BY-LAWS
OF THE
LAKESIDE COMMUNITY COUNCIL
Adopted August 2000
Updated September 2010

ARTICLE 1
Authorization

I. In accordance with MCA 7-3-111 and 7-3-417(2), the Flathead County Commissioners create the Lakeside Community Council.

ARTICLE 2
Statement of Purpose

I. Statement of Purpose: The Lakeside Community Council shall strive to promote the interest and concerns of its citizens in the planning area covered by the Lakeside Neighborhood Plan (Exhibit A).. In order to accomplish this goal, the Lakeside Community Council shall act as a liaison between the Flathead County Commissioners and the citizens of the Lakeside planning area, covered by the Lakeside Neighborhood Plan (Exhibit A).; to provide useful and beneficial information which will aid the County Commissioners in making decisions regarding the Lakeside Community; to inform citizens of the Lakeside Community of issues and problems before the County Commissioners which will impact citizens of the Lakeside Community; to provide leadership and support to the community's efforts to secure orderly growth and development in the Lakeside Community, to review and recommend revision to the Lakeside Neighborhood Plan, and to serve as a channel of communication with local, county, state and federal government officials and agencies regarding matters of concern to the citizens of the Lakeside Community.

ARTICLE 3
Definitions

I. "Council" shall mean the Lakeside Community Council.

II. "Commissioners" shall mean the Board of County Commissioners, Flathead County, Montana.

III. "The Lakeside Community" shall mean the geographic area represented by the Lakeside Neighborhood Plan. This area shall be the same as described in Exhibit "A" attached.

IV. "MCA" shall refer to The Montana Code Annotated as amended.

V. "FCPZ" shall refer to the Flathead County Planning and Zoning Department.

ARTICLE 4
Duties and Responsibilities

I. The Lakeside Community Council shall have the duty and responsibility to:

A. Serve as a purely advisory panel with no power to levy taxes or impose its will upon the citizens of the Lakeside Community;

B. Promote the purposes described in Article 2, by facilitating communication with and among the various boards that govern the Lakeside Community infrastructures, namely Lakeside County Sewer District; Lakeside Water District; Somers Rural Fire District; Upper West Shore QRU; Lakeside School, and any other governmental entity within the boundaries of the Lakeside Community.

C. Communicate regularly with the citizens of the Lakeside Community 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 Lakeside Community.

D. Attend meetings of the Board of County Commissioners and other County Boards and any other meetings where issues of importance to the Lakeside Community will be discussed. Attendance may be by the entire Council or by a designated representative.

E. Consult with FCPZ staff as required or requested.

F. Review applications to FCPZ affecting development or growth in the Lakeside planning area and make recommendations, via FCPZ, to the Flathead County Planning Board and Board of Commissioners.

G. Keep a record of all acts, meetings, and monies received and disbursed for the operation of the Council;

H. Make reports to the Commissioners concerning the activities of the Council as necessary.

I. Initiate and oversee revisions to the Neighborhood Plan as needed.

ARTICLE 5
Election and Appointment

I. Number and Composition: The total number of Council members shall number seven (7). Council members shall be residents of the Lakeside Community, as defined herein.

II. Selection and Term:

A. Six (6) Council members shall be elected following the procedures as set forth in MCA 13-1-104(3) and 13-1-401. Qualified electors to vote on the Lakeside Community Council shall be voters registered to vote within the boundaries of the Community Council district defined by the Lakeside Neighborhood Plan (Exhibit A).

B. The term of office shall be three (3) years, beginning at the first Council meeting following the election or until their successors are elected and qualified.

C. The terms of all Council members shall be staggered. Subsequent to the initial election, in which the terms of elected members were staggered, elected Council members each serve 3 year terms with two members re-elected each year.

D. The seventh member shall be a voter registered to vote within the boundaries of the Community Council district defined by the Lakeside Neighborhood Plan (Exhibit A), and shall be appointed for the Board of County Commissioners in order to achieve greater balance in community representation. This appointment shall be made within thirty (30) days of the certification of election. The initial term shall be one (1) year to assist in providing staggered terms; subsequent terms shall be for three (3) years.

III. Resignations and Vacancies:

A. Resignations from the Council shall be in written form.

B. Vacancies occurring on the Council shall be filled within thirty (30) days of the effective date of vacancy. Appointees shall hold office until the next regular election and if elected at that time, shall serve the unexpired term of

the vacant post.

C. In the event that a Council member misses three (3) consecutive meetings of the Council without good cause, such member may be removed from the Council by a majority vote of the other Council members.

D. Vacancies shall be filled by the Commissioners. The Council may offer names of qualified electors.

ARTICLE 6
Officers and Duties

I. The Council shall elect from its members a Chairperson, a Vice Chairperson, a Secretary and, if needed, a Treasurer at its first regular meeting following annual elections.

II. The Chairperson shall preside over all meetings and shall perform all other duties as may be prescribed in these By-Laws or by Council action.

