

# **CITY/COUNTY PLANNING BOARD**

## **BYLAWS**

### **City of Sidney, Town of Fairview and Richland County, Montana**

#### **ARTICLE I - NAME**

##### Section 1. Name

The official name of the organization is the “*City/County Planning Board*”.

#### **ARTICLE II - OFFICIAL SEAT**

##### Section 1. Official Seat

The official seat of the City/County Planning Board is in Sidney, Montana. Regular meetings will be held there except for occasions when the Board, by a majority vote of those appointed members in attendance at any regular meeting, directs otherwise.

#### **ARTICLE III – AUTHORITY & PURPOSE**

##### Section 1. Authority

The Board is authorized under *MCA 76-1-101*.

##### Section 2. Purpose

The purpose of the City/County Planning Board of Richland County is to encourage local units of government to improve the health, safety, convenience, and welfare of their citizens and to plan for the future development of their communities to the end that highway systems be carefully planned; that new community centers grow only with adequate highway, utility, health, educational, and recreational facilities; that the needs of agriculture, industry, and business be recognized in future growth; that residential areas provide healthy surroundings for family life; and that the growth of the community be commensurate with and promotive of the efficient and economical use of public funds. In accomplishing this objective, the planning board shall serve in an advisory capacity to the established governing bodies and officials in Richland County.

The City/County Planning Board is responsible for developing land use planning and policy documents including the growth policy and subdivision regulations that affect all of Richland County including the City of Sidney, Montana, and the Town of Fairview, Montana. These documents are then presented to the respective governing bodies for review and adoption. The City/County Planning Board is further segregated into two (2) standing committees representing the Sidney Jurisdictional Area and the Fairview Jurisdictional Area for the purposes of making recommendations on subdivision plats and development proposals within the respective jurisdictional areas. Subdivisions outside the jurisdictional areas may be referred to the City/County Planning Board for review and recommendation at the discretion of the Richland County Board of County Commissioners.

The City/County Planning Board functions as a joint planning board for issues in each jurisdictional area. However, the Board functions as a consolidated board for issues in the County outside the two jurisdictional areas.

## **ARTICLE IV – MEMBERS**

### **Section 1. Membership**

Standing membership of the City-County Planning Board shall be composed of thirteen (13) members. Four (4) standing members are appointed by the Richland County Board of County Commissioners, four (4) standing members are appointed by the City of Sidney, four (4) standing members are appointed by the Town of Fairview as specified in the interlocal agreement between the three governing bodies. One (1) standing member shall be a member of the Board of Supervisors of the Richland County Conservation District. Temporary additional, temporary citizen members may be appointed by the Richland County Board of County Commissioners for special projects as described in Article IV, Section 6 below.

A majority of the members of the Board constitutes a quorum (7 members). The affirmative vote of a majority of the Board in attendance is required for the adoption of a matter before the Board and jurisdictional committees as long as there is a quorum present.

### **Section 2. Richland County Board of County Commissioners Appointments to City/County Planning Board**

The Richland County Board of County Commissioners shall appoint four (4) standing members, according to the following:

- two official members who reside outside the city limits but within the jurisdictional area of the city-county planning board to be appointed by the board of county commissioners, who may in the discretion of the board of county commissioners be employed by or hold public office in the county;
  
- two citizen members who reside within the jurisdictional area of the city-county planning

board to be appointed by the board of county commissioners;

### Section 3. City of Sidney Appointments to City/County Planning Board

The City of Sidney and the Mayor shall appoint four (4) standing members according to the following:

- two official members who reside within the city limits to be appointed by the city council, who may in the discretion of the city council be employed by or hold public office in the city;
- two citizen members who reside within the city limits to be appointed by the mayor of the city;

### Section 4. Town of Fairview Appointments to City/County Planning Board

The Town of Fairview and the Mayor shall appoint four (4) standing members according to the following:

- two official members who reside within the city limits to be appointed by the city council, who may in the discretion of the city council be employed by or hold public office in the city;
- two citizen members who reside within the city limits to be appointed by the mayor of the city;

### Section 5. Richland County Conservation District Member

One (1) standing member of the City/County Planning Board shall be a member of the Board of Supervisors of the Richland County Conservation District, according to the following:

- the ninth member to be appointed by the board of supervisors of a conservation district provided from the members or associate members of the board of supervisors, subject to approval of the members.
- if there is no member or associate member of the board of supervisors of a conservation district who is able or willing to serve on the city-county planning board. In that case, the ninth member of the city-county planning board must be selected by the eight officers and citizen members, with the consent and approval of the board of county commissioners and the city council.

