



Missoula
C O U N T Y

**COMMUNITY COUNCIL
HANDBOOK**

APPENDICES

2026

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APPENDIX A

MISSOULA COUNTY ORDINANCE NO. 2026-001

APPENDIX A: MISSOULA COUNTY ORDINANCE NO. 2026-001

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01/09/2026 01:14:54 PM Ordinance
Tyler R. Gemant, Missoula County Clerk & Recorder
eRecording

ORDINANCE 2026-001 ORDINANCE ESTABLISHING COMMUNITY COUNCILS

Missoula County Community Council Ordinance

Section 1. Authority

This ordinance is enacted pursuant to Montana Code Annotated (MCA) 7-3-417(2), which authorizes the establishment of community councils by ordinance in counties that do not adopt a self-governing charter.

Missoula County is a general government powers county established under MCA Title 7, Chapter 21, Part 1, and operates under the elected county official form of government as defined in MCA 7-3-111. As such, Missoula County is a limited powers government and may only exercise powers expressly provided by statute or necessarily implied therefrom.

Accordingly, the establishment of community councils in Missoula County must be authorized by ordinance in compliance with MCA 7-3-417(2).

Section 2. Purpose

The purpose of this ordinance is to establish a consistent and legally compliant framework for community councils in unincorporated areas of Missoula County.

Community councils serve as advisory boards to the Missoula Board of County Commissioners (Commissioners). Their role is to:

- Provide a structured forum for residents to express concerns and offer input on local issues;
- Facilitate two-way communication between communities and county government;
- Promote civic engagement and local participation in county decision-making processes.

Community councils created under this ordinance are advisory only. They do not possess governing, taxing, regulatory, or enforcement authority.

Section 3. Establishment of Community Councils

This ordinance establishes the framework for the creation and operation of community councils in unincorporated areas of Missoula County.

The Board of County Commissioners (Commissioners) may, by resolution, establish individual community councils under the authority of this ordinance. Each resolution shall specify:

- The name of the community council;
- The geographic boundaries of the area it represents;
- The initial appointment process, including any transitional provisions;
- The staggering of terms to ensure continuity of membership.

A. Boundaries

Community council boundaries shall generally follow established geographic or administrative boundaries, including but not limited to:

- School districts,
- Special districts (e.g., fire, water, or sewer districts),
- Other logical or community-identified boundaries as determined by the Commissioners.

B. Membership

Each community council shall consist of seven (7) members.

C. Appointment Process

- All members shall be appointed by the Board of County Commissioners.
- Individuals must be residents of Missoula County and the council area as defined in each community council resolution.
- Current members who were elected prior to the adoption of this ordinance shall be permitted to serve out the remainder of their elected terms and may be eligible for appointment thereafter.
- Current alternates shall be permitted to serve the remainder of their elected terms and may be eligible for regular seat appointment thereafter.

D. Terms

- Terms of appointment shall be three (3) years.
- Terms shall be staggered as directed by the Commissioners to ensure continuity of experience and representation.

Section 4. Duties and Responsibilities

Community councils established under this ordinance shall serve in an advisory capacity to the Missoula Board of County Commissioners (Commissioners). Their responsibilities include:

A. Community Engagement

- Serve as a forum for residents to discuss local issues, concerns, and opportunities;
- Facilitate communication between the community and county government;
- Encourage civic participation and public input on matters affecting the council area.

B. Advisory Role

Community councils may provide non-binding recommendations to the Commissioners on matters including, but not limited to:

- Land use planning and development proposals;
- Public infrastructure and capital improvements;
- Emergency response and public safety;
- Transportation and road maintenance;
- Parks, trails, and recreation;
- Public health and environmental concerns;
- Other matters referred to the council by the Commissioners or raised by the community.

C. Meetings

Frequency and Notice:

- Community councils shall hold regular public meetings, at least 6 times per year or more frequently as needed.
- Notice of regular meetings shall have a minimum of two (2) days advance notice but whenever possible more notice should be given.
 - Notice of meetings must include:
 - The date, time, and location of the meeting,
- Meetings must be conducted in accordance with Montana open meeting laws.
- Noticing Agenda:
 - A proposed agenda, which should be posted publicly at least 48 hours or two (2) calendar days in advance, when practicable.
 - To ensure proper noticing, it is recommended meeting agendas be submitted to County staff at least one week (seven days) before meeting.
- Meeting minutes must be:
 - Taken at each meeting (summary format is acceptable),

- Include a record of council member attendance, any votes taken and the time of adjournment,
- Submitted to the designated County staff to be recorded with the Clerk and Recorder's Office within 30 days after the minutes have been approved by the board.
- The standard meeting format shall include the following agenda structure:
 1. Call to Order
 2. Roll Call
 3. Public Comment on Items Not on the Agenda
 4. Presentations (if applicable)
 5. Old Business
 6. New Business
 7. Next Steps
 8. Adjournment
- Councils must provide opportunities for public comment and maintain decorum throughout the meeting.

