

CITY OF RED LODGE  
PARKS, TREES and RECREATION BOARD  
BY-LAWS

ARTICLE I - NAME

The official name of the organization shall be "The City of Red Lodge Parks, Trees and Recreation Board".

ARTICLE II - OFFICIAL SEAT

The official seat of the Parks, Trees and Recreation Board shall be City Hall, Red Lodge, Montana

ARTICLE III OFFICERS

SECTION 1. OFFICER TITLES

The officers of the Board shall consist of a Chair, Vice Chair and Secretary. Officers shall be elected by the Board.

SECTION 2. NOMINATION AND ELECTION OF OFFICERS

Nomination of elective officers shall be made from the floor at the annual election meeting which shall be held on the first regular meeting in January of each year. The election shall follow immediately thereafter. Officers shall be nominated and elected from the voting members only. A nominee receiving a majority vote of a quorum at the election meeting shall be declared elected.

SECTION 3. TERMS OF OFFICE

The elective officers shall take office when elected and shall serve in such office a term of one year.

SECTION 4. VACANCIES IN OFFICES

Vacancies in elective offices shall be filled at the next regular meeting by regular election procedure for the un-expired portion of the term.

SECTION 5. DUTIES OF OFFICERS

The duties of officers shall be consistent with Ordinance 918 or as amended, Section C of 8-7-4, *Officers and Their Responsibilities*.

ARTICLE IV — ORGANIZATION OF THE BOARD

SECTION 1. REPRESENTATION

Representation of the Board shall remain consistent with Ordinance 918, Section A of 8-7-4, *Parks, Trees and Recreation Board*.

## SECTION 2. TERMS OF BOARD MEMBERSHIP

Terms of the Board shall remain consistent with Ordinance 918, Section B of 8-7-4, *Terms of Office*.

## SECTION 3. ATTENDANCE

Members may be replaced if any member misses more than two (2) unexcused regular meetings or more than five (5) regular meetings in a calendar year. If members are unable to attend a meeting they shall notify the Chair or City Staff at least forty eight (48) hours in advance of the meeting. The Chair shall note the absences at regular scheduled meetings and shall set the issue on the next regular meeting at which time the Parks, Trees and Recreation Board may vote to request that the Mayor replace the member for cause.

## ARTICLE V --- MEETINGS

### SECTION 1. REGULAR MEETINGS

Regular meetings shall be held the third (3<sup>rd</sup>) Wednesday of each month. The meetings will be held at 5:30 p.m. at Red Lodge City Hall. The Chair may cancel the meeting if there is not a quorum. The meeting shall be called to order at 5:30 p.m., but not later than 5:35 p.m. Members will be notified of any change of the date, time and place of the regular meeting and this notification will be posted at City Hall and the Red Lodge Post Office.

### SECTION 2. RECESSED MEETINGS

Any regular meeting may be recessed to a definite time and place by a majority vote of the Parks, Trees and Recreation Board members present at the meeting.

### SECTION 3. SPECIAL MEETINGS

Special meetings may be called by the Chair and may be requested in writing to the Chair by any three (3) members of the Parks, Trees and Recreation Board, the Public Works Director or the Community Development Office. Members will be notified and the meeting date, time and place will be posted in a timely manner.

### SECTION 4. NOTICE OF MEETINGS

Written notice of all regular and special meetings shall be given by the Chair to the members of the Parks, Trees and Recreation Board except as herein provided. Notice of all regular meetings shall be given at least two days (48 hours) prior to the meetings. Notice of all special meetings and work sessions shall be given at least two days (48 hours) prior to the meeting and comply with MCA 7-1-4135, or applicable State Code. The notice shall state the time and place of the meeting and shall be accompanied by an agenda of the matters to be considered by the Parks, Trees and Recreation Board at such meetings. The agenda of all

regular meetings will be closed two days (48 hours) before the regular meeting of each month. Petitions and communications from the audience and matters brought to the meeting by the board members, which are not on the agenda for the meeting, may be received and discussed at the meeting. However, no official action may be taken on any matter at a Parks, Trees and Recreation Board meeting which is not included in the agenda of such meeting or which has been added to the agenda after it is provided to the Parks, Trees and Recreation Board. This agenda requirement may be suspended by a super majority (75%) vote of the Parks, Trees and Recreation Board members present at the meeting. Written notice of a special meeting is not required if the time of the special meeting has been fixed during a regular meeting at which all members are present.