### Section 6. Additional Temporary Members

The Richland County Board of County Commissioners may appoint other community members, at their discretion, to serve on the Planning Board for a specified project such as developing or reviewing the growth policy or subdivision regulations or as part of reviewing a specific subdivision

or development. These additional temporary appointees shall only vote on recommendations specific to their appointment. The terms of temporary appointments end when the specified project is completed.

#### Section 7. Sidney Jurisdictional Area Committee Membership

The standing Sidney Jurisdictional Area Committee shall consist of nine (9) members, consisting of the four (4) City/County Planning Board members appointed by the Richland County Board of County Commissioners and the four (4) City/County Planning Board members appointed by the City of Sidney. One (1) member shall be the representative from the Richland County Conservation District.

This Committee will review and provide recommendations on subdivisions located within the adopted Richland County/City of Sidney Jurisdictional Area to the City of Sidney or the Richland County Board of County Commissioners, as appropriate.

The Sidney-Richland County Jurisdictional Area is a mapped area adopted by the Richland County Board of County Commissioners and the City Council of Sidney as the designated area that the Sidney Jurisdictional Area Committee may review and give recommendations to the appropriate governing body. A copy of the map of the adopted jurisdictional area is on file at the Richland County Courthouse and the City Hall of Sidney, Montana.

All appointed City/County Planning Board members may review and provide input on all subdivisions located within the Sidney Jurisdictional Area; however, only the designated members of the Sidney Jurisdictional Area Committee shall vote on the recommendations to the respective governing body.

Actions by the Sidney Jurisdictional Area Committee will require a double quorum: 1) a quorum of the Planning Board (7 members); and 2) a quorum of the Jurisdictional Area Committee (5 members).

#### Section 8. Fairview Jurisdictional Area Membership

The standing Fairview Jurisdictional Area Committee shall consist of nine (9) voting members consisting of the four (4) City/County Planning Board Members appointed by the Town of Fairview, four (4) members of City/County Planning Board members appointed by the Richland County Board of County Commissioners. One (1) member shall be the representative from the Richland County Conservation District

This Committee will review and provide recommendations on subdivisions located within the adopted Richland County/Town of Fairview Jurisdictional Area to the Town of Fairview or the Richland County Board of County Commissioners, as appropriate.

The Fairview-Richland County Jurisdictional Area is a mapped area adopted by the Richland County Board of County Commissioners and the Town Council of Fairview as the designated area that the Fairview Jurisdictional Area. Committee may review and give recommendations to the appropriate

governing body. A copy of the map of the adopted jurisdictional area is on file at the Richland County Courthouse and the Town Hall of Fairview, Montana.

All appointed City/County Planning Board members may review and provide input on all subdivisions located within the Fairview Jurisdictional Area; however, only the members of the Fairview Jurisdictional Area Committee and the Conservation District representative shall vote on the recommendations to the respective governing body.

Actions by the Fairview Jurisdictional Area Committee will require a double quorum: 1) a quorum of the Planning Board (7 members); and 2) a quorum of the Jurisdictional Area Committee (5 members).

#### Section 9. Referrals from outside Jurisdictional Areas by the Richland County Board of County Commissioners

Land use related items such as major subdivisions located outside the two established jurisdictional areas may be occasionally referred to the City/County Planning Board at the discretion of the Richland County Board of County Commissioners. Additional members may be appointed to the City/County Planning Board by the Richland County Board of County Commissioners for that specific purpose. In this case, the City/County Planning Board functions as a consolidated board whereas all thirteen (13) standing members of City/County Planning Board and the additional members shall vote on the recommendations to the respective governing body.