D. Reporting

- Maintain and publish meeting agendas and minutes;
- Each council shall provide an annual report summarizing the council activities to the Commissioners at the October or November All Community Council Town Hall meeting.

Section 5. Open Meetings and Public Records

Community councils are subject to the provisions of the Montana Open Meeting Law and Public Records Law, as outlined in MCA Title 2, Chapter 3. Accordingly:

A. Open Meetings

- All meetings of community councils must be open to the public and properly noticed in accordance with state law.

B. Public Records

- Community councils must provide records of:
 - Meeting agendas,
 - Meeting minutes,
 - Any written recommendations or reports submitted to the County.
- These records are considered public documents and must be made available upon request in accordance with state law.

- To ensure compliance with public records retention requirements, all such documents must be submitted to the County, which will maintain them as part of its official records.
- The County will maintain a publicly accessible website where community council agendas and minutes will be posted for transparency and public access.
- The County will provide an official email address for council communication and correspondence. This email address shall be included in all council correspondence.

Section 6. Funding and Financial Procedures

A. County Support

- Community councils may receive annual funding allocations from Missoula County, subject to availability and approval through the County's budget process.
- Allocated funds may be used for:
 - Meeting space rental,
 - Public outreach and communications,
 - Website or digital tools,
 - Training or community engagement events, and
 - Other expenses approved by the County.
- Expenses must be approved by a majority of council members present during a noticed meeting attended by a quorum of the council.

B. Financial Oversight

- Council shall submit invoices to Missoula County to pay for services needed to operate the council.
- Councils may not accept or expend donations, grants, or other funds without prior approval from the Commissioners.

Section 7. Administrative Support

To promote consistency, transparency, and compliance with applicable laws, Missoula County shall provide administrative support to community councils, including but not limited to:

A. Staff Liaison

- The County shall assign one staff member to serve as the primary point of contact for all community councils.
- Missoula County shall be listed as an account holder on all official council accounts, including but not limited to bank accounts, PO boxes, and digital communication channels. The County shall maintain administrator access to all public-facing communications and services.

- This staff liaison shall:
 - Coordinate communication between councils and County departments,
 - Assist with agenda posting, meeting notices, and public records compliance,
 - Provide guidance on County policies, procedures, and financial reporting,

B. Training and Orientation

- The County shall provide training for all community council members on the legal and procedural requirements for public boards under Montana law.
- Training may be delivered through the MSU Local Government Center or a similar qualified provider, and shall include:
 - Open meeting and public records laws,
 - Roles and responsibilities of advisory boards,
 - Ethical standards and public accountability.

C. Templates and Tools

- The County may develop, distribute and require standardized templates for:
 - Agendas and minutes,
 - Bylaws,
 - Annual reports and financial statements,
 - Public notices and outreach materials.

Section 8. Dissolution

The Board of County Commissioners (Commissioners) may dissolve a community council established under this ordinance by resolution if any of the following conditions are met:

A. Inactivity

- The council has failed to hold a public meeting for a period of six (6) consecutive months.

B. Membership Vacancies

- The council's membership falls below the number required to establish a quorum, and the vacancies cannot be filled after reasonable efforts by the County but not more than 12 months.

C. Council Request

- The council submits a formal written request for dissolution, approved by a majority vote of its members.

D. Other Cause

- The Commissioners determine that the council is no longer serving its intended advisory function or is not operating in compliance with this ordinance, after providing notice and an opportunity for the council to respond.

Section 9. Severability

- If any section, subsection, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The Board of County Commissioners declares that it would have adopted this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid.

