

RESOLUTION NO. 16-2018

A RESOLUTION ADOPTING THE FERGUS COUNTY WEED DISTRICT BYLAWS

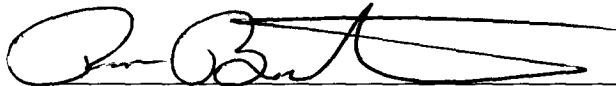
WHEREAS, Fergus County has established a Weed District pursuant to Montana Code Annotated § 7-22-2101 et. seq., and

WHEREAS, the Fergus County Weed District has established bylaws and has updated such bylaws,

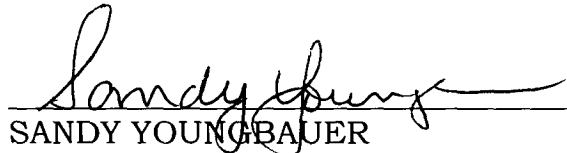
NOW, THEREFORE, BE IT RESOLVED that Fergus County adopts the Weed District's updated bylaws.

**PASSED AND APPROVED** this 11 day of June, 2018 by the Board of County Commissioners, Fergus County, Montana.

BOARD OF COMMISSIONERS:



ROSS BUTCHER

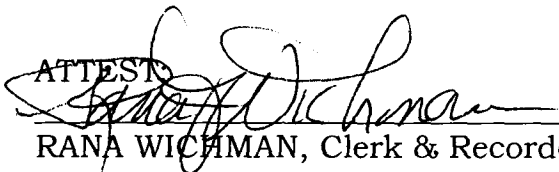


SANDY YOUNGBAUER



CARL SEILSTAD

ATTEST



RANA WICHMAN, Clerk & Recorder

## **Fergus County Weed Board Bylaws Updated May 2018**

### **Administration and procedures**

#### **Article I. General Provisions**

**Section 1.01 Purpose of Bylaws.** The purpose of this policy is to establish the rules of administration of the Fergus County Weed District and rules of procedure for the conduct of meetings of the Fergus County Weed Board. These rules of procedure are intended to assure that the Board can accomplish its work efficiently, in full view of the public and with reasonable opportunity for the public to participate in the deliberations and decisions of its county government.

#### **Article II. Purpose**

**Section 2.01 Purpose.** The purpose of the Fergus County Weed Board is to oversee and implement an integrated weed management plan for all lands located within Fergus County boundaries.

#### **Article III. Responsibilities**

##### **Section 3.01 Powers and Duties.**

In addition to any powers or duties established in Fergus County Resolution No. 14-97, the board shall have the powers and duties set forth in Montana Code Annotated § 7-22-2109. The board chair shall approve in writing any expenditures of more than \$1,000.

The board shall not supervise a coordinator or other employees as authorized by MCA § 7-22-2109(1)(a). The Fergus County Commissioners shall supervise a coordinator and other employees.

#### **Article IV. Membership**

**Section 4.01 Appointment.** Appointments to the Board of the Fergus County Weed District shall be made by the Board of Commissioners.

**Section 4.02 Composition.** There shall be five (5) voting members.

**Section 4.03 Qualifications** Board members shall be residents of Fergus County and shall have demonstrated an interest and knowledge in weed management.

##### **Section 4.04 Term.**

1. Each member shall be appointed to a three (3) year term. Terms will be staggered so that no more than two (2) terms expire in any given year.
2. Pursuant to the Fergus County Charter, Article III, Section 3.03, a member may not serve more than two terms consecutively.
3. The term of each member commences on January 1<sup>st</sup>.

**Section 4.05 Compensation.** Board members shall serve without salary or compensation. However, Board members may receive mileage, per diem, or expenses pre-approved out of county training or for other pre-approved functions, and in any case such payments are subject to the approval of the Board of Commissioners of Fergus County.

**Section 4.06 Vacancies.** Pursuant to § 7-1-201, (5) (a), M.C.A., vacancies of the Weed Board shall be posted at least one month prior to an appointment to fill any such vacancy.

**Section 4.07 Removal.** The Board of Commissioners may remove any member or members at any time for any reason.

#### **Article V. Ex – Officio Member.**

**Section 5.01 Ex-Officio Member.** The Fergus County Extension Agent shall serve as an ex-officio non-voting advisory member of the Weed Board.

#### **Article VI. Officers.**

**Section 6.01 Officers.** There shall be a Chair and Vice-Chair of the Fergus County Weed Board.

#### **Section 6.02 Elections and Terms.**

1. Officers of the board shall be appointed by the Weed Board at the first regular meeting of the calendar year.
2. The officers shall be appointed to one (1) year terms.
3. Terms commence on January 1<sup>st</sup>.

**Section 6.03 Vacancies.** Should the office of the Chair and / or Vice-Chair become vacant, the board shall appoint the successor at a regular or special meeting of the Board, and such appointment shall be the unexpired portion of the term.