#### Section 10. Terms of Appointments

Terms of office for the thirteen (13) appointed, standing members are two (2) years with the terms ending in alternate years. Terms are assigned by the respective governing bodies. Terms of additional appointments for special projects will terminate upon project completion. The term of the Conservation District representative on the City/County Planning Board corresponds to their term on the Richland County Board of Supervisors of the Richland County Conservation District.

#### Section 11. Member Absences

Any member not able to attend a regularly scheduled meeting shall notify the Executive Secretary and/or the President of the City/County Planning Board by 4:00 p.m. on the day of the next scheduled regular business meeting, except in case of an emergency.

Absences can be excused for family or business travel, work related activities, natural disasters or other emergencies as long as the Executive Secretary and/or the President are notified. Emergencies may be excused by the President after the fact upon notification by member. Notification of previously scheduled family or business travel can be made by email, fax, telephone or in person.

#### Section 12. Member Removal

The President shall provide a recommendation to the respective governing body with regard to the removal of any member who fails to attend four (4) regular business meetings in succession without excused absences. Removal for the foregoing reason may be by a quorum vote of the members at any meeting provided a quorum is present. No member shall be removed unless written notice is mailed or emailed to all standing members at least four (4) days prior to the meeting at which such removal shall be considered. If a member is removed by this process, the President shall request that the affected governing body appoint a qualified replacement for the vacancy.

Members no longer willing or able to serve on the City/County Planning Board should notify the governing body that appointed them to that effect, and ask the governing body in writing to appoint a replacement.

### Section 13. Member Vacancy

- Vacancies occurring on the board of official members and by death or resignation of citizen members shall be filled for the unexpired term by the governing bodies having appointed them.
- Vacancies occurring in citizen members on the county planning board at the end of a term shall be filled by the board of county commissioners.
- Vacancies occurring in citizen members on the city-county planning board at the end of a term shall be filled alternately by the mayor and the board of county commissioners represented on the board, commencing with the mayor.
- In the event more than one city is represented on a board, the representation and appointments to be made by the respective cities and counties shall be by agreement and rule of the board.

## **ARTICLE V - OFFICERS**

### Section 1. Officers

The Elective Officers of the City/County Planning Board include a President and Vice-President. The Richland County Planning Department Director will serve as Executive Secretary of the Board for administrative purposes.

### Section 2. Nomination and Election of Officers

Nomination of Elective Officers will be made from the floor at the annual election meeting, which will be held at the end of the first regular meeting of each calendar year. The election will follow immediately thereafter. Officers may be nominated from among the appointed Board Members only. A nominee receiving a majority vote of those present at the election will be deemed elected.

### Section 3. Terms of Officers

The Elective Officers take office at the end of the first regular meeting in January (the first Tuesday of the month) and serve for a term of one year. Any officer may serve for successive terms.

### Section 4. Vacancies in Offices

Vacancies in Elective Offices will be filled immediately by regular election procedure for the unexpired portion of the term.

### Section 5. Acting President in the Absence of the President and Vice-President

In the event that the President or Vice-President are not able to attend a meeting, and a quorum of the City-County Planning Board is present, an acting President shall be selected by the membership at the meeting for the purpose of conducting that meeting. This person will assume the duties and powers of the President and the Vice-President for that meeting.

### Section 6. Duties of Officers

#### (a) President

The President will preside at all meetings and public hearings of the City/County Planning Board and will call special meetings when he or she deems them necessary or is required to do so. Unless the President is specifically a member of the jurisdictional area committee as stated in Article IV, Sections 7 or 8 in these bylaws, the President will serve as an ex-officio member of both the Sidney Jurisdictional Area and the Fairview Jurisdictional Area Committees, but without the power to vote.

The President will certify the expenditure of City/County Planning Board funds and sign the minutes of Planning Board Meetings and all official papers and plans involving the authority of the City/County Planning Board which are to be transmitted through the Executive Secretary to the Richland County Board of County Commissioners and the Sidney City Council and the Fairview Town Council. The President may discuss all matters before the City/County Planning Board and make motions and vote on all recommendations or other matters before the Board. The President will perform all the duties normally conferred by parliamentary usage on such officers and will perform such other duties as may be ordered by the City/County Planning Board except as otherwise provided in these by-laws, in other Planning Board resolutions, or in County or City ordinances, or State law. The President will take the lead in the development and adoption of a growth policy for the Jurisdictional Areas/County and related ordinances and regulations.

