

**BONNER WEST LOG YARD TARGETED ECONOMIC DEVELOPMENT DISTRICT  
ADVISORY BOARD (BWAB) BYLAWS**

201520134 B: 952 P: 1217 Pages: 8  
10/26/2015 08:46:47 AM Bylaws  
Tyler R. Gemant, Missoula County Clerk & Recorder  
eRecording

**ARTICLE I**  
**Purpose**

The purpose of the Bonner West Log Yard Targeted Economic Development District Advisory Board (BWAB) is to advise the Board of County Commissioners and represent the citizens of Missoula County in order to foster the development, growth and retention of secondary, value-adding industries in the Bonner area, to promote, stimulate, develop and advance the general welfare, commerce, economic development and prosperity of our local citizens, Missoula County, and the State of Montana in the Targeted Economic Development District established by Resolution No. 2014-123, pursuant to Title 7, Chapter 15, Parts 42 and 43, M.C.A. § 7-1-203, M.C.A.

**ARTICLE II**  
**Definitions**

1. "The BCC" means the Board of County Commissioners, Missoula County, Montana.
2. "MCA" means the Montana Code Annotated as amended.
3. The BCC created the Bonner West Log Yard Targeted Economic Development District Advisory Board (BWAB) to serve in an advisory capacity to:
  - a. Attract Qualifying Secondary-Value Adding industries for projects for the purposes of stimulating growth by providing a financial mechanism to provide the necessary infrastructure.
  - b. Endeavor to increase the volume of commerce within the County through planning, advertising, acquisition, establishment, development, construction, improvement, maintenance, equipment, operation of the secondary-value adding oriented business.
  - c. Cooperate and act in conjunction with other organizations, public or private, in the development of economic activity in the County.
  - d. Develop infrastructure to encourage the location and retention of secondary value-adding industries; establish the costs which may be paid by the district and establish the use of tax increments.

**ARTICLE III**  
**Authority, General Powers and Duties**

Section 1: Authority.

The BWAB was created by the BCC pursuant to Title 7, Chapter 15, Parts 42 and 43, M.C.A. and § 7-1-203, M.C.A.

Section 2: General Powers and Duties:

General powers and duties of the BWAB are to advise the BCC and represent the citizens of Missoula County in the development of infrastructure to encourage the location and retention of secondary value-adding industries; establish the costs which may be paid by the district and establish the use of tax increments.

Section 3: Specific Powers and Duties:

Within the authority allowed and consistent with any and all plans and policies adopted by Missoula County, the BWAB shall:

- a. Advise the BCC in the area of capital acquisition and expenditures, construction and development of infrastructure, that includes streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots, and off-street parking facilities, sewer lines, sewage treatment facilities, storm sewers, waterlines, water treatment facilities, natural gas lines, electrical lines, telecommunication lines, rail lines, rail spurs, bridges, recovery, fuel manufacturing, and cargo holding facilities, publicly owned buildings, and any public improvements,
- b. Coordinate suggestions and ideas, and make recommendations to the BCC on proposals concerning the Bonner West Log Yard Targeted Economic Development District.
- c. Advise the BCC on the allowable uses of the Bonner West Log Yard Targeted Economic Development District and its facilities, make recommendations to resolve conflicts as to uses, and recommend policies, procedures and regulations as to the uses and users of the Bonner West Log yard Targeted Economic Development District and its facilities.
- d. Advise and assist the BCC in outreach to stakeholders of the Bonner West Log Yard Targeted Economic Development District.
- e. The BWAB shall carry out additional duties upon request of the BCC.

Section 4: Executive Directors' Office

The BWAB Executive Director shall be the staff liaison to the BWAB, and shall provide staff assistance to the BWAB.

Section 5: Limitation of Powers.

Powers of the BWAB are limited by these bylaws and the requirement to comply with all policies and practices of Missoula County.

**ARTICLE IV**  
**Membership**

Section 1: BWAB Membership

The BWAB will consist of an eight member Board. Seven members will be the members of the Missoula Development Authority, created by Resolution Number 97-032 on May 12, 1997 and amended on January 11, 2001. The eighth member shall either work or reside within the area defined in Exhibit 'A', or is a property owner within the Bonner West Log Yard TEDD.

Section 2: Ethics and Conflicts of Interest.

- a. A member who may have a professional, financial or personal interest in an item under consideration by the BWAB shall declare the potential conflict of interest. The BWAB shall determine whether a conflict exists and the determination shall be entered into the minutes of the meeting. If determined that a conflict exists, the member shall not participate in the vote taken on the item. Failure to fully disclose as required by this Article may be grounds for removal for cause.
- b. No member may disclose or use information acquired in the course of BWAB duties to further personal interest; may accept a gift of substantial values or a substantial economic benefit tantamount to a gift; or may 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 the BWAB. Failure to comply with or fully disclose as required by this Article may be grounds for removal for cause.

Section 3: Terms of Office.

