

# City of Red Lodge Sustainability Board By-Laws

## PART I. General Provisions

**Section 1.01 Purpose:** The purpose of this policy is to establish the rules and procedures for the conduct of meetings and the transaction of business by the Sustainability Board. These rules and procedures 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 the Board. These rules and procedures are promulgated pursuant to and supplement Part 10, Chapter 11, Title 7, Montana Code Annotated.

**Section 1.02 Authority:** The Energy Conservation Plan was passed on October 23, 2018. Resolution 3505 established the Red Lodge Sustainability Board on December 11, 2018 as per the Energy Conservation Plan's recommendation. The purpose of the Red Lodge Sustainability Board is to assist the Mayor, City Council, and City staff in implementing the strategies of the City of Red Lodge Energy Conservation Plan as an advisory board.

**Section 1.03 Goals:** The Energy Conservation Plan strategies address a) Fleet, Buildings and Streetlights b) Internal Policies and Practices c) Solid Waste, Recycling and Compost d) Wastewater and Water, and e) Codes and Land Use. The overall goal of the Energy Conservation Plan is to reduce the City government's energy use, energy costs, and greenhouse gas emissions.

## PART II. Officers

**Section 2.01 Officer Titles:** The officers of the Board shall consist of a Chair, Vice Chair, and Secretary. The Chair and Vice Chair shall be elected by the Board. The role of Secretary shall be shared by each member of the Board in rotation.

**Section 2.02 Nomination of Election of Officers:** With the exception of the first election, 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 2.03 Terms of Office:** The elective officers shall take office when elected and shall serve in such office a term of one year.

**Section 2.04 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 2.05 Duties of Officers:** The Chair shall preside at all meetings or appoint the Vice-Chair to do so. The Chair shall call special meetings when they are deemed necessary, with proper public notice in accordance with MCA 2-3-103, and shall appoint committees and sign all official papers and plans. The City Council representative of the Sustainability Board shall serve as liaison to the City Council.

1. The Vice-Chair shall assume the duties and powers of the Chair when called upon by the Chair. If both the Chair and Vice-Chair are absent from a meeting the Board may elect a temporary Chair.
2. The Secretary shall write meeting minutes in accordance with MCA 2-3-212 and make sure all records and accounts are open to the public.

### **PART III. Organization of Board**

**Section 3.01 Representation:** The Sustainability Board members will be appointed by the mayor with the approval of the City Council. There shall be a city council member and no less than five (5) and no more than seven (7) other members from the public and organizations of Carbon County to serve as members of the Red Lodge Sustainability Board (see Resolution 3505). The City Council member is a non-voting liaison to the City Council serving a two-year term by Mayoral appointment. Members of the Board shall serve without compensation.

**Section 3.02 Terms of Board Membership:** The term of the members noted above shall be for two (2) years serving staggered terms with at least two members' terms expiring each January 1. As each member of the Board completes their term, the Mayor shall reappoint that member or appoint a replacement with the approval of the City Council. The term of the City Council member shall coincide with the term of their elected office.

**Section 3.03 Attendance:** Members may be replaced if any member misses more than three (3) unexcused regular meetings, or more than six (6) regular meetings in a calendar year. If members are unable to attend a meeting, they shall notify the Chair or City Staff at least twenty-four (24) hours in advance of the meeting. The Chair shall note the absences at regular scheduled meetings and shall set the issue on the regular meetings at which time the Sustainability Board may vote to request that the Mayor replace the member for cause.

### **PART IV. Meetings**

**Section 4.01 Regular Meetings:** Regular meetings shall be held the 3<sup>rd</sup> Monday of the month. The meetings will be held at 4:00pm at the City Hall Council Chambers. Copies of the agenda shall be readily available to the press and to the public at large and one copy shall be posted at City Hall and the Red Lodge Post Office not later than 48 hours prior to the scheduled meeting. The Chair may cancel the meeting if there is not a quorum. The meeting shall be called to order at 4:00pm but not later than 4:05pm. Members will be notified of any change of the date, time, and place of the regular meetings and notification will be posted at City Hall and the Red Lodge Post Office.

**Section 4.02 Recessed Meetings:** Any regular meeting may be recessed to a definite time and place by a majority vote of the Sustainability Board members present at the meeting.

**Section 4.03 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 Sustainability Board, the Public Works Director, or the Community Development Office. Members will be notified of the meeting date, time, and place and posted in a timely manner.

**Section 4.04 Notice of Meetings:** All matters requiring consideration, discussion or decision by the Board shall be submitted to the Chair or to the Secretary of the Board at least 72 hours immediately preceding the next regularly scheduled meeting of the Board. The Chair or his/her

designated representative shall arrange the matters requiring discussion or action into an agenda according to the order of business specified herein. Copies of the agenda shall be provided to each member of the Board not later than 48 hours prior to the scheduled meeting. Copies of the agenda shall be readily available to the press and to the public at large and one copy shall be posted on the designated public posting Board not later than 48 hours prior to the scheduled meeting. All meetings of the Sustainability Board shall be open to the public.

## **PART V. Procedures**

**Section 5.01 Quorum:** A majority of Board members shall constitute a quorum. A member participating via phone shall be included in the quorum as detailed in section 6.06. All action of the Board shall be authorized by a concurring vote of the quorum. No meeting of the Board shall be convened without a quorum.

