

# **BY-LAWS FOR THE PARK COUNTY PLANNING AND DEVELOPMENT BOARD**

**Amended July 21, 2016**

## **ARTICLE I – NAME**

### **Section 1. Name**

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

## **ARTICLE II – OFFICIAL SEAT**

### **Section 1. Official Seat**

The official seat of the Board is in the City - County Building of 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 – OFFICERS**

### **Section 1. Officers**

The elective officers of the Board include a Chair and Vice-Chair. The Director of the Planning 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 Park County Commission-appointed 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. Vacancies in Offices

Vacancies in elective offices will be filled immediately at a regular meeting by regular election procedure for the unexpired portion of the term.

#### Section 5. 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. The Chair will take the lead in promoting effective public relations in the development of the County's *Growth Policy*, specific plans, programs, implementing projects identified in the *Policy*, and reviewing, updating and enforcing related land use ordinances and regulations.

(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 Boardmembers, 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.

The Director of the Planning Department may designate a member of his/her staff to perform any of the duties of the Secretary under the Director's supervision. All meetings and hearings will be recorded on audio equipment. Either the Director of the Department or the Chair of the Board may designate what portion of Board meetings or Public Hearings shall be video-recorded.

Section 6. Order of Business – Regular Meetings for Administrative, Routine and Hearing-Type Matters.

- (a) Call to Order by Chair
- (b) Approval of Minutes of Preceding Meetings
- (c) Conflict of Interest
- (d) Chair reads public comment guidelines:
  - A reasonable time will be allowed each speaker based on the number of speakers wishing to speak to a subdivision or 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 for a Public Hearing
- (f) Board Subcommittee Reports.
- (g) Staff Reports
- (h) Update on Regulations
- (i) Old Business
- (j) New Business
- (k) Board Discussion Next Month's Agenda Items
- (l) Adjourn

Section 7. Public Hearing Procedure

- (a) Chair summarizes the application orally.
- (b) The Department Director or staff presents a staff report. Board-members are permitted to ask any relevant questions relating to the application, to the Chair, staff, applicant or other interested stakeholders.
- (c) The stakeholder, applicant or interested stakeholder, if applicable, may make a presentation. The Chair may limit the time of the presentation.
- (d) Public hearing opened.
- (e) Chair reads public comment guidelines:

- A reasonable time will be allowed each speaker based on the number of speakers wishing to speak to a subdivision or 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.
- (f) Public comment is taken.
- (g) The applicant or interested stakeholder, may make a brief response to public comment at the end of the public comment period. The Chair may request a response from the subdivider or their representatives at any time during public comment. The Chair may set a timeline for the applicant's or interested stakeholder's response comments.
- (h) Public hearing closed.
- (i) Boardmembers voice other significant considerations; pose any relevant questions through the Chair. The Chair questions proper parties for answers.
- (j) Motion for disposition, continuance, closure or other.

### Section 8. Quorum

Four members of the Board will constitute a quorum for the transaction of business and the taking of official action. A quorum will constitute a majority of the total membership of the Board physically present at the Board meeting, or participating via the telephone or voice over internet protocol (VOIP).

### Section 9. 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 members making and seconding a motion will be recorded in the minutes of the meeting.

### Section 10. 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 member shall be recorded in the minutes of the meeting. The Chair may also vote.

### Section 11. Staff Reports

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

### Section 12. Parliamentary Procedure

Parliamentary procedure in Board meetings will be governed by Roberts Rules of Order, as revised.

### Section 13. Code of Civility

The Park County Planning and Development Board conducts regularly scheduled monthly meetings, public forums, information sessions and other events throughout the year in connection with its prescribed responsibilities as a citizen-advisory panel to the Park County Commission and appointed by it.

Planning and Development Board meetings and other functions are intended to provide all citizens with open and transparent access to the work of the Board, promote the free spread of ideas, foster open dialog, and encourage ideas and planning which will lead to improved quality of life and economic opportunities for all residents of Park County.

Citizen members of the Planning and Development Board are dedicated to providing both a safe, harassment-free event and valuable meeting experience for everyone. Therefore, we do not tolerate harassment of/by event participants in any form. Participants include: attendees, speakers, support staff, and volunteers.

#### **These behaviors are specifically prohibited:**

- Yelling at, threatening, or continued disruption of participants (verbally or physically).
- Any behavior that creates an environment where people feel harassed or unsafe.
- Harassment or intimidation based on race, religion, language, sexual orientation, gender identity, gender expression, ethnicity, disability, physical appearance, body size, or other group status.