Members of the BWAB shall serve three-year staggered terms which expire on June 30 and new terms begin on July 1. In the event a member of the Board of County Commissioners is appointed a member of the BWAB, the term of that appointment shall not exceed the Board of County Commissioner's elected term.

Section 4: Termination.

Membership on the BWAB may be terminated by the member's resignation or by the BWAB's recommendation acting in the best interests of the BWAB. The BWAB may recommend termination of a member if the member has missed three (3) consecutive regular meetings. The Chair will contact any member who has missed two (2) consecutive meetings and advise the member that a third consecutive absence may result in a recommendation for termination.

Section 5: Resignation.

Resignation from the BWAB shall be in written form to the BCC.

Section 6: Removal from Office.

Members serve at the pleasure of the BCC and may be removed for cause or at the recommendation upon a majority vote of the BWAB.

Section 7: Vacancies.

Vacancies will be filled by appointment by the BCC.

Section 8: Compensation.

Members shall serve without compensation, except for that reasonable expenses shall be paid when travel or other activities occur as a result of BWAB activities. Policies in this regard shall be proposed to and adopted by the BCC.

**ARTICLE V**  
**Committees**

Section 1: Standing Committees.

Standing Committees composed of members may be created for purposes and terms which the BWAB approves. Members will be appointed by the Chair. Minutes/notes will be taken.

Section 2: Special Committees:

Special or ad hoc committees comprised of BWAB and non-BWAB members may be created by the BWAB for such special tasks as shall be needed or desirable for the purposes determined by the BWAB. The Chair will appoint the members.

**ARTICLE VI**  
**Officers and Duties**

Section 1: Officers.

The officers of the BWAB shall consist of a Chair and a Vice Chair and such other officers as may be determined by the BWAB. The Chair shall be entitled to participate fully in discussing and voting motions before the BWAB.

Section 2: Chair.

The Chair shall be selected from the BWAB and shall preside at all meetings of the BWAB. The Chair shall have the usual powers and duties customarily vested in the office of Chair and shall perform other duties as may be assigned to the Chair by the BWAB. The Chair shall be entitled to participate fully in discussing and voting motions before the BWAB.

Section 3: Vice Chair.

The Vice-Chair shall have the authority to act as Chair in the Chair's absence or disability.

Section 4: Elections.

Election of Officers will be held on or around July of each year. The Chair will take office immediately upon election.

Section 5: Term of Office.

Officers shall serve for a one-year term; consecutive terms are not limited.

**ARTICLE VII**  
**Regular and Special Meetings**

Section 1: Regular and Special Meetings.

Meeting agendas shall be delivered to the Board of County Commissioners and shall be available in the office of the BWAB staff in advance of all meetings. The agenda for committee meetings will be posted in the County's Administration Building, 199 West Pine Street.

Section 2: Quorum

A quorum for the transaction of official business shall consist of a majority of the members.

Section 3: Voting.

All motions at meetings of the BWAB shall be decided by majority vote of those entitled to vote and present at the meeting. Each member is entitled to one (1) vote.

Section 4: Open Meeting Law.

All meetings shall be conducted in accordance with Montana State Open Meeting Law.

Section 5: Minutes.

Minutes shall be taken at regular and special meetings. Notes shall be taken at Committee meetings. Each will include the final vote on all actions. These minutes/notes will be made available to the public upon request. A copy of the minutes shall be submitted to the County Clerk and Recorder for electronic storage.

**ARTICLE VIII**  
**Conduct of Business**

Section 1: Order of Business.

The general order of business at a regular meeting of the BWAB and, so far as applicable at all other meetings, shall be as follows:

1. CALL TO ORDER
2. INTRODUCTIONS
3. APPROVAL OF MINUTES
4. PUBLIC COMMENTS AND ANNOUNCEMENTS
5. DISCUSSION ITEMS
6. ACTION ITEMS
7. COMMITTEE REPORTS:
8. STAFF REPORT
9. FINANCIAL REPORT
10. OTHER ITEMS
11. ADJOURN

Section 2: Rules of Order.

Meetings shall be conducted in accordance with standard parliamentary procedures except where these bylaws may state otherwise.

**ARTICLE IX**  
**Communications**

Section 1: Personal Communications.

Any individual member shall not sign written communications to others using the BWAB name, unless approved by BWAB or County staff.

**ARTICLE X**  
**Legal Assistance**

The Office of the County Attorney shall be the legal advisor of the BWAB, acting upon the request of the BWAB.

**ARTICLE XI**  
**Amendments**

Bylaw amendments may be introduced by any member of the BWAB at a regular or special meeting called for that purpose. All amendments must be in writing before they are adopted.

Adoption of or changes in bylaws by the BWAB shall then be forwarded to the BCC for approval, and shall not become effective until such approval.

The BCC reserves the right to amend these Bylaws. The BWAB shall be notified of the BCC's intent, and shall be given the opportunity to comment prior to adoption of proposed amendment.

