



Missoula
C O U N T Y

COMMUNITY COUNCIL HANDBOOK

2025

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MISSOULA COUNTY COMMUNITY COUNCIL HANDBOOK

Welcome to the 2025 edition of the Missoula County Community Council Handbook (Council Handbook).

We would like to thank you for your dedication and commitment to Missoula County. Thank you for your many contributions of service that enhance Missoula County's quality of life.

The purpose of this Council Handbook is to provide specific guidance on policies related to the Missoula County Community Councils (Community Councils). It is intended to supplement board training sessions and the Montana Local Government Board Handbook, A Guide to Serving on Boards, Districts, Commissions and Committees 2022 Edition, published by the Montana State University (MSU) Extension Office (Board Handbook).

We hope you will find this Council Handbook and its Appendices useful as you conduct the day-to-day business of your Community Council, and we encourage you to ask questions when a situation arises that is not addressed in this Council Handbook. There are likely improvements that can be made to this Council Handbook, and we welcome your feedback. Please send any comments and suggestions to Missoula County Lands and Communities Office (LAC or LAC Office) so we can continue to improve the Council Handbook in future editions.

Thank you for your service to your community. We hope this Council Handbook will help you in this endeavor.

If you have questions or need further clarification on any of the issues discussed in this Council Handbook, please contact the Missoula Board of County Commissioners (County Commissioners or Commissioners) by calling 406-258-4877 or emailing bcc@missoulacounty.us or the LAC Office by calling 406-258-4657 or emailing lac@missoulacounty.us.

Missoula Board of County Commissioners


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Statement of Purpose

Community Council's shall strive to promote the interests and welfare of its citizens in Missoula County, Montana. In order to accomplish this goal, the Community Council shall serve in a purely advisory capacity; act as a liaison between the County Commissioners and the citizens of their community; to provide useful and beneficial information which will aid the County Commissioners in making decisions regarding the community; to inform citizens of the community of issues and problems before the County Commissioners, which may affect them; to provide leadership and support to the community's efforts to secure orderly growth and development in the 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 community.

Duties and Responsibilities

Council Member positions are elected to advance and promote the interests and welfare of the residents of a community by providing useful, beneficial and helpful information to the County Commissioners that can inform their decision-making process.

Since Council Member positions are elected, members are required to take an oath of office and complete board training at the beginning of each new term.

Council Members are expected to review the Bylaws of the Community Council and this Council Handbook at the beginning of each new term.

Disclosures

Please keep in mind that the purpose of this Council Handbook is to provide operational guidance to Council Members. It may not be inclusive of all rules, regulations and policies that govern boards and councils in the State of Montana. It is the responsibility of each Council Member to remain informed about the evolving landscape of rules, regulations, and policies that may impact your work with the Community Council. Staying up to date on any changes, whether local, state, or federal, will ensure that the Community Council is making informed decisions for the benefit of residents in their respective Council Areas.

We encourage you to regularly review any updates provided by relevant authorities, attend training or briefing sessions, and engage with the County Commissioners and the LAC Office as needed to stay abreast of the latest developments. By doing so, you will be well-positioned to navigate the complexities of governance and make decisions that align with current standards and best practices.

Should you have any questions or need assistance with accessing the most recent updates, please do not hesitate to reach out.

CHAPTER 1: OVERVIEW OF COMMUNITY COUNCILS IN MISSOULA COUNTY

I. Introduction

In general, a community council is an elected group of citizens representing a particular neighborhood or geographic area and which provides focus, leadership, support and continuity to a community.

Missoula County currently has seven (7) Community Councils representing specific regions within Missoula County. The boundaries of the geographic areas and neighborhoods served by Community Councils are defined as Council Areas or Council Boundaries and typically follow existing school district boundaries. See Appendix A for a detailed list of the existing Community Councils and the boundaries associated with the Council Areas in which they serve.

Community Councils are authorized under Montana law and established by residents, often through petition, and then formally recognized by the County Commissioners during a public meeting. Initiative among local residents is necessary to start the process and engage their community.

Community Councils are an integral part of Missoula County's government. One of Missoula County's primary goals for its Community Councils is to help improve communications between the county and areas outside the Missoula urban area. After a Community Council is formed, its success will rely on active participation from diverse interests and meaningful interaction among citizens, grounded in mutual respect. Local leadership is necessary in building support for the Community Council which may take time and will require ongoing effort to maintain.

II. Purpose and Authority of Community Councils

Community Councils build community and bring citizens together around not only exciting projects, but difficult issues as well. Community Councils often embark on community discussions that take a significant amount of time, and which may be challenging to work through.

One of the primary roles of the Community Councils is to serve as an official conduit of information and a communication link between the citizens outside the Missoula urban area and the governing body of Missoula County, namely the County Commissioners. Community Councils disseminate information to citizens and provide a forum for the discussion of local issues, which may include, but not be limited to, public health and safety, economic development, housing, land use planning and zoning, infrastructure needs and parks and recreation. Community Councils provide input and recommendations to the County Commissioners and are intended to advance and promote the interests and welfare of the citizens it represents.