III. The Vice Chairperson shall have the authority to act as Chairperson in the Chairperson's absence or disability.

IV. The Secretary shall be responsible for keeping the minutes of each meeting and shall act as Chairperson in the absence of both the Chairperson and Vice Chairperson.

V. The Treasurer shall keep accurate records of all receipts and disbursements of monies received and paid by the Council, and shall provide a monthly report to the Council of all financial activity to date. Financial records shall be open to the public for the inspection at all reasonable times.

VI. The terms of officers shall be for a period of one (1) year, commencing at the first regular Council meeting following their elections.

VII. The Council may remove any officer, at any time, from his or her duties upon a majority vote of the Council.

VIII. Should a Council member resign an officer position, election to fulfill the remaining term of that officer shall occur at the next Council meeting.

ARTICLE 7
Meetings

I. Regular Meetings: The Council shall fix the time and place for holding regular meetings and they shall be published according to legal requirements for such meetings. The meeting time shall be the last Tuesday of each month beginning at 7:00 p.m.

II. Special Meetings: Special meetings of the Council may be called by the Chairperson or by a quorum. Special meetings shall comply with the open meeting laws of Montana.

III. Quorum: A quorum shall consist of four (4) members. No action of the Council may be taken unless authorized by a quorum present at a regular or special meeting.

IV. Rule of Order: Roberts Rules of Order shall apply in all meetings of the Council, except as expressly stated herein or unless the context requires otherwise.

ARTICLE 8
Code of Ethics

I. The holding of public office or employment is a public trust, created by the confidence which the electorate reposes in the integrity of public officers and employees. A Council member or employee shall carry out his/her duties for the people of the Lakeside Community.

II. No Council member or employee shall:

A. Disclose or use confidential information acquired in the course of his/her duties to further substantially his/her personal economic interest;

B. Accept a gift of substantial value or a substantial economic benefit tantamount to a gift related to the carrying out of specific business of the Council;

C. Acquire an interest in any business or undertaking which he/she has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by this Council.

III. Conflict of Interest: A member of the Council who may have a financial or personal interest in an item under consideration by the Council shall declare that he/she may have a conflict of interest. The Council shall then decide whether

such member has such a conflict. That member shall then decide whether to accept the decision of the council. If that member accepts Council's determination that a conflict exists, that member shall be excused from the Council in the decision on the conflict, can participate in the discussion of the item in conflict as a general member of the public, but shall not participate in the vote taken on the item Any disqualification shall be entered into the minutes of the meeting.

ARTICLE 9
Order of Business

I. Unless otherwise determined by the Chairperson, the order of business at regular meetings shall be:

A. Call to Order
B. Passing of Sign-in Sheet for Record of Attendance
C. Agenda Approval
D. Approval of Past Meeting Minutes
E. Treasurer's Report
F. Committee Reports or Guest Reports Requested by the Council
G. Public Comments
H. Official County Business Items or Applications including Public Comments
I. Administrative or Procedural Items
J. Adjournment

ARTICLE 10
Financial and Records Management

I. Compensation for Services: No member of the Council or the officers thereof shall receive compensation for their services as Council members. To the extent that funds are available, the Council may, by resolution, authorize the reimbursement of actual and necessary expenses incurred.

II. Checks and Drafts: All checks, drafts or other orders for the payment of money, notes and other evidences of indebtedness, issued in the name of the Council, shall be signed by such officer or officers, agent or agents, and in such manner shall, from time to time, be determined by resolution of the Council.

III. Maintenance and Access to Records: The Council shall maintain reasonable records of its proceedings and shall allow access to those records by the County, County Auditor, and any independent auditor employed by the County and to any

duly appointed representative of the State or Federal governments.

ARTICLE 11
Committees

I. Special committees of the Council may be appointed by the Chairperson for purposes and terms which the Council approves and oversight shall be provided by the Council.

ARTICLE 12
Legal and Technical Assistance from Flathead County

I. Legal assistance may be provided to the Council by the County Attorney.
II. FCPZ shall provide technical assistance and support to the Council.

ARTICLE 13
Amendments

I. Amendments to the By-Laws may be introduced by any member of the Council at a regular or special meeting called for that purpose. All amendments proposed must be in writing and be approved by at least five (5) members of the Council before being submitted to the Flathead Board of County Commissioners for consideration and adoption.

ARTICLE 14
Severability

I. If any provision of these By-Laws or any section, sentence, clause, phrase or word or the application thereof in any circumstances shall be held contrary to law, such portion is severable from the remainder of these By-Laws and of the application of any such provision, sentence, clause, phrase or word in any other circumstances shall not be affected thereby.

ARTICLE 15
Adoption

I. The foregoing amended By-Laws were introduced before and approved by the Flathead Board of County Commissioners on this 22nd day of September, 2010, and were adopted by the Lakeside Community Council on this _____ day of _____, 2010.

