

RESOLUTION NO. 1297

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY, MONTANA, ESTABLISHING THE FAIRGROUNDS AND PARKS BOARD AND ADOPTING THE BYLAWS FOR THE FAIRGROUNDS AND PARKS BOARD

WHEREAS, pursuant to Section 7-1-202, MCA, a county commission may establish boards; and

WHEREAS, pursuant to Section 7-1-201, MCA, a board has the powers granted to it by the resolution which establishes the board; and

WHEREAS, the Park County Commission (“Commission”) has decided to establish the Fairgrounds and Parks Board (“Board”) to assist the Commission and the Fairgrounds Director in the operation and management of the Park County Fairgrounds and all Park County Parks; and

WHEREAS, Park County Fairgrounds and park facilities are a valuable resource to the community, and provide a diverse range of opportunities for recreation, social interaction, and entertainment;

WHEREAS, the Park County Commission through this resolution adopts the Board’s Bylaws; and

WHEREAS, the Board shall serve as an advisory board to the Park County Commission, to represent the public's best interests, provide direction, guidance and oversight to ensure the success of Park County’s Fairgrounds and Parks Department mission, vision and goals to provide quality agricultural, socioeconomic, and recreational opportunities to residents and visitors by facilitating access, understanding and enjoyment of the built and natural assets and amenities of Park County, Montana; and

NOW, THEREFORE, BE IT RESOLVED, the Park County Commission hereby adopts this Resolution which establishes the Fairgrounds and Parks Board and adopts the attached by-laws.

EFFECTIVE DATE. This Resolution shall be effective immediately upon its passage.

DATED this 14th day of March, 2019.



Maritza Redington, Deputy
Maritza Redington
Park County Clerk & Recorder

FORM APPROVED:

Shannan M. Piccolo
Shannan M. Piccolo
Deputy Park County Attorney

BOARD OF PARK COUNTY
COMMISSIONERS

Steve Caldwell
Steve Caldwell, Chairman

Bill Berg
Bill Berg

Clint Tinsley by Duwickum
Clint Tinsley

BY-LAWS FOR THE PARK COUNTY FAIRGROUNDS AND PARKS BOARD

Adopted February 28, 2019

ARTICLE I – NAME

The official name of the organization is “The Park County Fairgrounds and Parks Board.” (“Board”)

ARTICLE II – OFFICIAL SEAT

The official seat of the Board is in the City - County Building in Livingston, Montana, and meetings will be held there except for occasions when the Board, by a majority vote of those present at any regular or special meeting otherwise directs.

ARTICLE III – PURPOSE

To serve as an advisory board to the Park County Commission, represent the public's best interests, provide direction, guidance and oversight to ensure the success of Park County's Fairgrounds and Parks Department mission, vision and goals to provide quality agricultural, economic, social and recreational opportunities to residents and visitors by facilitating access, understanding and enjoyment of the natural and built assets and amenities of Park County, Montana.

ARTICLE IV – BOARD MEMBERS

Section 1. Board Members

Board members shall be residents of Park County, Montana. There will be a total of nine (9) Board members.

Section 2. Board Member Appointment

Board members shall be appointed in accordance with Park County's board member recruitment policy.

Section 3. Terms

Board members shall be appointed by the Park County Commission for a term of three (3) years. Four (4) original Board members shall serve a term of three (3) years, three (3) original Board members shall serve a term of two (2) years, and two (2) original Board members shall serve a term of one (1) year.

Section 4. Vacancies

Vacancies of Board members shall be filled by the Park County Commission in accordance with its board member recruitment policy. The newly appointed member shall serve for the unexpired portion of the Board member's term.

Section 5. Removal of Board Members

The Park County Commission may remove any Board member with cause.

ARTICLE V – OFFICERS

Section 1. Officers

The elective officers of the Board include a Chair and Vice-Chair. The Director of the Fairgrounds and Parks Department, or appointed staff, will serve as Secretary of the Board.

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 on the first regular meeting of each calendar year. The election will follow immediately thereafter. Officers may be nominated from among the current Board members only. A nominee receiving a majority vote of those present, either physically, by telephone or Voice Over Internet Protocol (VOIP) at the election will be deemed elected.

Section 3. Terms of Officers

The elective officers take office at the first regular meeting of the calendar year, usually January, and serve for a term of one year.

Section 4. Resignation of Officers

An Officer may resign their office by submitting the request in writing to the Board.

Section 5. Vacancies in Offices

Vacancies in elective offices will be filled immediately at the next regular meeting as set forth above and the newly appointed Officer shall serve the remaining portion of the unexpired term.