Section 10. Repealer

- The enactment of this ordinance repeals the following resolutions:
- 1987-070 Resolution Establishing Seeley Lake Community Council
- 1994-021 Resolution Establishing Lolo Community Council
- 2006-021 Resolution Establishing Bonner Community Council
- 2006-110 Resolution Establishing East Missoula Community Council
- 2006-111 Resolution Establishing Swan Valley Community Council
- 2008-086 Resolution Establishing West Valley Community Council
- 2023-016 Resolution Establishing Clinton Community Council

Section 11. Effective Date

This ordinance becomes effective January 8, 2026

DATED THIS 8th DAY OF JANUARY 2026

ATTEST:

APPROVED:

BOARD OF COUNTY COMMISSIONERS
MISSOULA COUNTY


F341C34706B6681FE14B1915AFB4B77 ready-to-go
Tyler Gernant, Clerk and Recorder


13F051ED69FA2244FFA409545EB0D56F ready-to-go
Josh Slotnick, Commissioner

APPROVED AS TO FORM:


A6ACE081F2505A3A08967F7EBBB8C312 ready-to-go
Dave Strohmaier, Commissioner


6ABD1B1CAC6432687B58E293CF03468F ready-to-go
John Hart, Deputy County Attorney


8F45D38DCC41EBC2B2D512DC93A576B2 ready-to-go
Juanita Vero, Commissioner



APPENDIX B

**COMMUNITY COUNCIL ESTABLISHING RESOLUTIONS AND
BOUNDARY MAP**

APPENDIX B: COMMUNITY COUNCIL ESTABLISHING RESOLUTIONS & BOUNDARY MAP

I. Current Community Councils

There are seven community councils in Missoula County which include: Bonner-Milltown, Clinton, East Missoula, Lolo, Seeley Lake, Swan Valley and West Valley (Frenchtown).

II. Resolutions Establishing Community Councils and Boundaries

The boundaries of the geographic areas and neighborhoods served by Community Councils are defined as Council Areas or Council Boundaries and typically follow existing school district boundaries or political boundaries. Shown below in Table 1 below, is a summary of the Resolution re-establishing each Community Council along with its respective boundaries.

Table 1. Summary of Resolutions Establishing Each Community Council and its Boundaries

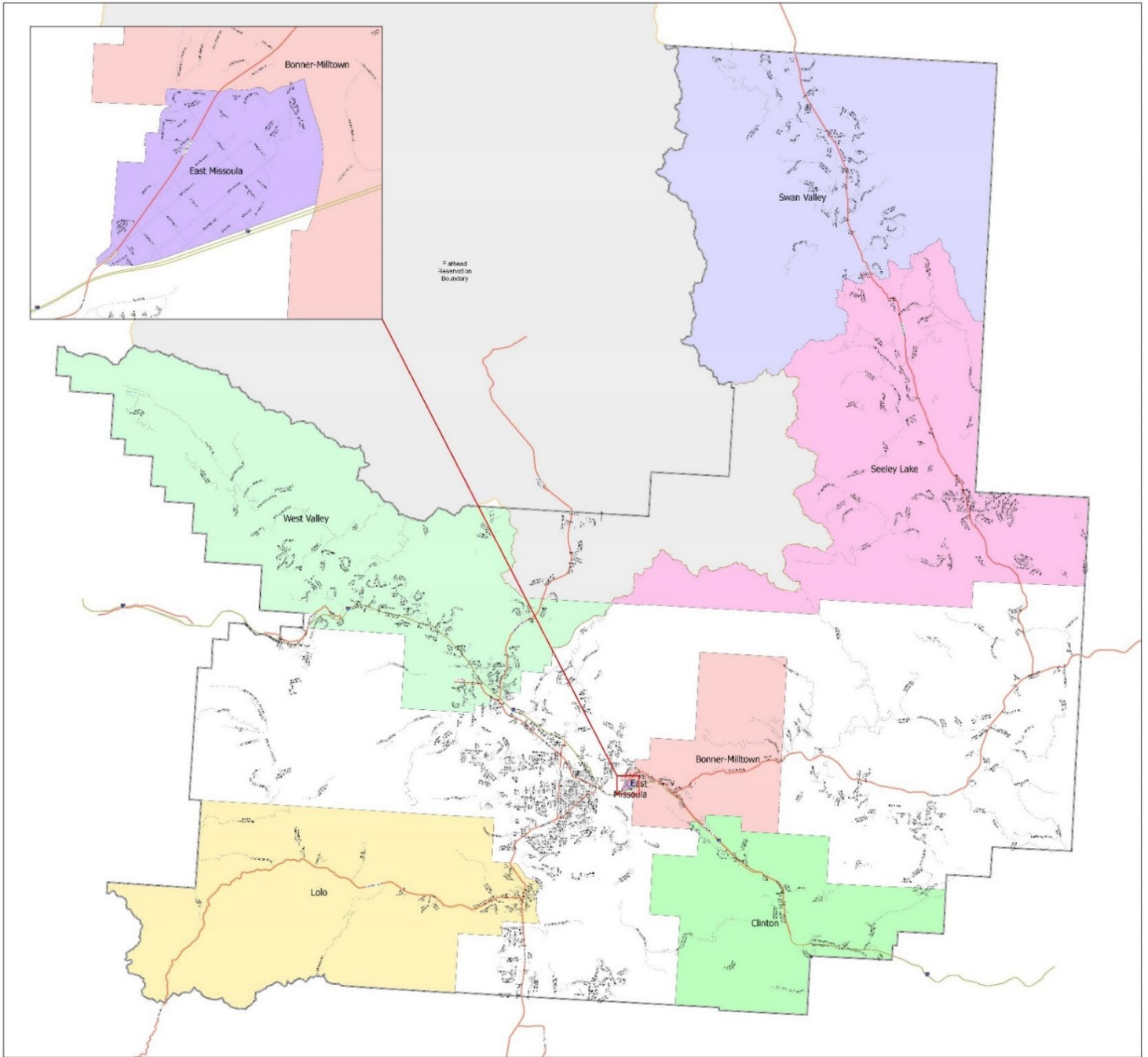
No.	Community Council	Boundary	Establishing Resolution
1	Seeley Lake	Seeley Lake School District 34	Resolution No. 2026-003
2	Lolo	Lolo & Woodman School Districts 7 & 18	Resolution No. 2026-005
3	Bonner-Milltown	Bonner School District 14	Resolution No. 2026-007
4	East Missoula	East Missoula Sewer District	Resolution No. 2026-004
5	Swan Valley	Swan Valley School District 33	Resolution No. 2026-002
6	West Valley	West Valley Community *Updated 2024	Resolution No. 2026-001
7	Clinton	Clinton School District 32	Resolution No. 2026-006

