

**BY-LAWS
OF THE
WEST VALLEY COMMUNITY COUNCIL**

Article 1
Authorization

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

Article 2
Statement of Purpose

- I. The West Valley Community Council shall strive to promote the interests and welfare of its citizens in Missoula County, Montana. In order to accomplish this goal, the West Valley Community Council shall act as a liaison between the Missoula County Commissioners and the Citizens of the West Valley Community, as described in Exhibit "A," attached; to provide useful and beneficial information which will aid the County Commissioners in making decisions regarding the Frenchtown, Huson, Six Mile, Nine Mile and Upper Nine Mile communities; to inform citizens of these communities of issues and problems before the County Commissioners which will impact the citizens; to provide leadership and support to the community's efforts to secure orderly growth and development of the West Valley 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 West Valley Community.

Article 3
Definitions

- I. "Council" shall mean the West Valley Community Council (WVCC).
II. "Commissioners" shall mean the board of County Commissioners, Missoula County, Montana.
III. "The West Valley Community" shall mean the geographic area represented by the West Valley Community Council. This area shall be the same as the "West Valley Community" as described in Exhibit "A," attached, and shown in Exhibit "B," attached.
IV. "MCA" shall refer to the Montana Code Annotated as amended.

Article 4
Duties and Responsibilities

- I. The WVCC 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 West Valley Community, which includes the Frenchtown, Huson, Six Mile, Nine Mile and Upper Nine Mile areas.
- b. Promote the purposes described in Article 2, by facilitating communication with and among the various boards that govern the West Valley Community infrastructures, namely: Frenchtown School District and Joint District 2, Frenchtown Rural Fire District, and any other government entity within the boundaries of the West Valley Community.
- c. Communicate regularly with the citizens of the West Valley 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 West Valley 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 West Valley 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 “West Valley Community” as described in Exhibit A.
- 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, beginning at the first Council meeting following the election or until their successors are elected and qualified.
- f. Members' terms shall be limited as follows:
 - » Three (3)-year appointments: Three (3) consecutive terms (9 years);
 - » Partial terms 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. Resignations from the Council shall be in written form.
- b. Membership may be terminated by a member's resignation, by a member ceasing to reside in Missoula County, or by the Commission acting in the best interests of the organization upon the recommendation of the Council.
- c. In the event that a Council member misses three (3) consecutive unexcused regular meetings of the Council, such member may be recommended to the Commission for removal from the Council by a majority vote of the other Council members.
- d. Failure to participate in training, per section III, may result in the member's termination.
- e. Vacancies shall be filled by appointments by the Commission.

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.
- 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. Notice of 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.
- 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. Rule of Order: Roberts Rules of Order shall apply in all meetings of the Council, except as expressly stated herein or unless the context requires otherwise.

- V. Open Meetings: The Council shall agree to comply with the Montana Open Meeting Law (M.C.A. 2-3-201 et seq.).

Article 8
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 West Valley Community.
- II. Any person whose conduct departs from his/her duty shall be liable to the people of the West Valley 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 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 9
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. Discussion 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 10
Financial Management

- I. **Funding:** 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. 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 11
Committees

- I. Special committees of the Council may be appointed by the Chairperson for purposes and terms which the Council approves.

Article 12
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 13
Amendments

- I. Amendments to the By-Laws may be introduced by any member of the Council at a regular or special meetings 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 14
County Policies

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

Article 15
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 16
Adoption

The following By-Laws were introduced before and approved by the Missoula Board of County Commissioners on the __ day of _____, _____, and were adopted by the West Valley Community Council on the __ day of _____, _____.

WEST VALLEY COMMUNITY
COUNCIL

BOARD OF COUNTY
COMMISSIONERS:

Chairperson

Chairperson

Vice Chairperson

Commissioner

Secretary

Commissioner

Treasurer

APPROVED AS TO FORM AND
CONTENT:

Council Member

Deputy County Attorney

ATTEST:

Clerk and Recorder