Additionally, Community Councils serve to facilitate communication with other local, county, state, federal and tribal government agencies, and with other organizations or individuals.

a. Authority of Community Councils

Community Councils serve in an advisory capacity, solely to the County Commissioners. Community Councils have the authority to provide recommendations and comments to the County Commissioners on issues within or which may impact their respective Council Areas. Comments and recommendations provided by Community Councils to the County Commissioners through letters, emails, and other methods are utilized by the County Commissioners to make decisions on various projects and to stay informed about important issues facing the areas served by Community Councils, often located in rural areas of Missoula County.

Community Councils have the authority to recommend to the County Commissioners the creation of additional governance tools, such as business or special improvement districts and multi-jurisdictional districts. Community Councils can also connect agencies or groups in their Council Area with various departments in Missoula County for purposes of applying for and receiving grant funding for local initiatives. However, Community Councils are not a separate legal entity and, as such, are not authorized enter into *any* contracts or agreements. The only method in which a Community Council may receive grant funds is if a department of Missoula County administers the funds on behalf of the Community Council. Community Councils are encouraged to undertake such projects to address issues of local concern that are not necessarily initiated by the County Commissioners.

Although Community Councils are established to independently serve their communities, it is important to remember that their role is limited to serving in an advisory capacity and as a liaison to and an extension of the County Commissioners. Because of this, Community Councils are extremely valuable to the County Commissioners, especially when they can provide perspective about the range of issues and opportunities associated with projects and programs in their communities.

See Appendix B for more detailed examples of the types of activities Community Councils may be involved with and the outreach considerations associated with various methods of community engagement.

b. Limitations on Authority

Community Councils are limited to serving in an advisory capacity. Community Councils are *prohibited* from the following:

- Imposing its will on the citizens of the communities they serve.
- Levying taxes or asserting other governmental powers.
- Adopting planning policies or zoning regulations.
- Provide written comment advising tribal, state, federal or other entities on projects, grants, or other policies. If a Community Council wishes to comment on any project or issues which are handled by state, federal, or tribal agencies, the Community Council must submit its request and comments to the County Commissioners, so that the

County Commissioners can make the formal recommendation to the respective state, federal or tribal agency. However, and for informational purposes only, Community Councils are permitted to have informal communication with agencies outside of Missoula County and their respective Council Areas.

- Entering into contracts or agreements or apply and directly receive donations or grant funding (except for grants administered by a department of Missoula County on behalf of the Community Council). Community Councils are not formal legal entities and have no binding legal authority.
- Taking a position during an election on candidates, ballot initiatives and/or referenda.
- Taking positions on local, state and federal bills.
- Lobbying the Montana Legislature. As mentioned above, the process for Community Councils to express its opinion about legislative initiatives it to make recommendations to the County Commissioners.
- Receiving compensation. No Community Council or its Council Members (defined in Chapter 2, below) may *not* receive any compensation for their service and serve in a strictly volunteer capacity.

c. *Duties and Responsibilities*

In general Community Councils have the duty and responsibility to:

- Facilitate communication with and among the boards that govern community infrastructure.
- Communicate regularly with the citizens of the community it represents through printed and/or social media, town meetings and any other approved means necessary to obtain the opinions, comments and suggestions regarding local issues.
- Provide a transparent and open public forum for citizens that facilitates an unbiased discussion of all sides of community issues.
- Follow and attend meetings of the County Commissioners and other Missoula County boards and commissions, as necessary and to remain informed on important community issues.
- Consult with Missoula County planning staff regarding growth policies, area and issue plans and developments, as well as the adoption or modification process and implementation of planning initiatives.
- Keep a record of all acts, meetings and monies received and disbursed by the Community Council.
- Follow Montana law and Missoula County policies, as they relate to open meeting requirements, public records provisions, fiscal policies and personnel policies.
- Prepare meeting agendas and minutes for distribution to the County Commissioners and recording with the Missoula County Clerk and Recorder's Office (Clerk and Recorder).
- Prepare an annual report summarizing the activities and expenditures of the Community Council during the previous year.

The information described above in subparagraphs a. through c. serves a summary of the duties, roles and responsibilities of Community Councils and it is not exhaustive.

CHAPTER 2: STATE LAW AND GOVERNANCE

I. State Law

a. Authority

Montana Code Annotated (MCA) Sections 7-3-111 and 7-3-417 authorize local governments, following adoption by voters, to establish community councils for purposes of advising governing authorities.

b. Formation

The County Commissioners establish the procedures for forming a Community Council. The LAC Office is available to guide citizens through the formation process. The general steps necessary to form a Community Council are as follows:

- i. Meet with the LAC Office
- ii. Inform and petition the community
- iii. Officially present community petition to the County Commissioners
- iv. Hold public meeting(s) in the community
- v. Public hearing(s) of the County Commissioners
- vi. Ballot vote to community
- vii. Selection of initial Council Members

See Appendix C for a detailed description of each step in the public process associated with forming a Community Council.

