of the stream of said outlet to the centerline of Big Knife Creek; thence northerly along the centerline of Big Knife Creek to the boundary line common to Missoula and Lake Counties, said point also being on the range line common to Section 13, Township 16 North, Range 19 West, and Section 18, Township 16 North, Range 18 West; thence southerly along said range line and common boundary line of Missoula and Lake Counties to the northeast corner of Section 24, Township 16 North, Range 19 West, said point also being an angle point on the boundary line common to Missoula and Lake Counties; thence westerly along said common boundary line to the Flathead Indian Reservation Boundary, and the point of beginning.

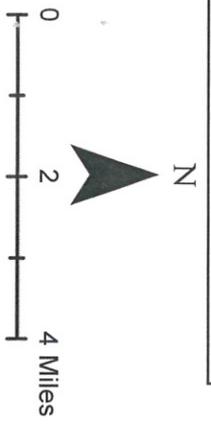
Missoula County
Community Councils



Evaro-Finley-O'Keefe Community Council Boundary
Exhibit A



- Cities and Towns
- Highways
- Roads
- Evaro Community Council
- Missoula County Boundary



This map was created by Missoula County staff in September 2013. All property lines and boundaries are approximate. The information on this map is for reference only. No reliance should be placed on the completeness or accuracy of information without first consulting original records and personally verifying the accuracy of any and all information displayed on this map.