

**BY-LAWS**  
**OF THE**  
**LOLO COMMUNITY COUNCIL**  
**(REVISED BY LOLO COMMUNITY COUNCIL MARCH 2011)**

**ARTICLE 1**  
Authorization

- I. In accordance with MCA 7-3-111 and 7-3-417(2), the Missoula County Commissioners create the Lolo Community Council

**ARTICLE 2**  
Statement of Purpose

- I. The Lolo Community Council shall strive to promote the interests and concerns of its citizens in Missoula County, Montana. To accomplish this goal, the Lolo Community Council shall act as a liaison between the Missoula County Commissioners and the citizens of Lolo; provide useful and beneficial information which will aid the County Commissioners in making decisions regarding the Lolo Community; inform citizens of the Lolo Community of issues and problems before the County Commissioners which will impact citizens of the Lolo Community; provide leadership and support to the community's efforts to secure orderly growth and development in the Lolo Community; and serve as a channel of communication with local, county, state and federal government officials and agencies regarding matters of concern to the citizens of the Lolo Community.

**ARTICLE 3**  
Definitions

- I. "Council" shall mean the Lolo Community Council.
- II. "Commissioners" shall mean the Board of County Commissioners, Missoula County, Montana.
- III. "The Lolo Community" shall mean the geographic area represented by the Lolo Community Council. This area shall be the same as Lolo School District #7 and Woodman School District #18, as described in Exhibit "A" attached.
- IV. "MCA" shall refer to The Montana Code Annotated as amended.

**ARTICLE 4**  
Duties and Responsibilities

- I. The Lolo 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 Lolo Community;

- b. Promote the purposes described in Article 2, by facilitating communication with and among the various boards that govern the Lolo Community infrastructures, namely: Lolo Water and Sewage District; Lolo Rural Fire District; Lolo School District, and any other governmental entity within the boundaries of the Lolo Community;
- c. Communicate regularly with the citizens of the Lolo Community through printed media, town mailings, and any other means deemed necessary or desirable within the budget provided by the Commissioners in order to obtain the opinions, comments and suggestions regarding issues which are of concern to the Lolo Community;
- d. Attend meetings of the Board of County Commissioners and other county boards as commissions and any other meetings where issues of importance to the Lolo Community will be discussed. Attendance may be by the entire Council or by a designated representative.
- e. Consult with the County Planning Staff in order to review adherence to the Lolo Regional Land Use Plan and the Missoula County Growth Plan, to review any amendments to these plans, including comprehensive land use criteria and capital improvements projections, present the recommended changes to the Commissioners for consideration and implementation;
- f. Keep a record of all acts, meetings, and monies received and disbursed for the operation of 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: The total number of Council members shall number seven (7). Council members shall be residents of the Lolo Community, as defended herein.
- II. Selection and Term:
  - a. Six (6) Council members shall be elected following the procedures as set forth in MCA 13-1-104(3) and 13-1-401. Qualified electors to vote on the Lolo Community Council shall be all voters registered to vote described in Article 3, inclusive of Lolo School District #7 and Woodman School District #118.
  - b. The term of office shall be three (3) years, beginning at the first Council meeting following the election or until their successors are elected and qualified.

- c. The terms of the Council members shall be staggered so that two (2) members shall be elected each time.
- d. The seventh member shall be appointed by the Board of County Commissioners in order to achieve greater balance in community representation. This appointment shall be made within thirty (30) days of the expiration of the previous appointee's term. The new appointee shall serve for three (3) years.

III. Training

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

IV. Resignation and Vacancies:

- a. Failure to participate in training, per section III, may result in the member's termination.
- b. Resignations from the Council shall be in written form.
- c. Vacancies occurring on the Council shall be filled within thirty (30) days. Appointees shall hold office until the next regular election and if elected at that time, shall serve the unexpired term of the vacant post.
- d. Membership may also 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.
- e. Vacancies shall be filled by the Commissioners.

**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 annual elections.
  - a. Council members may be elected for up to two offices.
- 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 Chairperson in the absence of both the Chairperson and 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. The terms of officers shall be for a period of one (1) year, commencing at the first regular Council meeting following their elections.
- VII. 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.
- II. Special meetings: Special meetings of the Council may be called by the Chairperson or by a quorum. Special meetings shall comply with the open meeting laws of Montana.
  - a. The Chairperson shall give two (2) days advance notice to all members of any Special meeting.
- III. Quorum: A quorum shall consist of four (4) members. No action of the Council may be taken unless authorized by a quorum present at a regular or special meeting.
- IV. Rule of Order: Parliamentary Authority shall apply in all meetings of the Council, except as expressly stated herein or unless the context requires otherwise.

## **ARTICLE 8**

### Parliamentary Authority

- a. 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 a 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 Lolo Community.

- II. Any person whose conduct departs from his/her duty shall be liable to the people of the Lolo 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;
  - 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 to be taken by this 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 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 shall 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 order of business at regular meetings shall be:
  - a. Call to Order
  - b. Roll Call
  - c. Reading of the Minutes
  - d. Treasurer's Report
  - e. Communications
  - f. Reports from Council Members
  - g. Old Business
  - h. New Business
  - i. Public Comment
  - j. 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. Funding: It is the intention of the County Commissioners to fund the Lolo Community Council's reasonable administrative costs, it is also recognized that funds may be available from various other sources from time to time.
- II. Compensation for Services: No member of the Council or the officers thereof shall receive compensation for their services as Council members. To the extent that funds are available, the Council may, by resolution, authorize the reimbursement of actual and necessary expenses incurred. 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.
- 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 of the Council may be appointed by the Chairperson for purposes and terms which the Council approves. Members will be volunteers with the Chair being appointed by the 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 Lolo 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. County Policies. "Council Members agree to comply with Missoula County policies and procedures, including fiscal and personnel policies.

**ARTICLE 17**  
Severability

- II. If any provision of these By-Laws or any section, sentence, clause, phrase or word or the application thereof in any circumstances shall be held contrary to 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 circumstances shall not be affected thereby.

**ARTICLE 18**  
Adoption

- I. The foregoing By-Laws were introduced before and approved by the Missoula Board of County Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, and were adopted by the Lolo Community Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

LOLO COMMUNITY COUNCIL

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Vice Chairperson

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Treasurer

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

APPROVED AS TO FORM AND CONTENT

\_\_\_\_\_  
Deputy County Attorney

ATTEST:

\_\_\_\_\_  
Clerk and Recorder