II. Governance

a. Bylaws

Each Community Council has a set of Bylaws for purposes of governing its operations and establishing its purpose, duties, roles, management structure as well as procedures for meetings and voting. Although the Bylaws for each Community Council may vary in detail, the County Commissioners have adopted general policies that guide the Bylaws for councils in Missoula County. The Bylaws, and any amendments made thereto, are an official document prepared by the Community Council, reviewed by the Missoula County Attorney's Office (County Attorney), approved by the County Commissioners, and filed with the Clerk and Recorder.

Council Members are reminded that Community Council Bylaws do not override federal, state or local regulations.

Appendix D sets forth the form and content of the Bylaws to be utilized by each Community Council.

The key components of the Bylaws include:

- i. **Duties and Responsibilities.** Article 4 of the Bylaws formalizes the specific duties and responsibilities of the Community Council, which are also set forth above in Chapter 1, Section II.
- ii. **Council Members, Term, Elections and Termination.** Article 5 of the Bylaws establishes the procedures for election and termination of the Council Members. Pursuant to MCA 7-3-417, community councils shall consist of at least three members (Council Members). The County Commissioners have established that each Community Council serving Missoula County shall consist of five (5) or seven (7) Council Members with up to two (2) alternates. The initial Council Members are appointed by the County Commissioners unless the community requests to wait until the next special district election to choose initial Council Members. All future Council Members are elected in the special district election. As established by the County Commissioners, the initial Council Members of a newly formed Community Council serve one (1), two (2) and three (3) year staggered terms, where a term runs from June 1 through May 31. Thereafter, the term of office for a Council Member is three (3) years. Council Members must be registered voters and a resident of the Council Area.

The Missoula County Elections Office (Elections Office) administers the elections of Council Members pursuant to MCA 13-1-104(3) and 13-1-305. A resident who wishes to become a Council Member, must file as a candidate, by submitting the appropriate forms with the Elections Office which include a Declaration for Nomination and Oath of Candidacy. All candidates must submit their documentation with the Elections Office within the filing deadlines in the special district election. The most recent form of the Declaration for Nomination and Oath of Candidacy should be obtained from the Elections Office at the time of a candidate's filing.

Council Members are often recognized as leaders in their community and are extremely important to both local citizens and to the County Commissioners. To maintain this high level of regard, the County Commissioners encourage Council Members to serve their entire term. However, there are times when a Council Member resigns before their term expires. Resignations from the Community Council shall be in written form (either in letter or email) submitted to the Council Member holding the chair position and to the County Commissioners. The effective date of resignation must be stated.

Council Membership may be terminated by a Council Member's resignation, by a Council Member ceasing to reside within the Council Area, or by failing to meet the obligations of their office.

Vacancies shall be filled by appointment by a qualified elector who has completed an application expressing their qualifications and interests in filling the vacancy and submitted it to the County Commissioners. After the applications have been validated, the qualified elector(s) shall be appointed by

the commissioners to fill the vacancy(ies). The County Commissioners issued a Memorandum dated December 10, 2024 as BCC 2024-199 entitled "Council Vacancies" (the Council Vacancy Memorandum) which provides additional guidance and clarification associated with filling Council Member vacancies. A copy of the Council Vacancy Memorandum is attached as Appendix E.

- iii. **Officers, Term and Election Process.** Pursuant to Article 6 of the Bylaws, the Community Council shall elect from its Council Members a chair, a vice chair, a secretary and treasurer at the first meeting following annual elections (Officers). The Officers serve a one (1) year term. Officers are responsible for day-to-day operations, such as recording keeping and presiding over meetings. See Article 6 of the Bylaws for additional information associated with the duties assigned to each Officer.
- iv. **Meetings.** Article 7 of the Bylaws establishes the meeting rules of the Community Council. See Chapter 3 below for more detailed information regarding meeting requirements and procedures.
- v. **Code of Ethics.** Pursuant to Article 8 of the Bylaws, Council Members are considered governmental officials and as such are required to follow the Montana Code of Ethics established in MCA 2-2-101 et seq. Additional discussion regarding the Code of Ethics can be found in Chapter 3 of this Council Handbook.
- vi. **Committees.** Article 12 of the Bylaws authorizes the formation of committees within the Council Members.
- vii. **Amendment.** Article 14 of the Bylaws establishes the procedures for amending or modifying the Bylaws of a Community Council.

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CHAPTER 3: STANDARD OPERATING PROCEDURES

The County Commissioners have developed standard operating procedures to accompany the governing rules established in the Bylaws of a Community Council. Described in this Chapter 3 are the standard operating procedures to be followed by Community Councils and its Council Members.

I. Open Meeting Law Requirements

a. ***Sunshine Laws***

MCA 2-3-101 et seq. requires government agencies, including its affiliated advisory boards, councils and committees to be transparent and provide opportunities for citizens to participate in the operation of government and provide input prior to final decisions of the government agency, its boards, councils and committees. The rules and regulations surrounding transparency are more commonly known as “sunshine laws” and are broadly interpreted by the County Commissioners to apply to all facets of Community Councils.

b. ***Open Meeting Law***

In accordance with MCA 2-3-201 et seq., all meetings held by Community Councils, including any of its committees or subcommittees, must be open to the public and properly noticed where all meeting agendas and meeting minutes must also be kept and made available to the public. Additionally, Community Councils and their Council Members are required to keep all written communication, both sent and received, accessible to the public.