## SECTION 5. ORDER OF BUSINESS

- Call to order and Roll Call:
- Citizen Comment on Matters within Board Jurisdiction (3 minute maximum)
- Action Items:
- Citizen Comment on Matters within Board Jurisdiction (3 minute maximum)
- Adjourn meeting:

## SECTION 6. PUBLIC HEARING PROCEDURE

In matters of high importance, the Parks, Trees and Recreation Board may hold a Public Hearing (as determined by the Parks Board Chair and City staff).

- A.) The Chair opens the public hearing and places the staff report into the record by reference. The rules and procedures of the public hearing are explained to the participants in attendance.
- B.) The Chair, Public Works Official, Community Development Director or City Planner gives any oral presentation required describing the application and outlining his/her written report.
- C.) The representative shall make a presentation to the Parks, Trees and Recreation Board describing the request/discussion item and making his/her arguments for approval of the request/discussion agenda item.
- D.) The Chair shall request input from the public, either written or oral, on the agenda item.
- E.) After every person has had a reasonable opportunity to speak, the Chair shall declare the public hearing closed. The Parks, Trees and Recreation Board may continue discussing the application and may direct relevant questions to the applicant, Executive Officer, staff, or members of the public. There shall be no debate allowed between the public, applicant or staff. All questions and responses will be directed from and to the Chair.
- F.) After all discussion has ended, or the Chair has determined sufficient time has been spent on the issue, he/she will entertain a motion concerning the agenda item.
- G.) A public hearing is by nature quasi-judicial. Therefore, members cannot ask for or accept any input from the public outside of the hearing process on an application which will be part of a public



hearing unless the member states on the record at the public hearing the type, extent and source of the information received outside of the hearing, and the Chair allows the applicant a reasonable amount of time to respond to such information. At no time during the hearing can a member or citizen ask for, or receive, a show of hands for or against a public hearing item.

## SECTION 7. QUORUM

A majority of voting members at any meeting shall constitute a quorum for the transaction of business and the taking of official action. In all cases a quorum is four voting (4) members.

## SECTION 8. VOTING

A Parks, Trees and Recreation Board member who is aware of a conflict of interest must disclose to the Chair that a conflict of interest may exist. If the member discloses the information they received about a voting matter before the item is discussed and feel as though they can make a fair and partial decision, they may vote on the matter. If the member feels a conflict exists, the Chair shall excuse the member from discussion and voting on the particular topic and the member must leave the table during the presentations, hearing, and deliberations on the item. Failure to report a potential conflict of interest potentially discredits the member and upon its discovery is cause for removal from the Parks, Trees and Recreation Board.

- A.) Unless excused from the meeting by the Chair as allowed in 'A' above, all members must vote either for or against any motion on the floor. Abstention under Robert's Rule of Order, such as for insufficient information, is authorized. Failure to comply with this rule is cause for removal from the Parks, Trees and Recreation Board.
- B.) Actively seeking or encouraging ex-parte communications with a quasi-judicial Parks, Trees and Recreation Board agenda item is prohibited. A member found to be actively seeking or encouraging ex-parte communication may be censured by the Parks, Trees and Recreation Board, asked to resign, or recommended for removal from the Parks, Trees and Recreation Board for cause.

## SECTION 9. PARLIAMENTARY PROCEDURE

The Roberts Rules of Order shall govern parliamentary procedures in Board meetings.

## SECTION 10. PUBLIC NATURE OF MEETINGS AND RECORDS

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

## ARTICLE VI- AMENDMENTS

These By-Laws. may be amended at any regular meeting by the affirmative vote of the majority of voting members, provided that the proposed amendments have been submitted in writing at the preceding regular meeting.


ADOPTION:

These Red Lodge City Parks, Trees and Recreation Board By-Laws were adopted at the regular meeting of the Board on October 19, 2016.

Signature

  
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Dan Siefert

Chair

  
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Bill Foisy     *William R. Foisy*

Secretary