All participants are expected to observe these rules and behaviors in all venues where the Planning and Development Board carries out its responsibilities and duties. The board takes all issues of harassment seriously. The Board values your participation and places high regard on the safety and well-being of all attendees at its meetings or other hosted events.

If you are being harassed or notice someone being harassed, or have other concerns, please report harassment or concerns immediately if feasible or as soon as possible to the chairman of the Planning and Development Board, the County Planning Director, a member of the Planning and Development Board, or a Park County commissioner. Event participants violating these rules will be asked to stop. In extreme situations the Board chair may declare a temporary recess and/or law enforcement personnel may be summoned.

#### Section 14. Economic Development Responsibilities

The term "economic development" has a remarkably wide range of meaning in practically all walks of life. Generally, economic development can be defined as efforts that seek to improve the economic well-being and quality of life for a community by creating and/or retaining jobs and supporting or growing incomes and the tax base.

The Park County Planning and Development Board is an advisory-only volunteer citizen panel appointed by the Board of County Commissioners and serving at its pleasure to provide informed recommendations to the Commissioners. As part of its charter, the Board will monitor economic well-being as those activities pertain to the charter while respecting the traditional beliefs and mores of all Park County residents.

The Board may recommend to the Board of County Commissioners actions and policies which support and encourage investment in existing and potential key Park County activities including but not limited to:

- Farming
- Fishing and Hunting
- Light Industry
- Ranching
- Real Estate
- Sports Related Activities
- Tourism

The Board may recommend to the Board of County Commissioners actions and policies regarding enforcement of existing ordinances and state statutes that influence economic development including but not limited to:

- Subdivision Review

- Land Use

## ARTICLE IV – MEETINGS

### Section 1. Regular Meetings: Time and Place

A regular monthly meeting for administrative, routine and hearing-type matters will be held on the 3<sup>rd</sup> Thursday of each month at 4.00 p.m. in the following locations, except as otherwise designated by the Board.

<b>Planning and Development Board Meeting Schedule and Location</b>		
<b>Month</b>	<b>City/Town</b>	<b>Location</b>
January	Livingston	City/County Complex Community Room
February	Livingston	City/County Complex Community Room
March	Wilsall	Senior Citizens Center
April	Clyde Park	Fire Hall - Conference Room
May	Livingston	City/County Complex Community Room
June	Gardiner	Community Center
July	Livingston	City/County Complex Community Room
August	Livingston	City/County Complex Community Room
September	Cooke City	Community Center
October	Emigrant	Emigrant Hall
November	Livingston	City/County Complex Community Room
December	Livingston	City/County Complex Community Room

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 by majority vote of the Board members physically present at the meeting or participating via telephone VOIP.

## Section 2. Recessed Meetings

Any regular meeting may be recessed to a definite time and place by a majority vote of the Board members physically present at the meeting or participating via telephone or VOIP.

## Section 3. Special Meetings

Special meetings may be called by the Chair or by a majority of the Boardmembers at any duly constituted meeting.

## Section 4. Notice of Meetings

The Secretary will give written notice of all regular and special 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 and special meetings will be posted at least seventy-two hours prior to the meeting. The meeting agenda will be posted on the Departmental portion of the Park County website, and bulletin boards in the Commissioners' Office and the 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 meetings will be closed seventy-two 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 Departmental Director and Boardmembers, 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 and special meetings, hearings, records and accounts shall be open to the public and will meet notification requirements.

## Section 6. Attendance of Meetings

Boardmembers are expected to attend all regular and special meetings of the Board, as well as Board site visits. If a Board member misses, without good cause, three regular or special 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. Boardmembers shall limit the email dialog to questions regarding notice and attendance of meetings, dialog to planning staff and educational information. If an email is to be sent to all Board members regarding a decision about a current or future land use proposal the email shall be subject to the notice of meeting requirements listed in IV. Section 4 of these bylaws.

## **ARTICLE V – 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.

### **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 Planning Board may, with adequate notice, call a special meeting of any committee at any time.

The Director of the Department, or staff, will issue notice of committee meetings at the request of a sub-committee Chair or the Board Chair.

### **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 for the adoption of a matter before the committee.

## **ARTICLE VI – AMENDMENTS**

### **Section 1. Amendments**

These by-laws may be amended at any regular meeting by the affirmative vote of four members of the Planning Board, provided that proposed amendments must have been submitted in writing at a previous meeting.

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 August 23, 2016.*

*Signed:*

  
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*Clint Tinsley*  
*Park County Board of Commissioners*

  
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*Steve Caldwell, Commissioner*

  
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*Marty Malone, Commissioner*