II. Meetings and Meeting Documentation Requirements

a. ***Definition of a Meeting***

A “meeting” is defined under MCA 2-3-202 as the “convening of a quorum of the constituent membership of a public agency or association described in MCA 2-3-203, whether corporal or by means of electronic equipment, to hear, discuss, or act upon a matter over which the agency has supervision, control, jurisdiction, or advisory power.”

Article 7 of the Bylaws governs meetings of Community Councils and states that a meeting occurs when a quorum of Council Members, defined as a majority of standing board members, convene by any means and hear, discuss or act upon issues they act in an advisory power over. *No action of the Community Council may be taken unless authorized by a quorum of the Council Members.*

b. ***Meeting Schedule***

For purposes of increasing citizen engagement, Community Councils are required to schedule regular meeting times and locations and are required to hold regular meetings once per month at least nine (9) months each calendar year Pursuant to Article 5, Section V, the County Commissioners may dissolve a Community Council if Council Members fail to hold a meeting

for six (6) months. Special meetings, outside of regularly scheduled meetings are permitted if there is an urgent matter to be discussed.

c. Meeting Location

Meetings may be held in person and remotely on virtual platforms, so long as all open meeting rules regarding the public's right to participate and right to know are adhered to. All in person meetings shall be conducted in a neutral public building and must comply with the Missoula County Accessibility Policy for Persons with Disabilities as well as the Americans with Disabilities Act.

d. Meeting Notices, Agendas and Minutes

- i. **Meeting Notices.** Community Councils are required to provide adequate notice of regularly scheduled meetings at least seven (7) calendar days in advance of the meeting. If there is a need for a special meeting, notices shall be provided at least two (2) calendar days in advance. Meeting notices must be made using consistent reliable means and shall be readily available to and accessible by the public. Community Councils may provide notices through several methods, including but not limited to:

- Electronic communication such as email and website postings.
- Physical posting of flyers or newsletters in local newspapers or bulletins at schools, community centers, post offices and markets. Please note, that formal advertisement of meetings in a newspaper is not required.
- Although it is not required, Community Councils often create their own social media platform pages for purposes of sharing information about the Community Council activities it is involved in. Any social media platform created by a Community County must also include a link to the Missoula County website.

All forms of communication, including that on social media platforms, are required to be easily accessible and compliant with the Missoula County Accessibility Policy for Persons with Disabilities and the Americans with Disabilities Act.

- ii. **Meeting Agendas.** Pursuant to MCA 2-3-202 Community Councils are required to provide meeting agendas and make the agendas readily available and accessible by the public using the same methods described above in subparagraph i. Accordingly, Community Councils are required to provide agendas associated with the regularly scheduled meetings at least two (2) calendar days in advance of the meeting and at least two (2) calendar days in advance for special meetings.

In addition to posting of agendas, Community Councils are required to make the agendas available to all meeting participants at each meeting. Article 9 of the Bylaws establishes the order in which business shall be conducted at regular meetings. See Appendix F for a sample agenda.

- iii. **Meeting Minutes.** In accordance with MCA 2-3-212, Community Councils are required to maintain written minutes of each meeting, both regularly scheduled meetings and special meetings for purposes of keeping an official record of the items discussed at the meeting and any decisions made. Meeting minutes also serve to further public engagement by keeping those unable to attend the meeting informed of the issues being discussed.

Pursuant to MCA 2-3-212, Community Councils must submit, for recording, all minutes to the Clerk and Recorder Office within thirty (30) days after the minutes have been approved by the Community Council.

- iv. **Documents Submitted to the LAC Office.** To ensure Community Councils comply with Montana's Open Meeting law established in MCA 2-3-201, the LAC Office assists all Community Councils with publishing meeting notices, agendas and minutes on the Missoula County website established for each board and commission in Missoula County, including all Community Councils. Community Councils are required to submit the following to the LAC Office via email at lac@missoulacounty.us:

- Meeting notices and meeting agendas seven (7) calendar days prior to a regularly scheduled meeting and if possible, five (5) calendar days prior to a special meeting.
- Meeting minutes thirty (30) calendar days following a meeting, including a regularly scheduled meeting or special meeting. Following receipt of the minutes, the LAC Office will coordinate the recording of the minutes with the Clerk and Recorder.

e. *Maintaining a Public Record; Records Retention*

As an advisory board to the County Commissioners, Community Councils are required to keep a copy of their records in a location that is open and accessible to the public. Council Members must be able to inform to the public as to where information about the Community Council can be located. This information should include, but not be limited to:

- **Records.** Day-to-day business records; meeting notices, agendas and minutes; and financial records.
- **Correspondence.** Communication and correspondence to, from and between the Council Members. Communications between and among Council Members, between meetings and outside of the scope of meetings are inherent to carry out the mission of Community Councils. Electronic communications, such as email and text messages, make it easy to not only disseminate information and organize meetings, but they also make it easy to have substantive discussions about issues among all or a portion of the Council Members. This type of electronic communication must be limited to logistical issues and not discussions of issues that have been, will be or should be discussed by the Community Council as part of an open public meeting. As discussed above, Community Councils are subject to open meeting laws. To ensure transparency,

Council Members are required to submit any such communications into the Council Meeting records or added to an upcoming agenda for discussion.