**Section 5.02 Order of Business:** The presiding officer shall prepare the agenda as follows, which may be altered by consent of the Board:

1. Roll Call of the Board Members
2. Approval of Minutes of the Previous Meeting
3. Public Comment over anything on the agenda
4. Scheduled Matters
  - a. News and Announcements
  - b. Consent Items (no discussion)\*
    - i. General Business
    - ii. Routine internal operations matters
  - c. Other Scheduled Matters
5. Public Comment on anything not on the agenda but within the jurisdiction of the Board
6. Unscheduled Matters: An item that is not scheduled on the agenda for the current meeting may be discussed during the session at the discretion of the Board. However, the purpose of such discussion shall be to decide whether or not to schedule the item for discussion and/or vote on a subsequent agenda. As a general rule no matter of significant interest to the public should be decided upon without prior notice to the public as a scheduled Board agenda item.
7. Adjournment

*\* Consent Items are those upon which the presiding officer considers no discussion should be necessary. However, at the beginning of each meeting any Board Member may request one or more items to be removed from the consent agenda for the purpose of discussion prior to a separate vote on the item(s). The presiding officer shall schedule such discussion and vote immediately following adoption of the consent agenda.*

## **PART VI. Rules of Board Participation**

**Section 6.01 Policy:** To provide for the effective participation by all members of the Sustainability Board and to protect the right of participation by members of the public appearing before the Board, all meetings of the Board shall be conducted in general conformance with the provisions of the current edition of Robert's Rules of Order, except when inconsistent with law.

**Section 6.02 Rules:** Board debate shall proceed in accordance with the following rules:

1. A Board Member desiring to speak shall address the presiding officer, and upon recognition, shall confine him or herself to the question under debate, avoiding abusive and indecorous language.
2. A Board Member once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or as herein otherwise provided. If a Board Member while speaking is called to order, he or she shall cease speaking until the question of order is determined, and, if in order, he or she shall be permitted to proceed.
3. Order of rotation in matters of debate or discussion shall be at the discretion of the presiding officer.
4. A motion may be made by any member of the Board but must be seconded prior to discussion and vote. If the motion is not seconded it shall be declared failed for lack of a second by the presiding officer.
5. A motion to reconsider any action taken by the Board may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed and reconvened session thereof. Such a motion may only be made by a Board Member of the prevailing side, but may be seconded by any Board Member and it shall be debatable.
6. Nothing herein shall be construed to prevent any member of the Board from making or remaking the same or any other proper motion at a subsequent meeting of the Board but the matter must be a scheduled agenda item.

**Section 6.03 Suspension of the Rules of Debate:** The rules of debate may be suspended temporarily by the unanimous vote of the entire Board.

**Section 6.04 Majority of Whole Board Required:** The affirmative vote of a quorum is required to adopt any measure unless a greater number of votes may be required by law or ordinance.

**Section 6.05 Duty to Vote:** It shall be the duty of each Board Member to vote in the affirmative or negative on each motion duly placed before the Board by the presiding officer. A Board Member may make a brief explanation of the reason why she or he voted in a particular way.

**Section 6.06 Proxy Voting:** A Board Member who is not physically present in the meeting at the time a motion is put to a vote can only vote under the following circumstances: a) the Member has been participating via phone for the entire meeting, and b) Member shall submit a written, signed response to the Chair regarding their vote.

**Section 6.07 Conflict of Interest:** Any member of the Board who has a private interest, as defined by law or as so advised by the County Attorney, in any matter pending before the Sustainability Board shall not participate in the debate, nor vote in that matter, nor seek to influence the vote of members of the Board, except as otherwise provided by [2-2-201](#), MCA. If the presiding officer has a private interest in a matter pending before the Board, he or she shall

yield the Chair to the Vice Chairperson during debate and decision concerning the matter in which she or he has a private interest.

### **PART VII. Presentation to the Board**

**Section 7.01 Procedures:** This is the general procedure by which items are handled by the Board Members.

1. The presiding officer or staff member presents the item to the Board along with a brief summary of the matter for discussion, with or without the presiding officer's recommendation.
2. For the purpose of clarification and after recognition by the presiding officer, Board Members may direct questions about the item to the presiding officer or staff member.
3. Comments from the applicant or applicant's representative will then be heard by the Board.
4. After recognition from the presiding officer the Board may direct questions to the applicant.
5. The presiding officer will then invite members of the audience to present or submit testimony beginning with those in favor of the proposal, followed by those who oppose the proposal and concluding with those who neither favor nor oppose the proposal.
6. All testimony shall be directed to the presiding officer.
7. The Board may, upon a proper motion and second, vote on the matter or table the matter until a date certain.

### **PART VIII. Guide for Public Participation**

**Section 8.01 Guidelines for Public Participation:** The following guidelines shall serve to assure reasonable and fair public participation in the decisions of the Sustainability Board.

1. The public shall be invited to speak on any item under consideration by the Board after and only after recognition by the presiding officer.
2. The speaker should step to the front of the room, and for the record, give his or her name and address and, if applicable, the person, or organization he or she represents.
3. Prepared statements are welcomed and should be given to the presiding officer and noted in the minutes of the meeting. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become a part of the permanent record.
4. While the Board is in session, members of public must preserve order and decorum. No person shall delay or interrupt the proceedings or the peace of the Board nor disturb any

member of the public or of the Board while speaking or refuse to obey the orders of the presiding officer of the Board.

5. Any person who while testifying shall use indecorous or abusive language or who shall become boisterous or disruptive shall be barred from further presentation to the Board by the presiding officer, unless permission to continue be granted by a majority vote of the Board.


### **PART IX. Amendments**

**Section 9.01 Allowance:** These By-Laws may be amended at any regular meeting by an affirmative vote of the majority of voting members.

#### **Adoption**

These City of Red Lodge Sustainability Board By-Laws were adopted at the regular meeting of the Board on February 17<sup>th</sup>, 2020.

Signature

  
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Corey Thompson  
Chair

  
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Wanda Thomas  
Vice-Chair