#### (b) Vice-President

The Vice-President will assume the duties and powers of the President in his or her absence.

(c) Executive Secretary

The Executive Secretary will keep the minutes of all regular and special meetings of the Planning Board. Such minutes will be approved by the Planning Board. He or she will also keep the minutes of Planning Board Committee Meetings, special meetings and standing jurisdictional committee meetings. The Executive Secretary will give notice of all regular and special meetings to Planning Board members, prepare the agenda of regular and special meetings, serve proper and legal notice of all public hearings, and draft and sign the routine correspondence of the Planning Board. The Executive Secretary will maintain a file of all studies, plans, reports, recommendations and official records of the Planning Board and perform such other duties that are normally carried out by a Secretary and as the Planning Board may direct.

The County Planning Department Director may designate a member of his staff to perform any of the duties of the Executive Secretary under the Director's supervision.

(d) Standing Committee Chair

The City-County Planning Board has two standing committees. The Sidney Jurisdictional Area Committee will be comprised of the members as stated in Article IV Sections 2 and 3. The Fairview Jurisdictional Area Committee will be comprised of the members as stated in Article IV Sections 2 and 4. The Committee Chairs for the Sidney Jurisdictional Area Committee and the Fairview Jurisdictional Area Committee will be elected by a majority vote of each committee, respectively.

The Committee Chair will preside at all meetings of the designated standing committee and will call special meetings when he or she deems them necessary or is required to do so. In the event, that Executive Secretary or other Planning Staff are not available, the Chair of each standing committee will assign someone to take the minutes at each committee meetings. The Chair of each standing committee will sign all official papers and plans involving the authority of their assigned committee which are to be transmitted through the Executive Secretary to the Richland County Board of County Commissioners and the respective City and Town Councils. The Committee Chair may discuss all matters before the planning board and make motions on all voting thereon. He or she will perform all the duties normally conferred by parliamentary usage and will perform such other duties as may be ordered by the Planning Board except as otherwise provided in these by-laws, in other Planning Board resolutions, or in County or City ordinances, or State law.

Section 7. Removal of Officers

If the Board votes no confidence in an officer, a motion to remove said officer shall be brought before the Board at its next meeting. Should the motion pass, a new officer shall be elected to serve the remainder of the term of office.

## **ARTICLE VI – MEETINGS**

### **Section 1. Regular Meetings of the City/County Planning Board: Time and Place**

A regular monthly business meeting for administrative, routine, and hearing-type matters will be held on the 1<sup>st</sup> Tuesday of each month at 7:00 p.m. in the USDA-ARS meeting room, located at 1500 North Central Avenue in Sidney, Montana, except as otherwise designated by the City/County Planning Board. A quorum (Article VI, Section 6 below) must be present to conduct the regular monthly business meeting. The affirmative vote of a majority of the membership in attendance is required for the adoption of a matter before the Board as long as there is a quorum present.

If needed, a regular monthly workshop meeting for the development of policies related to the growth policy, subdivision regulations and other land use issues in Richland County will be held on the 3<sup>rd</sup> Tuesday of the month at 7:00 p.m. in the USDA-ARS meeting room located at 1500 North Central Avenue in Sidney, Montana except as otherwise designated by the City/County Planning Board. A quorum is not required to conduct workshop meetings.

Any change in the hour, date and place of the meetings will be given wide publicity as specified below in Article VI, Section 4 for the convenience of persons having business before the Board. When the regular meeting day falls on a legal holiday, the meeting will be on the following Tuesday or as otherwise designated by a majority vote of the City/County Planning Board.

### **Section 2. Recessed Meetings**

Any regular meeting may be recessed to a definite time and place by a majority vote of the City/County Planning Board members present at the meeting.

### **Section 3. Special Meetings**

Special meetings of the City/County Planning Board may be called by the President as needed. A special meeting may also be called if any seven (7) members of the City/County Planning Board request it in writing at least four (4) days in advance of the meeting.

Special meetings of the Sidney Jurisdictional Area Committee or by the Fairview Jurisdictional Area Committee may be called by the respective Committee Chair as needed, or may be called upon the written request signed by a quorum of the members of the particular Committee at least four (4) days in advance of the meeting.