The Local Government Records Committee, in accordance with MCA 2-6-1202, establishes local government records retention and disposition schedules for various local government units. Community Councils, as an arm of local government are subject to the retention and disposition schedules established by the Local Government Records Committee which include, but are not limited to the following schedules:

- Schedule 1 - General Records Retention Schedule
- Schedule 5 - Accounting and Financial Records Retention Schedule

Copies of the above retention schedules established by the Local Government Records Committee are published by the Montana Secretary of State.

III. Meeting Facilitation Guidelines

a. Rules and Expectations

It is recommended that Council Members set meeting rules and expectations at the beginning of each meeting to be mutually agreed on by the Community Council and meeting participants. The rules shall direct meeting participants to:

- Be respectful and not interrupt one another.
- Listen fully and sincerely try to understand the perspectives of other participants.
- Adhere to any time limits set by the Council Members when providing public comment.
- Agree not to attack or blame.
- Ask questions to help further the understanding of a situation or a participant's perspective.
- Express oneself in terms of personal needs, interests and preferences instead of establishing a position on a subject.
- Turn off cell phones and any other distracting electronic devices.

Setting ground rules for meetings and discussions help to facilitate constructive dialogue in a community, and can be extremely useful when Community Council is engaged in a public discussion that includes broad participation of community members, not just Council Members.

b. Taking Public Comment

Pursuant to MCA 2-3-103 and to promote public participation, all meetings held by Community Councils must provide the participants with the opportunity for public comment. Agendas, described above in Section II, are required to set aside time for public comment on both specific items listed on the agenda as well as any items not listed on the agenda.

For public comment on items not on the agenda, a Council Members must not discuss these issues in any detail, but rather decide if and when the Community Council wants to discuss them and place them on the appropriate subsequent meeting agenda.

The agenda item setting time aside for public comment associated with items not on the agenda should not include specific details about topics for discussion or individuals wishing to comment. Public comment may be taken or for continued discussion of old business items over a series of meetings, and should be noted as such on the agenda. New business to be discussed by the Community Council shall be postponed to the next regularly scheduled meeting and appropriately advertised beforehand to ensure the public has adequate opportunity for public comment and participation.

c. Meeting Guidance

The chair or vice chairperson, defined in the Bylaws, facilitates the meetings of Community Councils. In the absence of either the designated chair or another officer, a substitute should be chosen by attending Council Members; all public meetings require an acting chair and acting secretary.

The County Commissioners advise Community Councils to be inclusive and to fully consider all sides of an issue raised by participants in a meeting. Additional steps may sometimes be warranted to ensure all participants are comfortable enough to fully participate and to avoid having certain individuals or groups overrun a meeting or discussion. Sometimes it may be prudent for a Community Council to set time limits for public comment on a particular topic to ensure all members of the public have equal opportunities comment. To address these situations, it may be advisable at times to use ground rules and/or work with a facilitator or mediation specialist.

A third-party facilitator or mediator allows all Council Members and community participants to participate at the same level. This may be an essential element to fair and open communication on a particular topic. There are a number of individuals with extensive experience in facilitation located geographically throughout Missoula County. Community Councils can contact the LAC Office for assistance in evaluating the need for a facilitator or mediator. Community Councils are encouraged to find individuals in their communities or area who have professional facilitation or mediation experience and assess their willingness to assist a Community Council when it is needed and also to determine the fees associated with this type of service. Additionally, councils may contact LAC to evaluate the need for facilitation of a meeting or discussion and identify potential facilitation resources.

IV. Special Meetings and Events

a. Meetings of Subcommittees

Community Councils are authorized to form subcommittees for purposes of handling specific issues or topics related to that Community Council's Council Area. Subcommittees provide residents in the Council Area with additional opportunities to participate in the operation of the Community Council. Subcommittees are subject to the same meeting requirements of the Community Council and its Council Members described above in subsections I, II and II, above.

This includes adhering to open meeting laws, public notice requirements, the providing of agendas and keeping minutes.

Subcommittees may consist of residents located in the Council Area and must contain at least one Council Member. The Council Member serving on a subcommittee will serve as the liaison with the remaining Council Members and the LAC Office. It is expected that the Council Member will provide a standing subcommittee update on all Community Council meeting agendas. Any recommendations to be made by a subcommittee shall be brought to a meeting of the Community Council for final decision.

b. *Forums and Informational Events*

Community Councils may serve as forums for citizens in their Council Area to share information, so long as the forums are conducted in a fair and open manner and meets all open meeting law requirements set forth in MCA 2-3-201 et seq. described above in subsections I through III. This includes adhering to public notice requirements.