Executed this 21<sup>st</sup> day of October, 2015.

BONNER WEST LOG YARD TARGETED ECONOMIC DEVELOPMENT DISTRICT  
ADVISORY BOARD

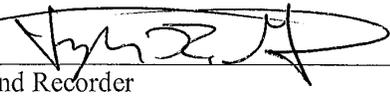


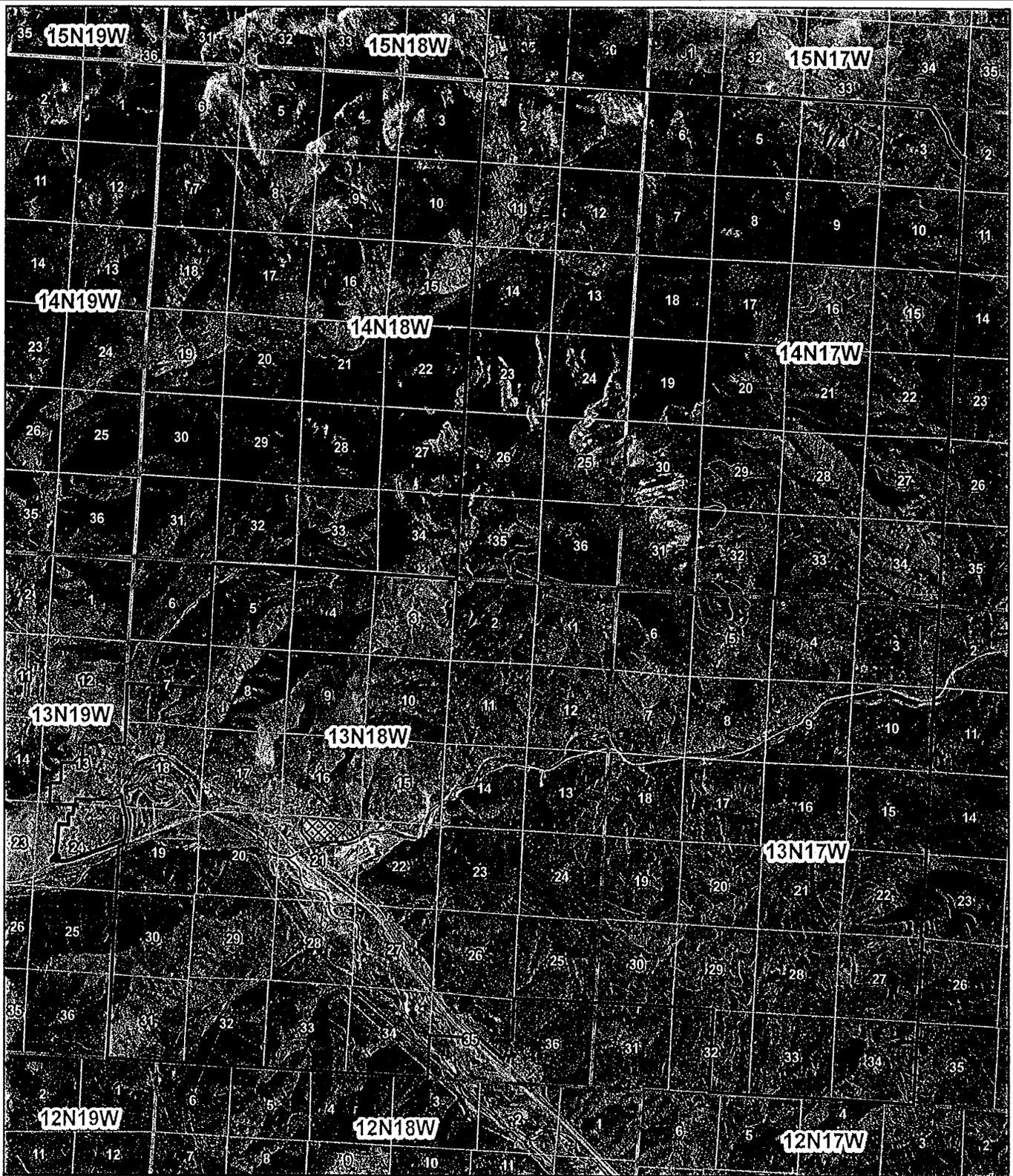
Chair

Authorized by the Board of County Commissioners on the 20<sup>th</sup> day of October, 2015.

BOARD OF COUNTY COMMISSIONERS  
Missoula County, Montana

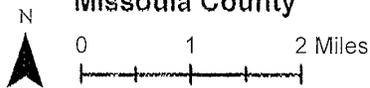
  
Chair  
Commissioner  
Commissioner

Attest:   
Clerk and Recorder



-  Sections
-  Townships and Ranges
-  Bonner West Log Yard TEDD
-  Bonner Community Council
-  East Missoula Community Council

**Bonner Community Council  
and Bonner West Log Yard TEDD  
Missoula County**



This map was created by Missoula County staff in July 2015. 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.