Informational meetings and other special meetings to solicit public input on items such as the growth policy and subdivision regulations may also be conducted at the discretion of the City/County Planning Board, as needed.

### **Section 4. Notice of Meetings**

The Executive Secretary will post written public notice of all regular meetings of the City/County Planning Board and Jurisdictional Area Committees at least four days (96 hours) prior to the meeting. Special meetings will be posted at least two days (48 hours) prior to the meeting. It should be noted that meetings concerning review of major subdivisions may require more lengthy notice periods as defined in the Richland County Subdivision Regulations and Montana state law.

A notice must state the time and place of the meeting, and will be accompanied by an agenda of the matters to be considered by the Planning Board/Committee at such meeting, and will be posted:

- On the door of the Richland County Planning Office in the Richland County Courthouse, 201 W. Main St., Sidney, Montana
- On the door of the City Hall of the City of Sidney, 115 2<sup>nd</sup> St. SE, Sidney, Montana.
- In the notice area over the front counter of the Fairview Town Hall, 317 S. Central Ave., Fairview, Montana.

The Executive Secretary will fax and/or email the written notice to all newspapers published in Richland County of all regular and special meetings of the Board and Jurisdictional Area Committees on the same day that meeting notices are posted

The Executive Secretary will give written notice to all the members of the City/County Planning Board of all regular and special meetings of the City/County Planning Board, the Sidney Jurisdictional Area Committee, and the Fairview Jurisdictional Area Committee. Notice of all regular meetings of the Board or jurisdictional area committees will be postmarked, faxed and/or emailed at least four days (96 hours) prior to the meeting. Notice of all special meetings will be postmarked, faxed and/or emailed at least two days (48 hours) prior to the meeting.

#### Section 5. Public Nature of Meeting and Records

All regular and special meetings, hearings, records and accounts shall be open to the public.

#### Section 6. Quorum of the City/County Planning Board

Seven (7) standing members of the City/County Planning Board will constitute a quorum for the transaction of business and the taking of official action.

#### Section 7. Quorum of the Jurisdictional Area Committees

Five (5) standing members of the respective jurisdictional area committee will constitute a quorum for the transaction of business and the taking of official action.

#### Section 8. Order of Business - Regular Meetings for Administrative, Routine and Hearing-Type Matters.

As Amended & Adopted on April 6, 2010

Meeting held on the first (1<sup>st</sup>) Tuesday of every Month, or as necessary.

- (a) Call to order by President
- (b) Roll Call
- (c) Approval of minutes of preceding regular meeting(s), special meetings and workshop meetings
- (d) Petitions and communications from audience
- (e) Public hearings (if none, state None)
- (f) Regular business/Action items (if none, state None)
- (g) Written communications to the Board (if none, state None)
- (h) Reports from Planning Board members and Committees
- (i) Staff reports
- (j) Adjourn

#### Section 9. Order of Business - Regular Meetings for Discussion of Matters Related to Special Issues

Open workshop meetings may be held as needed on the third (3<sup>rd</sup>) Tuesday of every Month, or other dates as necessary to address issues related to the development of a growth policy, subdivision regulations or other special project assigned to the City/County Planning Board.

- (a) Call to order by President
- (b) Roll call
- (c) Communications from audience (related to land use planning/regulatory issues only)
- (d) Discussions on land use issues in Richland County
- (e) Reports from Planning Board members and Committees
- (f) Staff reports
- (g) Adjourn

#### Section 10. Agendas

The Executive Secretary will develop the specific meeting agendas in consultation with the President of the City/County Planning Board or jurisdictional committee chairpersons. The agenda of all regular meetings will be closed four (4) days prior to the following meeting of the City/County Planning Board/Committee.

No official action may be taken on any matter at a regular City/County Planning Board business meeting which is not included on the agenda for such meeting or which has been added to the agenda after it has been posted and sent to the Planning Board Members and the local media as specified in Article VI, Section 4 above.