For example, a Community Council to hold a “Meet the Candidate Forum” for purposes of introducing candidates running for state and local elections. “Meet the Candidate Forums” or other events are not to be utilized as a debate forum and should be limited to informational purposes only. In the case of a “Meet the Candidate Forum” the Community Council shall, in the least, incorporate the following procedures:

- All candidates from a particular office must be invited. Although not all offices up for election are required to be included in a “Meet the Candidate Forum”, all candidates for the elected seat being hosted must be invited. For example, if one candidate running for the State House of Representatives is invited, all other candidates running for that office must be invited, even if that candidate chooses not to attend. See Appendix G for a sample invitation which can be utilized for a “Meet the Candidate Forum” or other such informational forum.
- Each candidate attending shall be provided with equal time to present. Same applies for questions ask by the participants attending the forum. If a question is asked by the audience or event moderator, each candidate shall be given the same amount of time to answer the question.
- Event format shall be made clear to all parties attending. For example, if the event is intended as a time to meet candidates, make it clear that this is the purpose of the event. Distinguishing what is *not* included in the event may be useful.
- Define the level of participation from the audience. For example, the Community Council and local citizens may want to prepare a set of questions ahead of time to help ensure that issues addressed during the event are of particular interest to the community. Or, if the audience will be able to pose questions at the event, the Community Council may want to develop a procedure for asking and answering questions presented in person or through a moderator.

Community Councils may consider engaging a neutral, third-party moderator for forums and information events to assist with keeping the meeting on schedule, directing the question answer period or diffusing unwanted debates.

Community Councils are prohibited from taking a position during an election on candidates, ballot initiatives and/or referenda. They are also prohibited from taking positions on local, state and federal bills and from lobbying the Legislature or Congress. A Community Council may express its opinion about legislation to the County Commissioners, and individuals may take a position or testify on their own behalf, but not as representatives of a Community Council.

V. Additional Responsibilities of Council Members

The County Commissioners recognize that Council Members are volunteer members who dedicate thousands of hours of service which provide significant benefit to the citizens in their community. As leaders, facilitators, communicators and educators, Council Members are required to complete training and adhere to certain rules of conduct described in more detail in the subparagraphs below.

a. Oath of Office

Every Council Member, whether elected or appointed, is required to be sworn into office by taking an oath of office at the beginning of every new term, even if that Council Member is renewing their term. Pursuant to MCA 1-6-101, Council Members may be sworn in by any notary public, elected official, judge, clerk of court, County Commissioner, or already sworn in Council Member. The oath of office must also be given in front of a notary public for purposes of completing the form shown in Appendix H. The original Oath of Office shall be recorded with the Clerk and Recorder.

The oath of office is as follows:

"I do solemnly swear (or affirm) that I will support, protect and defend the constitution of the United States, and the constitution of the State of Montana, and that I will discharge the duties of my office, (Council Name) (Name of Community Council member), with fidelity (so help me God)."

b. Training

- i. **Board Training.** All Council Members are required to complete board training at the beginning of each new term of office and within the first thirty (30) days of each new term of office. Missoula County and City of Missoula alternate hosting board trainings in the spring and fall every year, and Council Members are welcome to attend either training. Please contact the LAC Office for information about scheduling. If supplemental training opportunities are available, Missoula County will provide information about those opportunities to Council Members.
- ii. **Board Handbook and Council Handbook.** New Council Members are required to review the Board Handbook and the Council Handbook. Electronic

copies are available on the Missoula County website and hard copies can be made available by request to the LAC Office.

- iii. **Townhall Meetings.** Missoula County hosts monthly All Community Council Town Hall meetings. The meetings are held virtually and the purpose is to share experiences among the Community Councils – both successes and challenges – and to provide a forum for discussing additional needs of Community Councils. All Community Council Town Hall meetings provide opportunities for Missoula County staff and other agencies to present information and updates on projects that may be important to the Community Councils. Although it is not mandatory, all Council Members are encouraged to attend the All Community Council Town Hall meetings; however, at a minimum, each Community Council is required to have one (1) Council Member present at the Town Hall meetings.

c. *Obligations*

Council Members shall comply with Missoula County policies and procedures, as they relate to open meeting requirements, public records provisions, fiscal policies and personnel policies. For purposes of effectively representing their Council Area, the County Commissioners expect Council Members to remain neutral and set aside personal preferences.

In accordance with open meeting law, Council Members are expected to be open and transparent, even while working through difficult community discussions and must ensure that no member of the community is purposely excluded from discussions and that all viewpoints are included in the discussion. It is the duty of Council Members to ensure all parties are informed and heard in discussion before the Community Council.

d. *Ethics*

Council Members, as a holder of a public office, shall be guided by the Montana Code of Ethics set forth in MCA 2-2-101 et seq. and more particularly, MCA 2-2-121, which outlines the rules of conduct for public officers and public employees. Additionally, pursuant to MCA 2-2-104(1)(b), gifts to individual members may not exceed a value of \$100 in any fiscal year.