Section 6. Salary and Compensation

Board members shall serve without salary or compensation, but may be entitled to documented expenses for mileage, per diem, and expenses.

Section 7. Duties of Officers

- (a) Chair. The Chair will preside at all meetings and public hearings of the Board and will call special meetings when he/she deems them necessary or is required to do so. The Chair shall sign minutes of Board meetings and all official papers and plans involving the authority of the Board which are transmitted to the Park County Commission. The Chair may discuss all matters before the Board and make motions on all voting thereon. He/She 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 Board except as otherwise provided in these by-laws, in other Board resolutions, or in county ordinances, or state law.
- (b) Vice Chair. The Vice Chair will assume the duties and powers of the Chair in his/her absence. If the Chair and Vice Chair are both absent, the remaining Board members may elect a temporary chair by a majority vote of those present at a regular or special meeting. This person will assume the duties and powers of the Chair and the Vice Chair for that meeting.
- (c) Secretary. The Secretary will keep the minutes of all regular and special meetings of the Board. Such minutes will be approved by the Board. The Secretary will give notice of all regular and special meetings to 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 Board. The Secretary will maintain a file of all studies, plans, reports, recommendations and official records of the Board and perform such other duties that are normally carried out by a Secretary and as the Board may direct.

Section 7. Order of Business – Regular Meetings

- (a) Call to Order by Chair
- (b) Approval of Consent Agenda (minutes, reports, financials, Director’s report, other items of regular business)
- (c) Conflict of Interest
- (d) Chair will review public comment guidelines:
 - A reasonable time will be allowed each speaker based on the number of speakers wishing to speak to the issue and the Chair may appoint a timekeeper.
 - The Chair may require all speakers to sign a sign-up sheet in order to comment.
 - Each speaker must state their name, address and nature of interest in the matter
 - Information submitted should be factual, relevant and not merely duplicative of previous presentations.
 - No personal attacks of any kind will be allowed.
 - A written summary of a person’s comments would be appreciated.
 - A person cannot assign their time to speak to another speaker and all persons wishing to speak shall speak before a person is allowed to make comments a second time.
 - If a speaker does not comply with the stated guidelines, the Chair may remind the speaker of the guidelines or terminate the speaker’s comments.
- (e) Public Comment Including Comment on Agenda Items Not Scheduled
- (f) Committee Reports & Recommendations
- (g) New Business/Discussion/Committee Assignment
- (h) Public Comment
- (i) Next Month’s Agenda Items
- (j) Closing Remarks
- (k) Adjourn

Section 9. Quorum

Five members of the Board will constitute a quorum for the transaction of business and the taking of official action. If a board member seat is vacant, then a quorum will constitute a majority of the current total membership of the Board.

Section 10. Motions

Motions should be short and concise and may be submitted in writing to the Chair. Motions will be restated by the Chair before a vote is taken. The name of the Board members making and seconding a motion will be recorded in the minutes of the meeting.

Section 11. Voting

Any action taken by a quorum of the Board members at any regular or special meeting of the Board will be deemed and taken as the action of the Board. All matters requiring a public hearing before the Board and all matters referred to the Board by the Park County Commission may be by roll call vote and the vote of each Board member shall be recorded in the minutes of the meeting. The Chair may also vote.

Section 12. Staff Reports

On all matters considered by the Board, any report and recommendations of the Departmental staff must be filed in the Fairgrounds and Parks Department.

Section 13. Parliamentary Procedure

Parliamentary procedure in Board meetings may be guided by Roberts Rules of Order, as revised.

ARTICLE VI – MEETINGS

Section 1. Regular Meetings: Time and Place

A regular monthly meeting for administrative, routine matters will be held on the 3rd Tuesday of every month at 12:00 p.m. in the City-County Complex, except as otherwise designated by the Board. Committees of the Board, made up of members totaling less than a quorum of the Board, may meet outside regular Board meetings. The Board may designate a different location or time for a public hearing or meeting by majority vote of the Board members physically present at the meeting or participating via telephone VOIP.

Section 2. Recessed Meetings

Any regular, special, and/or committee meeting may be recessed to a definite time and place by a quorum of the Board.

Section 3. Special Meetings

Special meetings may be called by the Chair or by a quorum of the Board members at any duly constituted meeting.

Section 4. Notice of Meetings

Staff will provide written notice of all regular, special, and/or committee meetings to the members of the Board at least one week prior to the time of the scheduled meeting. A notice and agenda of all regular, special, and committee meetings will be posted at least forty-eight hours prior to the meeting. The meeting agenda will be posted on the Commissioner’s portion of the Park County website, and bulletin boards in the Commissioners’ Office and the Fairgrounds and Parks Departmental office. The 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 Board at such meeting. The agenda of all regular, special, and committee meetings will be closed forty-eight hours prior to the following meeting of the Board and no new information will be accepted by the Board after the agenda closes except during public comment or at a public hearing.

