

**LITTLE BITTERROOT LAKE
LAND USE ADVISORY COMMITTEE
POLICIES AND PROCEDURES
ADOPTED DECEMBER 23, 1996
AMENDED OCTOBER 12, 2000
AMENDED JULY 19, 2011**

PREAMBLE:

The Little Bitterroot Lake Land Use Advisory Committee, hereinafter referred to as the Committee, shall be governed by the provisions of all applicable statutes, local laws, ordinances, resolutions and particularly the Little Bitterroot Lake Neighborhood Plan.

JURISDICTION:

The Committee shall have advisory jurisdiction over all those lands within the boundaries of the Little Bitterroot Lake Neighborhood Plan.

MEMBERSHIP AND QUALIFICATIONS:

The committee shall consist of five voting members; three members of the Committee shall be chosen from within the membership of the Little Bitterroot Lake Association. Members shall be approved by the Board of Directors of said Association prior to Flathead County Commissioners appointment. One member of the Committee shall be appointed by and represent Plum Creek. One member shall be a property owner from within the neighborhood who owns land that does not front or abut on Little Bitterroot Lake. In the event no qualified individual applies for this fifth position, then the member from the Little Bitterroot Lake Association and the member from Plum Creek shall mutually choose the fifth member. The committee will advise the Flathead County Planning Board, Flathead County Board of Adjustment and the Board of County Commissioners, as appropriate, on all land use applications. There shall be no voting by proxy.

TERMS AND APPOINTMENTS:

All members shall be appointed by the Commissioners for three year terms. –Terms shall run with the calendar year beginning January 1st and expiring December 31st.

Members may be re-appointed by the Commissioners to successive terms. Service on the Committee shall be voluntary. There shall be no financial remuneration for services.

RESIGNATION OR TERMINATION:

Any Committee member who misses three consecutive meetings, unless excused, or a total of five meetings in a calendar year, shall be dismissed and replaced at the discretion of the Committee.

The Committee may forward a recommendation to the County Commissioners to replace a vacant committee member position. Replacements will be chosen by the entity which chose the member vacating his/her position, and appointees will serve for the remainder of the original term.

OFFICERS:

1. Chairman/Secretary:

The chairman shall be elected annually from within the Committee by the committee members. The chairman will preside over all meetings call special meetings from time to time as needed, direct the work of the Committee and serve as a voting member.

2. Vice Chairman/Sec:

A vice chairman shall be elected annually from within the Committee by the committee members. The vice chairman shall act as chairman in the chairman's absence and serve as a voting member.

MEETINGS:

All meetings shall operate under Robert's Rules of Order and shall be open to the public.

A quorum shall consist of a simple majority of the Committee members. An affirmative vote of a majority of the quorum present at the public meeting is required to act on any business.

The Committee shall meet only as business dictates. The usual meeting date when a regular meeting is called shall be the last Tuesday of the month at 4:30 p.m. Committee meetings will be scheduled in the conference room of the Flathead County Planning & Zoning Office, (FCPZ), Earl Bennett Building, 1035 First Avenue West in Kalispell.

Special meetings may be called by the chairman or the majority of the Committee at any time provided that the committee members and the public receive at least 48 hours notice. Public notice will be provided at the Marion Post Office and the Marion Grill. The meeting will also be noticed on the county website.

COMMITTEE DUTIES:

1. Review and give recommendations on all Little Bitterroot Lake Neighborhood applications pending before the Flathead County Planning Board and the Flathead County Board of Adjustments.
2. Solicit input from the community at large, as well as adjoining landowners, as scales of projects warrant.
3. Forward written recommendations to FCPZ in a timely fashion on all reviewed projects as well as other projects affecting the neighborhood.
4. Review and, from time to time, offer amendments to the Little Bitterroot Lake Neighborhood Plan and any associated regulations, to improve efficiency, and to address problems.
5. Communicate regularly with the citizens of the Little Bitterroot Lake Neighborhood through printed media, town meetings, and any other means deemed necessary or desirable in order to obtain the opinions, comments, and suggestions regarding issues which are of concern to the Little Bitterroot Lake Neighborhood.
6. Provide agendas to FCPZ a minimum of five days prior to the meeting date for FCPZ to post on the county website. Provide minutes to FCPZ to keep for their permanent records.

These by-laws may be amended at any time by a majority vote (3 members) of the Committee and concurrent approval of the Flathead County Commissioners.

LAND USE APPLICATION PROCEDURES:

Activities that require a public hearing before a public Board such as the Flathead County Planning Board, Flathead County Board of Adjustment or Flathead County Commissioners, shall follow the procedure described below:

1. Upon receiving an application at FCPZ, a copy of the application and all pertinent information shall be forwarded to each of the committee members a minimum of two weeks prior to the meeting date. The packet shall note the time frame for the committee's response and provide a list of the names and addresses of the adjoining property owners.
2. If the FCPZ staff report is complete it will be included with the application material. If not, FCPZ staff will present the report at a committee public meeting.

3. FCPZ shall notify all adjoining property owners within 150 feet or as local regulations require and shall note in the notice the time and place of the next Advisory Committee meeting. In addition, FCPZ shall reference the Committee meeting in the legal notice placed in the official County newspaper and post the notice to the county website.
4. The Committee shall place written notice of their public meeting at convenient places throughout the region or within the immediate vicinity of the property in question as deemed appropriate or necessary.
5. The Committee members shall review the property in question. The Committee shall make a reasonable effort to meet as a whole at the site. If a quorum will be present onsite, the site review shall be publicly noticed as a meeting of the Committee, pursuant to the notice requirements for a special meeting identified above.
6. Based on the site review and input received at the Committee meeting, the Committee shall forward a recommendation to FCPZ, approved by a majority of members. This recommendation shall go to the appropriate County Board and be included in the public record.
7. The recommendation shall be forwarded in writing within the time frame established by FCPZ.

ADOPTION

The foregoing by-laws were adopted by the Committee on June 28, 2011.

[Signature], Chair

[Signature], Vice Chair

[Signature], Member

[Signature], Member

[Signature], Member

Approved by the Flathead Board of County Commissioners on

July 19, 2011.

COMMISSIONERS
Flathead County, Montana

[Signature]
James R. Dupont, Chairman

[Signature]
Dale W. Lauman, Member

[Signature]
Pamela J. Holmquist, Member

ATTEST:
Paula Robinson, Flathead County Clerk and Recorder

By [Signature] Deputy