All Council Members must keep in mind that their duties and obligations as a Council Member are for the benefit of the community in which they serve. Individual Council Members when speaking on behalf of a Community Council shall promote the perspective and recommendation of the Community Council and be careful to distinguish when a position is their own personal opinion and not that of the Community Council. Council Members can effect change and help communicate perspectives and recommendations of their community to the County Commissioners.

e. *Conflict of Interest*

The County Commissioners recognize that Council Members are frequently involved in many volunteer activities within their community and that there is a potential for conflicts of interest to arise. A conflict of interest can occur when an individual's personal interests conflict with

their duty as a Council Member to uphold the public interest. One key to evaluating conflict of interest is to determine whether a Council Member would receive direct financial benefit from the outcome of the actions of the Community Council.

Council Members are often elected or appointed specifically because of their unique experiences and background with a particular issue or issues, such as education, natural resource management, farming, local business, real estate, social issues.

In the event that there is a conflict of interest or the potential perception of a conflict of interest, a Council Member is advised to declare a real or potential conflict of interest to their Community Council to ensure transparency of all activities of the Community Council. *It is the responsibility of the Council Member to avoid a conflict of interest and to publicly resolve any real or potential conflicts of interest.*

Council Members shall fully disclose any business or professional activity that has the potential to create a conflict of interest as it relates to their position on the Community Council. When such a disclosure is made in a public meeting, the minutes shall reflect the disclosure and the Council Member shall refrain from voting on the matter and abstain from any votes.

If a Council Member encounters a situation in which he or she must take a position because of personal or professional interests, it should be made clear that they are operating outside the position as a Council Member.

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CHAPTER 4: FINANCIAL OBLIGATIONS AND OPPORTUNITIES

I. Missoula County Funding

The County Commissioners ensure basic operational funding so that each Community Council begins the Fiscal Year with no less than \$1,000 in its operating budget. Operational funding is generally described as funding to be utilized for meetings and services provided by the Community Council and which support the day-to-day functions of the Community Council. Community Councils typically use their annual funding for post office box rentals and costs associated with mailings, advertising, meeting room rental and other expenses associated with general operations and activities. If a Community Council has questions regarding the utilization of specific funding for expenses, they can reach out to the LAC Office.

Community Councils with less than \$1,000 in their accounts are funded to bring the balance up to \$1,000 at the start of each fiscal year. The fiscal year for Missoula County and its boards, councils, and committees is July 1st through June 30th of each year.

Similar to other departments, agencies and non-governmental organizations that receive funding from Missoula County, Community Councils are required to go through Missoula County's budget process each year. The LAC Office assists Community Councils with the budget process. Community Councils are required to provide to the LAC Office a funding request and supporting documentation outlining its workplan for the coming fiscal year by June 30th each year, even if no additional funding is being requested. See Appendix I for the Request for Funding Form to be utilized by Community Councils.

Between May and August, County Commissioners conduct an initial review of all budget proposals. This process involves evaluating Missoula County's financial status, setting priorities, holding public meetings to review proposals, and making decisions on enhancement requests. Generally, final decisions are made on the budget after the Montana Department of Revenue releases its certified taxable values to all counties in Montana. This report is completed by the Montana Department of Revenue in the month of August, and the information it utilized by the County Commissioners to determine budgets and tax levies during a final budget hearing. The details of each budget year vary, Community Councils must contact the LAC Office annually regarding the budget calendar.

II. Annual Financial Reporting

Community Councils are required to report their annual expenditures and progress on its work plan by June 30th of each fiscal year. Each Community Council is required to submit this report to the LAC Office even if it is not requesting additional funding for the coming fiscal year. See Appendix J for the Annual Expenditure Report Form to be utilized by Community Councils.

III. Bank Accounts

Each Community Council is required to establish its own bank account and, as part of its monthly operations, review the account through a report provided by the treasurer of the

Community Council. The Community Council treasurer's report shall be an agenda item at every regularly scheduled meeting of the Community Council. All Council Members are required to approve all expenses, in writing.

IV. Additional Funding Sources

Since Community Councils are not separate legal entities and not authorized to enter into binding legal agreements, they shall not accept or directly receive grant funding or donations, except for grants administered by a department of Missoula County on behalf of the Community Council.

If a community has a proposed project, its Community Council may serve as a liaison with various departments in Missoula County or other local agencies for purposes of identifying, coordinating the application for and receiving grant funding opportunities. Alternatively, Missoula County may administer project specific funding directly to the community or associated community entity for purposes of funding local initiatives. All grant opportunities shall be approved by vote of the Community Council and which vote shall be reported to the LAC Office within seven (7) days upon approval by the Council Members.

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CHAPTER 5: MISSOULA COUNTY SUPPORT FOR COMMUNITY COUNCILS

Missoula County, through the office of the County Commissioners and the LAC Office, provides limited support to Community Councils to facilitate local discussions and advise the County Commissioners. The primary goal for this support is to ensure Community Councils have access to information and resources so they can operate smoothly and guide community discussions in accordance with Missoula County policies. Additionally, the LAC Office connects Community Councils to relevant agencies and partners on specific projects as resources allow.