The goal for the Community Council's boundary is to reflect an area of the County where citizens feel their issues and interests are similar and/or intertwined.

Council Boundaries can only be modified by resolution of the County Commissioners. In their sole and absolute discretion, County Commissioners may modify the boundaries of a Community Council. To initiate a revision to the Council Boundaries, a Community Council is required to submit a written request to the County Commissioners describing the reason for the boundary modification. Similar to forming a new Community Council, modifying the boundaries of a Council Area requires public notice, public hearing and approval from the County Commissioners.

In general, modifying boundaries requires clear reasoning, public support, cooperation between affected parties, public meetings, and approval from the County Commissioners.

III. Boundary Map



The data on this map was last updated on 11/15/2019. It is the responsibility of the user to verify the accuracy of the information presented on this map. The data is provided as a service and is not guaranteed.



MISSOULA COUNTY COMMUNITY COUNCIL BOUNDARIES



APPENDIX C

EXAMPLES OF COMMUNITY COUNCIL ENGAGEMENT ACTIVITIES AND OUTREACH CONSIDERATIONS

APPENDIX C: EXAMPLES OF COMMUNITY COUNCIL ENGAGEMENT ACTIVITIES AND OUTREACH CONSIDERATIONS

This Appendix C provides a few examples of the activities in which Community Councils may provide input and non-binding recommendation to the County Commissioners.

- Land use planning and development proposals.
- Public infrastructure and capital improvements. Proposed actions being taken by state, federal and tribal agencies such as timber sales, land swaps and acquisitions, traffic studies, subdivision reviews, new parks, parks improvements, air quality standards and weed control. In this case, any recommendations made by the Community Council must be directed to the County Commissioners.
- Trail building projects within Missoula County, matching grants programs for local agencies, conservation resource assessment, streamside protection project and land use plans.
- Emergency response and public safety measures associated with projects implemented by the Montana Department of Transportation, Missoula County Sheriff's Office and Missoula County Public Works such as road improvements, speed zones, and signage.
- Public health and environmental concerns. Air and water quality issues, solid waste hazards, community fire protection and crime.

Community Councils can facilitate community engagement in their respective Council Areas through a variety of means. It is important to ensure that all citizens are provided with the ability to be heard and participate in the decision-making process of each Community Council. Key strategies and considerations for communicating with citizens in your Council Area may include in-person interactions, digital engagement, targeted outreach efforts and accessible information sharing. Below are a few examples of the types of ways Community Councils can encourage participation from local citizens.