#### Section 11. Petitions and Communications to the City/County Planning Board.

In the interest of giving fair and thoughtful consideration to all, petitions and communications from the audience and matters brought to the regular business meeting by the Planning Director and Board Members, which are not on the agenda for the meeting, may be received, but not acted on at the

meeting. Discussion is allowed only to place the item on a future agenda or refer it to the Planning Staff for additional research.

Input and comments concerning the topics under discussion are welcome from the public and government officials during scheduled workshop and special information meetings specifically held to solicit input for policy and regulation development. These items may be discussed by the City/County Planning Board without being on the agenda. These items may be placed on a future agenda or referred to the Planning Staff for additional research, but no formal action can be made on such discussion items at that meeting.

#### Section 12. Providing Relevant Documents and Information for Meetings to City/County Planning Board.

The City/County Planning Board requests that the Planning Directors for the City of Sidney, the Town of Fairview or their designee, and Richland County will ensure that all relevant materials, documents, plat maps, and other information needed to enable the City/County Planning Board to discuss and make recommendations are provided (in the hands of) to the Board at least fourteen (14) days prior to the meeting at which the item will be presented and discussed.

#### Section 13. Public Hearing Procedure

Public hearings will be conducted as part of the regular administrative meetings as described in Section 1 of Article VI. These items must be on the posted agenda for that meeting. A quorum of the City/County Planning Board or respective jurisdictional area committee need not be present to conduct a hearing, unless there is an action item requiring a vote after the hearing. The purpose of the public hearing is to obtain facts and relevant information that have not been previously disclosed and are part of the application/proposal process. The procedure for public hearing before the City/County Planning Board or jurisdictional committees will be as follows:

- (a) Presiding member presents the procedures to be used for the hearing. The Subdivision Administrator (as defined in the subdivision regulations) or other designee of the respective jurisdiction presents a staff report that addresses the criteria for local government review of subdivisions as identified in state law.

The Subdivision Administrator or other designee of the respective jurisdiction also reviews options of approval, approval with conditions, and denial, proposes conditions for approval as relevant, and makes recommendations to the City/County Planning Board. The Planning Director and/or a committee chairperson may add any related or background information. Board members are permitted to address any relevant questions relating to the application, to the president, jurisdictional committee chairperson or staff.

- (b) Public hearing opened by the presiding member.

- (c) Proponents in audience including the applicant and his/her representatives will be given an opportunity to speak in favor of the application. Information submitted should be factual, relevant and not merely duplicative of previous presentations. A reasonable time will be

allowed each speaker. Each person speaking must give name, address, and nature of interest in matter before presenting their information.

(d) Opponents in audience will be given an opportunity to speak against the application. Information submitted should be factual, relevant and not merely duplicative of previous presentations. A reasonable time will be allowed each speaker as determined by the presiding member. Each person speaking must give name, address and nature of interest in the matter before presenting their information.

(e) Other interested parties will be allowed to comment briefly or make inquiries. A reasonable time will be allowed each speaker as determined by the presiding member. Each person speaking must give name, address and nature of interest in the matter before presenting their information.

(f) Public hearing closed by the President.

(g) Board/Committee discussion. The presiding member will entertain a motion on the Board's recommendation for the petition. The seconded motion may be amended following the Board's discussion.

A motion requires a quorum. This requires a double quorum If the item is in a jurisdictional area: 1) a quorum of the Planning Board, and 2) a quorum of the jurisdictional area committee. If the motion refers to an item in the County outside the jurisdictional areas, only a quorum of the whole Planning Board is required.

Board members will discuss the findings of the hearing. Members may raise potential special conditions for approval or other, significant considerations relevant to the petition.

At this time, members may pose any relevant questions through the presiding member, and the presiding member interrogates proper parties for answers.

In recommending approval, conditional approval or denial of a subdivision application and preliminary plats, the planning board may consider, without limitation, the following (as applicable):

- i) the subdivision application and preliminary plat;
- ii) the environmental assessment;
- iii) the summary of probable impacts and proposed mitigation;
- iv) an officially adopted growth policy;
- v) information provided at public hearing(s);
- vi) subdivision administrator's staff report and recommendation; and
- vii) any additional information authorized by law.

(h) The original motion may be withdrawn and a new motion proposed, or the original motion may be amended to specify conditions for approval

(i) Vote on the motion on the floor to recommend approval, conditional approval or denial.

