

BYLAWS OF THE CONSOLIDATED BOARD OF ADJUSTMENT FOR GALLATIN COUNTY

ARTICLE ONE Creation of Board

Section 1. Statutory Authority. The Consolidated Board of Adjustment (Board) is established under Title 76, Chapter 2, Part 2, *inter alia*.

Section 2. Creation of Board. The Consolidated Board of Adjustment was formed pursuant to Resolution 2013-035 of the Board of Gallatin County Commissioners (Commission) on April 9, 2013.

ARTICLE TWO Powers and Duties of the Board

The Board has the powers and duties provided in Commission Resolution 2013-035 and all other authority expressed or implied by law.

ARTICLE THREE Board of Members

Section 1. Members. The Board is composed of five Members appointed by the Commission.

Section 2. Terms. Terms of office for Members are two years. Initial terms of Members were staggered by the Commission.

Section 3. Absenteeism. The proper functioning of the Board is seriously impaired by the absence of its Members. If a Member has two consecutive unexcused absences from regularly scheduled meetings during a twelve-month period, the Chair shall contact the Member and if the Member is not present at the next meeting, the Commission shall be informed and a replacement requested.

Section 4. Vacancies. Member vacancies shall be filled by the Commission.

Section 5. Conflict of Interest. If a transaction in which a Member has a tangible or intangible, financial or personal interest as a result of any matter coming before the Board, the Member must:

- a. not communicate about the matter with any person who will participate in any action to be taken on the matter.
- b. disqualify himself from acting on the matter
- c. publicly disclose on the record of the Board the existence of such interest; and
- d. not engage in deliberations or voting concerning the matter.

ARTICLE FOUR

Officers

Section 1. Elections. Officers shall be elected at the first regular meeting in each calendar year, and shall serve until the first regular meeting in the following calendar year.

Officers of the Board elected to fill vacancies shall serve until the first regular meeting in the following year.

Section 2. Chair. The Board shall elect a Chair who shall conduct all meetings and business of the Board. The Chair, being a co-equal member of the Board, shall in addition to presiding, have a right to participate in debate and shall vote on all motions.

Section 3. Vice Chair. The Board shall elect a Vice Chair who shall conduct all meetings and business of the Board in the Chair's absence.

Section 4. Secretary. The Board may elect one of its members as Secretary who shall in addition to other duties specified by the Board:

- a. be responsible for the minutes of the meetings of the Members upon media provided for that purpose;
- b. see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; and,
- c. bring a copy of these Bylaws, any resolution of the Commission authorizing or creating the Board and all relevant legal authority to every meeting.

The Secretary may designate another person to assist with these duties. Notwithstanding such designation, the Secretary is responsible to carry out the duties proscribed by these Bylaws and the Board.

ARTICLE FIVE

Meetings

Section 1. Annual Organizational Meetings. The first regular meeting in each calendar year shall be the annual organizational meeting to:

- a. receive new Members and have them take the oath of office;
- b. elect officers; and
- c. review the broad objectives which guide the Board.

Section 2. Regular Meetings. Regular meetings will be held as necessary.

Section 3. Special Meetings. Special meetings shall be at the call of the Chair, the request of the Commission, or the request of three (3) Members.

Section 4. Quorum. Three Members constitute a quorum for all meetings. However, if there is

less than a quorum, the Board may take testimony, discuss matters, and make recommendations at the next meeting where there is a quorum.

Section 5. Manner of Action. An act of a majority of the Members present at a meeting at which a quorum is present shall be the act of the Board, except where otherwise provided by law or by these Bylaws. There is no proxy voting.

Section 6. Notice to Members of Meetings. The Secretary shall notify all Members of all meetings either in person, telephonically, or in writing. No special meeting shall be held unless diligent efforts have been made to notify all Members.

Section 8. Open Meeting Requirements. All meetings of the Board are open to the public in accordance with the open meetings laws of the State of Montana. To comply with the spirit and intent of the Open Meeting Law, appropriate public notice shall be given of all regular and special Board meetings by giving proper notice. The Chair may close the meeting as described in detail in §2-3-203, MCA.

Section 9. Agenda. The Board's agenda for any meeting is under the authority of the Chair and must be published in accordance with law before any meeting. A decision of any three Members at the next scheduled meeting of the Board may override the Chair regarding the Board's agenda provided that the Board satisfy the open meetings laws of the State of Montana.

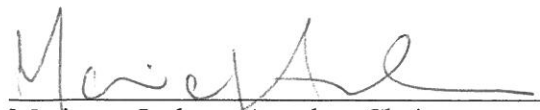
Section 10. Minutes. Minutes of all Board meetings shall be kept by the Secretary in accordance with §2-3-212, MCA.


ARTICLE SIX **Amendments to Bylaws**

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by the affirmative vote of three (3) of the Members present at any meeting, if at least two weeks written notice is given of the intention to alter, amend or repeal or to adopt new bylaws at such meeting. Any amendment must subsequently be approved by the Commission.

ARTICLE SEVEN **Approval of Bylaws**

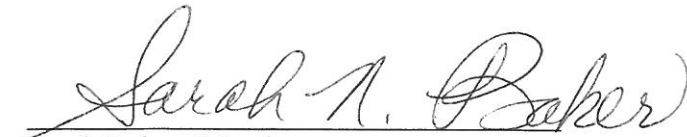
These Bylaws were approved by the Board on April 16, 2013 in a regularly scheduled and noticed meeting and submitted to the Commission for its approval.


Marianne Jackson Amsden, Chair
Gallatin County Consolidated Board of Adjustment


Don Seifert, Vice Chair
Gallatin County Consolidated Board of Adjustment



Sandra Maher, Member
Gallatin County Consolidated Board of Adjustment

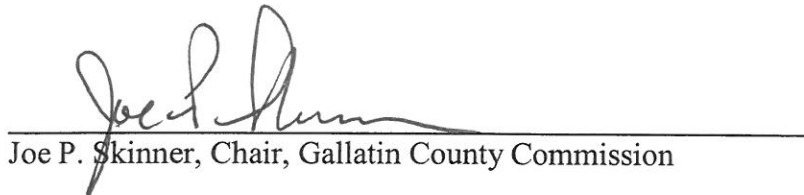


Sarah Baker, Member
Gallatin County Consolidated Board of Adjustment



Doug East, Member
Gallatin County Consolidated Board of Adjustment

Approved by Gallatin County Commission



Joe P. Skinner, Chair, Gallatin County Commission