I. Council Membership

The terms and membership requirements for Council Members (and all other advisory board members) are monitored and tracked through the office of the County Commissioners. The office of the County Commissioners assists with advertising openings, accepting and reviewing applications and coordinating with the Elections Office for new Council Members.

II. Administrative Support for Established Community Councils

The LAC Office can provide limited staff support to Community Councils in the following areas:

- Community Council formation and dissolution
- Budget funding
- Council Member vacancies
- Board training requirements
- Oaths of Office
- Agenda and minute guidelines
- Bylaw revisions and updates
- Council Handbook and resources
- Operational logistics and communications support

a. **Community Council Formation and Budget Requests**

As previously mentioned in Chapter 2, the County Commissioners establish the procedures associated with forming a Community Council. The LAC Office is responsible for guiding citizens through the formation process.

The LAC Office works with new Community Councils to draft Bylaws, schedule its first public meeting, and assist in the procurement of operational funding from Missoula County as well as guide the Community Council with the preparation of the Annual Expenditure Report.

b. Community Council Dissolution

The LAC Office guides a Community Council through the process of dissolution, if necessary. Pursuant to Article 5, Section V of the Bylaws, the County Commissioners, in their sole discretion, may dissolve the Community Council under such circumstances as the County Commissioners deem appropriate and in the best interests of the residents in the Council Area. In the event a Community Council is unable to meet due to lack of quorum or it is unable to retain its Council Members for a period of six (6) months, the County Commissioners have the authority to consider a resolution to dissolve the Community Council at a duly noticed public meeting. Council Members shall be given prior notice of all such meetings and an opportunity to be heard. In this event, the LAC Office works closely with the Community Council to ensure all accounts are reconciled, that there is sufficient community outreach associated with the proposed dissolution and that the notice of the public hearing is posted on the Missoula County website.

c. Communications Assistance

A Community Council's method of communication is critical to its success in promoting community involvement and providing an effective forum for public engagement. The LAC Office provides limited assistance to Community Councils to help maximize their effectiveness. The LAC Office may provide assistance with the following:

- **Website.** Posting important documents on the Community Council section of the Missoula County website such as meeting schedules, agendas, minutes and Community Council contact information.
- **Bulk Mailing Permit and Print Shop.** Connecting Community Councils with Missoula County Central Services (Central Services) and the Missoula County Print Shop (Print Shop). Central Services is available to assist with distributing mail using Missoula County's bulk mailing permit to reduce postage costs. The Print Shop is available to assist with the design and printing your mailing as well as guide the Community Council through the process of forming an address list associated with its Council Area. Community Councils may contact Central Services directly at 406-721-5700 or the Print Shop at 406-721-2449. Please reach out as early in the process as possible.
- **News Releases.** The Missoula County Communications Division (Communications Division) will work with the LAC Office to assist Community Councils in preparing media releases, including coordinating with appropriate media contacts and posting to the Missoula County Voice website. All media releases must be sent to the LAC Office.
- **Mailing Lists.** The LAC Office may help develop mailing lists for Community Council outreach. The LAC Office can create the mailing list and initiate the mailing on behalf of the Community Council, with postage paid by the Community Council. It is critical to note that mailing lists developed for Community Councils must only be used for operations associated with the Community Council and directly related to Missoula County. The mailing lists shall not be disseminated in any way for activities unrelated to the operations of the Community Council. Mailing lists shall not be given, sold or

loaned to any other person, business, agency or non-profit organization (MCA 2-6-1017).

- **Liaison.** Serving as a liaison between Community Councils and agencies, nongovernmental organizations, other departments within Missoula County, including the County Commissioners.

d. Professional and Technical Assistance

Missoula County provides limited professional and technical support to Community Councils. For support associated with current programs, regulations and policies, the LAC Office is available to assist Community Councils in identifying appropriate agencies which can provide information on those subjects. The LAC Office also facilitates access to various departments within Missoula County and the divisions that work on a variety of issues such as Planning, Development and Sustainability (land use, rural lands and conservation) Missoula Public Health Programs (air and water quality and public health), Grants and Community Resources (GCR), Public Works (building permits, road, bridge and sewer system infrastructure), and Parks, Trails and Open Lands (land acquisition and improvements for parks and trails). In very limited circumstances, through the request from the LAC Office, the Missoula County Attorney's Office may provide advice as well.

Projects proposed by a Community Council are evaluated by the County Commissioners based on need, benefit to the community and readiness of the community to undertake the project. In many cases, significant projects require an adjustment of, or incorporation into, the budgets of the associated department.

As of the date of this Council Handbook, the Missoula County Technology Department, is able to supply each Community Council with one laptop for business operations. Contact the LAC Office to determine current availability and requirements.

e. Additional References and Resources

The following Appendices have been including as additional reference materials.

- APPENDIX K: Guide to Parliamentary Procedure and Robert's Rules of Order
- APPENDIX L: Montana Code Annotated Applicable to Community Councils
- APPENDIX M: Missoula County Policy for Working with and Serving People with Disabilities
- APPENDIX N: Frequently Asked Questions

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