Petitions and communications from the audience and matters brought to the meeting by the Fairgrounds and Parks Departmental Director and Board members, which are not on the agenda for the meeting, may be received but not discussed at the meeting. No discussion or official action may be taken on any matter at a Board meeting which is not included on the agenda for such meeting.

Section 5. Public Nature of Meeting and Records

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

Section 6. Attendance of Meetings

Board members are expected to attend all regular and special meetings of the Board. If a Board member misses, without good cause, three regular, special, or committee meetings within a twelve-month period, the Park County Commission may remove said member from the Board. Participation by telephone or VOIP is allowed with prior approval of the Board Chair, and, in any case, not to exceed three times during a 12-month period without good cause.

Section 7. Emails

Emails are subject to public information rights. Board members shall limit the email dialog to questions regarding notice and attendance of meetings, dialog to Fairgrounds and Parks staff and educational information. If an email is to be sent to all Board members regarding a potential or scheduled action item, the email shall be subject to the notice of meeting requirements listed in Article V, Section 4 of these bylaws.

Section 8. Minutes

Minutes for all regular, special, and committee meetings shall be taken. A copy of signed an approved meeting minutes shall be provided to the Park County Clerk and Recorder's Office.

ARTICLE VII – COMMITTEES

Section 1. Establishment of Committees

The Board may establish such standing or special committees it deems advisable and assign to each committee specific duties or functions. Each committee will consist of up to three members of the Board and may include up to two members of the public, at the discretion of the Board. No committee may commit the Board to the endorsement of any plan or program. Committees serve as advisors to the full Board.

Section 2. Appointment and Terms of Committee Members

The Chair shall appoint the members of each standing or special committee, name the Chair of each committee and state the objectives, time of duration and reporting responsibility.

Section 3. Meeting of Committees

All committees will meet at the call of the committee Chair, provided that the Chair of the Board may, with adequate notice, call a special meeting of any committee at any time.

Staff will issue notice of committee and take all minutes of committee meetings.

Section 4. Quorum and Voting

A majority of the members appointed constitutes a quorum of all committees. The affirmative vote of a majority of the committee membership is required to bring a recommendation before the Board.

ARTICLE VIII – CONFLICT OF INTEREST

The purpose of the Conflict of Interest policy is to protect the Board's interest when it is contemplating a transaction or arrangement that might benefit the private interest of one of its officers or directors.

Section 1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial or other interest and be given the opportunity to disclose all material facts to the directors who are considering the proposed transaction or arrangement.

Section 2. Establishing a Conflict of Interest

After the disclosure of the financial or other interest and all material facts, and after any discussion with the interested person the interested person shall not participate in the discussion or decision of a matter that they have a conflict of interest in except if their vote is necessary to obtain a quorum or to otherwise enable the body to act. Section 2-2-121(10), MCA.

Section 3. Violations of Conflict of Interest

Should the Board have reasonable cause to believe an interested person has failed to disclose actual or possible conflicts of interest, the Board Chair shall inform the County Attorney's Office. The purpose of the Conflict of Interest policy is to protect the Board's interest when it is contemplating a transaction or arrangement that might benefit the private interest of one of its officers or directors.

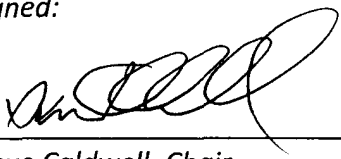
ARTICLE IX – AMENDMENTS

These by-laws may be amended at any regular meeting by the affirmative vote of a quorum of the Fairgrounds and Parks Board, provided that proposed amendments must have been submitted in writing at a previous meeting. All changes must be approved by the Commission.

Board members may from time to time be assigned to represent the Board at special meetings. Such attendance is voluntary and does not commit the Board to any action until approved by the Board.

Approved by The Park County Board of Commissioners on Feb. 28th of 2019.

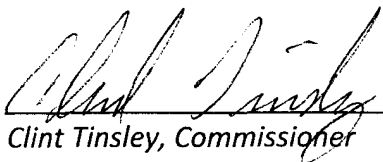
Signed:



Steve Caldwell, Chair
Park County Board of Commissioners



Bill Berg, Commissioner



Clint Tinsley, Commissioner

408635 Fee: \$0.00

Park County, MT Filed 3/19/2019 At 11:40 AM
Maritza H Reddington , Clerk & Recorder By JB RS