LAKESIDE COMMUNITY COUNCIL

Chairperson – Keith Brown

Vice Chairperson – Mike Wilson

Secretary – Barb Miller

__(N/A at this time)_____
Treasurer (if appointed)

Council Member – Rex Boller

Council Member – David Fetveit

Council Member - Brent Hall

Council Member – Gene Shellerud

BOARD OF COUNTY COMMISSIONERS

Chairperson

Commissioner

Commissioner

APPROVED AS TO FORM AND CONTENT

County Attorney

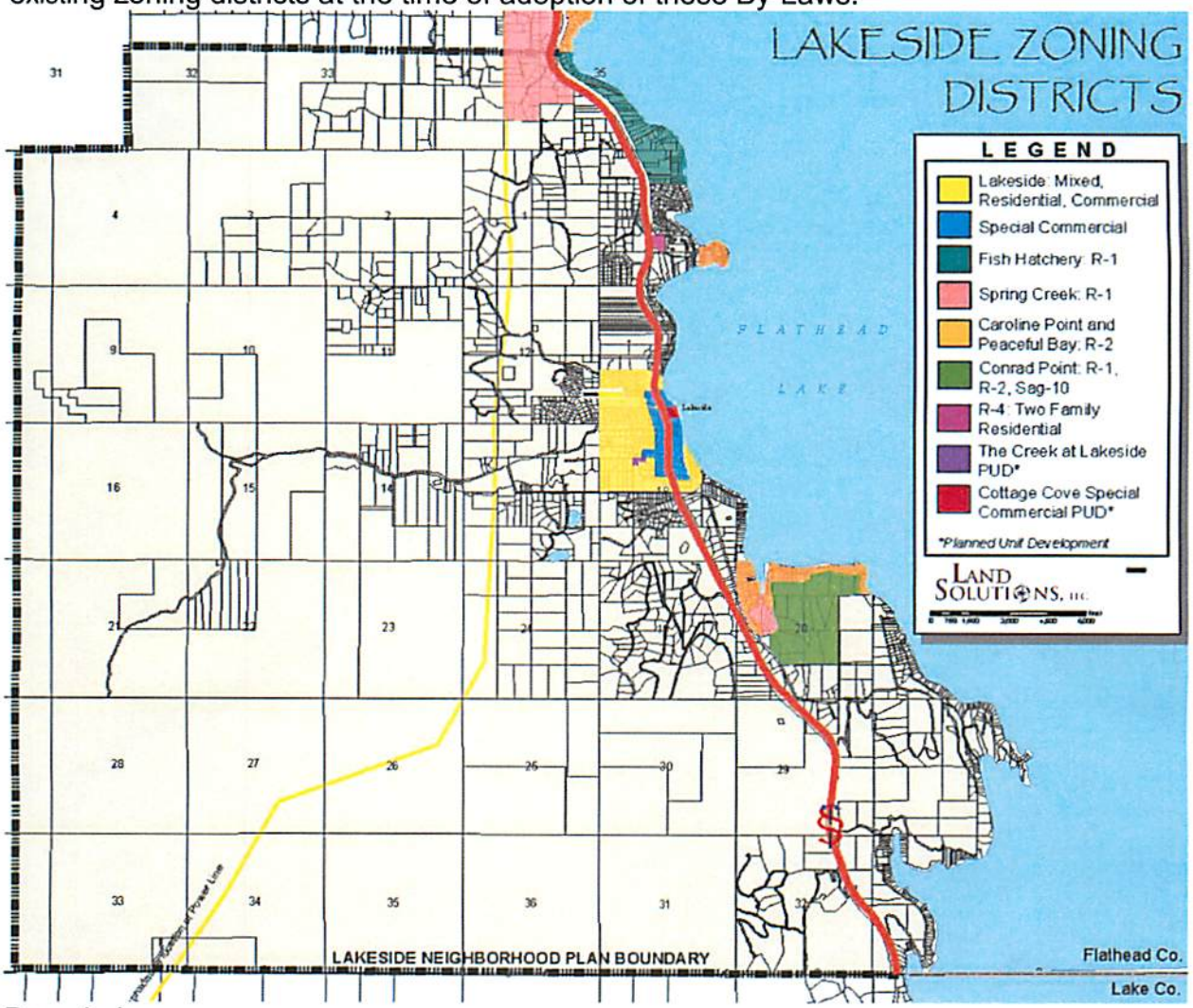
ATTEST:

Clerk and Recorder

SEAL OF FLATHEAD COUNTY
CLERK & RECORDER
STATE OF MT.

EXHIBIT A

Map of the planning area covered by the Lakeside Neighborhood Plan and indicating existing zoning districts at the time of adoption of these By-Laws.



Boundaries:

- North: Spring Creek Road
- South: Lake County Border
- East: Shoreline of Flathead Lake
- West: US Forest Service lands