#### Section 14. Motions

Motions will be restated by the presiding member before a vote is taken. The name of the members making and seconding a motion will be recorded in the minutes of the meeting.

#### Section 15. Voting

Any action taken by a quorum of the Planning Board members at any regular or special meeting of the planning board will be deemed and taken as the action of the Board. All matters requiring a public hearing before the Planning Board and all matters referred to the Planning Board by the Richland County Board of County Commissioners (or City/Town Councils) will be by roll call vote and the vote of each member shall be recorded in the minutes of the meeting. The affirmative vote of a majority of the committee membership is required for the adoption of a matter before the Board.

All recommendations to the governing bodies shall be in the form of a resolution. In the case of major subdivisions, this will be accompanied by a letter of the findings of the Board to the affected governing bodies.

Voting on motions before the Board by proxy (written or a person), email or phone is not permitted.

#### Section 16. Staff Reports

On all matters considered by the Planning Board, any report and recommendations of the Planning Staff or a Board Committee must be presented to the board and recorded in the minutes of the meeting.

#### Section 17. Parliamentary Procedure

Parliamentary procedure in Planning Board meetings will be governed by Roberts Rules of Order, Revised, unless specifically otherwise provided in these By-Laws, in other Planning Board resolutions, in County (or City) ordinances or in the State of Montana Planning Enabling Act (Sections 76-101 *et seq*, MCA).

### **ARTICLE VII - COMMITTEES**

#### Section 1. Establishment of Special Committees

The Planning Board may establish special committees (as needed for special projects or duties) it deems advisable and assign to each committee specific duties or functions. The Committee will consist of three (3) members.

No special committees may commit the planning board to the endorsement of any plan or program.

#### Section 2. Appointment and Terms of Other Committee Members

As Amended & Adopted on April 6, 2010

The President shall appoint the members of each special committee and name the chair of each committee.

### Section 3. Meetings of Committees

All committees will meet at the call of the Committee Chair. The President of the Planning Board may, with adequate notice, also call a special meeting of any committee at any time.

The Planning Director/Executive Secretary will issue notice of committee meetings at the request of a Committee Chair or the Planning Board President.

### Section 4. Quorum and Voting of Committees

A majority of the members of a committee constitutes a quorum. The affirmative vote of a majority of the committee in attendance is required for the adoption of a matter before the committee as long as there is a quorum present.

### Section 5. Special Committee Vacancies

Vacancies of other special Committees will be filled immediately by the president for the unexpired portion of the term.

## **ARTICLE VIII – AMENDMENTS**

### Section 1. Amendments

These by-laws may be amended at any regular meeting by the affirmative vote of seven (7) standing members of the City/County Planning Board. The proposed amendments must have been submitted in writing to all members of the City/County Planning Board at a previous meeting before they can be considered and voted on by the membership of the City/County Planning Board.

## **ARTICLE IX – MISCELLANEOUS**

### Section 1. Conflict of Interest

Any member(s) having a financial or personal interest in a quasi-judicial matter before the Board for discussion or vote shall publicly disclose the nature and extent of such interest and absent him/herself from the meeting until discussion on the matter has ended and a vote, if any, is taken. In such circumstances, the secretary shall note in the minutes that a conflict of interest was acknowledged and the Board member(s) was absent during the discussion and voting.

APPROVALS

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On this third day of October, 2009, the following standing City/County Planning Board members have approved the Bylaws as amended as written and agree to follow these By-Laws for Planning Board operations:

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City of Sidney Appointee  
President, Cal Oraw

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Town of Fairview Appointee  
Vice-President, Ray Trumpower

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City of Sidney Appointee  
Beth Redlin

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Town of Fairview appointee  
Matt Schriver

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City of Sidney Appointee  
Melissa Boyer

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Town of Fairview Appointee  
Jim Duffey

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City of Sidney Appointee  
Lee Pourroy

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Town of Fairview Appointee  
LeeRoy Reidle

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Richland County Appointee  
Bob Evans

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Richland County Appointee  
Bill Linder

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Richland County Appointee  
David Seitz

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Richland County Appointee  
(Name)

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Richland County Conservation District Member  
Tony Barone