#### **Section 6.04 Duties.**

Chair. The Chair shall preside at all meetings and public hearings of the Weed Board and shall call special meetings when they deem the necessity of doing or are required to do so. The Chair person shall certify the expenditure of Weed Board funds, shall sign minutes of Weed Board Meetings and all official documents involving the authority of the Weed Board. The Chair or his/her representative shall give notice of all regular and special meetings to Weed Board members, shall prepare agendas of meetings and shall draft and sign the routine correspondence of the Weed Board. The Chair shall have all the duties normally conferred by parliamentary usage on such offices and shall perform such other duties as may be ordered by the Weed Board.

Vice-Chair. The Vice-Chair shall serve as the Chairperson when situations arise that preclude the Chairperson from performing their duties. In such cases, the Vice-Chair shall have all of the authorities, powers and responsibilities of the Chair.

## **Article VII. Meetings**

**Section 7.01 Policy.** It is the policy of Fergus County Weed District that the public shall be afforded reasonable opportunity to participate in the operation of the Board prior to a final decision of the Board concerning any matter of significant interest to the public.

**Section 7.02 Regular Meetings.** Regular meetings shall be held bi-monthly, on the first Wednesday of every other month at the Fergus County Weed District. The board may resolve not to hold a meeting or to hold a meeting on a different day or time or place other than the regularly scheduled day, time and place.

**Section 7.03 Special Meetings.** Special meetings may be called at any time by the Board Chair or his/her representative. A minimum notice of forty-eight (48) hours is required, unless said notice is waived with a written agreement of a quorum of Board members.

**Section 7.04 Notice.** The agenda of all public meetings of the Fergus County Weed District shall be posted on the designated public posting board no later than 48 hours prior to the meeting.

**Section 7.05 Public Posting Board.** The board of Fergus County Weed District designates the posting board in the lobby of the 2<sup>nd</sup> floor of the Fergus County Courthouse as its official posting location.

**Section 7.06 Quorum.** A Quorum of the Fergus County Weed Board shall consist of three (3) Board Members. No meeting of the Board shall be convened without a quorum and no decision of the Board on any matter requiring a majority vote of the Board shall be made except by the affirmative vote of three (3) Board Members.

**Section 7.07 Agenda.** The agenda shall be prepared by the Board Chair or his/her representative and distributed in advance of the scheduled meeting.

**Section 7.08 Order of Business.** At regular meetings of the board, the following shall be the recommended order of business:

1. Roll Call
2. Reading and Approval of minutes of last meeting

3. Public comment on agenda items
4. Reports: Board members, Commissioners
5. Treasures Report
6. Old Business – reported by the Board Chair or his/her representative
7. New Business – reported by the Board Chair or his/her representative
8. Claims
9. Public comment on items not listed on the agenda
10. Executive session
11. Adjournment

**Section 7.09 Minutes.** The recording of minutes will be delegated by the board chair at the beginning of each meeting.

**Section 7.10 Voting.** Voting shall be either by voice or roll call vote. A roll call vote shall be conducted upon request of a member of the board or at the discretion of the presiding officer. Any action requiring a vote shall be decided by a simple majority.

**Section 7.11 Parliamentary Procedure.** The rules contained in Robert’s Rule of Order shall govern the board in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and Charter.

**Section 7.12 Public Participation.** All meetings of the Board are open to the public. Section 2-3-203, Part 1, Montana Code Annotated. Meetings may be closed to the public when the discussion relates to a matter of individual privacy and then only if the Board Chair determines that the demands of the individual privacy clearly exceeds the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting remains open to the public. Section 2-3-203 part 2&3, Montana Code Annotated. To comply with the intent of the Open Meeting Law, appropriate public notice shall be given of all Board meetings.

## **Article VIII. Conflict of Interest**

### **Section 8.01 Prohibition of Conduct.**

1. Members shall abide by the County Standard of Conduct.
2. If an issue arises in which a member believes he/she may have a conflict of interest, he/she must divulge that potential conflict of interest to the county attorney for an opinion on the validity of the conflict, and inform the Board. If

determined to be conflict regarding the issue before him/her, he/she shall refrain from participation in discussion of vote on that issue.

3. Failure to comply with the terms of this section may be deemed adequate cause for removal from the Board.

**Article IX. Amendment**

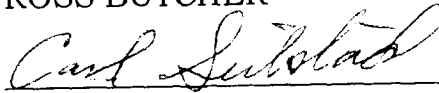
**Section 9.01 Amendments.** These By Laws shall be the province of the Fergus County Weed Board and shall be adopted and amended only by the action of the Board of the Fergus County Weed District.

**PASSED AND APPROVED** this 11 day of June, 2018 by the Board of Commissioners, Fergus County, Montana.

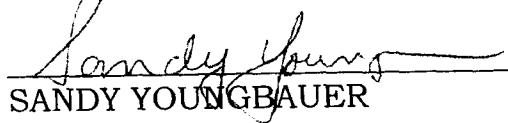
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