- Newsletters, flyers or posters informing citizens of the proposed projects and the potential impacts on the Council Area.
- Question and answer forums or open houses with local representatives associated with proposed projects.
- Conducting surveys.
- Utilizing social media platforms for outreach and publishing materials on the Community Council website.
- Neighborhood walks and regular meetings.

It is important to continually monitor and evaluate the effectiveness of a Community Council's outreach methods. All forms of communication, including that on social media platforms, are required to be easily accessible and compliant with the Missoula County Accessibility Policy for Persons with Disabilities and the Americans with Disabilities Act. See Appendix L for information associated with these policies.

APPENDIX D

FORMATION PROCESS FOR A NEW COMMUNITY COUNCIL

APPENDIX D: FORMATION PROCESS FOR A NEW COMMUNITY COUNCIL

Montana Code Annotated (MCA) Sections 7-3-111 and 7-3-417(2) authorize local governments, to establish community councils, by ordinance, for purposes of advising governing authorities. Below is a detailed summary of the steps required to form a new Community Council.

I. Meeting with Missoula County Lands and Communities Office

Missoula County Lands and Communities Office (LAC or LAC Office) guides citizens through the process of establishing a Community Council. Residents interested in establishing a Community Council are required to first schedule a meeting with the LAC Office. The LAC Office provides residents with information about holding public meeting, identifying contacts in their neighborhood, determining the issues to be addressed by the Community Council and discussing the Council Area or Council Boundary.

II. Information Sharing

Once residents have met with the LAC Office and have decided to move forward, the residents interested in forming a Community Council should inform their community about Community Councils. This may include providing information about the benefits a Community Council can provide, the experiences of other Community Councils and the types of projects this group could be involved in. Residents interested in forming a Community Council can distribute written materials, hold town halls, community forums and meetings with existing citizen groups to gauge the level of interest by residents in the proposed Council Area.

III. Petition County Commissioners

If sufficient interest is shown, residents must petition the County Commissioners with a substantial number of signatures:

- Name of proposed Community Council
- Proposed Council Area or Council Boundary typically associated with a school district
- Names, physical address and signatures of residents in support of forming the Community Council
- A sample petition containing the required language is shown on the following page.

Once signatures are collected and the petition is complete, the petition must be submitted to the LAC Office for distribution to the County Commissioners.

IV. Community Public Meeting

Following receipt of the petition, the LAC Office hosts a community public meeting for purposes of answering questions, taking comment on the need for a Community Council, the proposed boundaries and the process for initial council member appointment. This community public meeting provides the County Commissioners community feedback to make the final determination as whether there is enough interest form a new Community Council.

V. County Commissioners Public Hearings

Following the community public meeting, if the County Commissioners determine there is sufficient interest and level of support by the residents and that the boundaries selected appropriately represent the proposed Council Area, the County Commissioners are required to hold two formal public hearings at which the County Commissioners vote, by resolution, on the issue.

a. *First Hearing: Resolution of Intent*

The first public hearing is held to determine if there are area residents who would be willing to serve as council members. The County Commissioners, by resolution of intent, request that they receive at least eight (8) applications from area residents who are willing to serve as an initial appointed council member. The LAC Office assists with the drafting of the resolution of intent to include information such as the date the petition was received and date letters of intent are due.

b. *Second Hearing: Final Resolution*

If the County Commissioners receive at least eight (8) applications by a determined date established by the Resolution of Intent, they hold a second public hearing for purposes of voting, by final resolution to add the question of forming a Community Council. The LAC Office assists with the drafting of the resolution to be presented to the County Commissioners for this purpose.

VI. Notices

The LAC Office works with the residents to schedule the public hearings with the County Commissioners. The County Commissioners will post a Notice of the hearings on the Missoula County website.

VII. Initial Council Members

As mentioned in the Council Handbook and Article 5 of the Bylaws, council members are appointed by the Board of County Commissioners. Appointment decisions are based on written applications and interviews. The initial council members of a newly formed Community Council serve staggered terms, as shown in Article 5 of the Bylaws, where a term runs from June 1 through May 31. Thereafter, the term of office for a council member is three (3) years. council members must be residents of the Council Area.

APPENDIX E

BYLAWS OF COMMUNITY COUNCILS

APPENDIX E: BYLAWS OF COMMUNITY COUNCILS (2026 Template Edition)

BYLAWS OF THE
XXX COMMUNITY COUNCIL

Article 1
Authorization

The establishment of community councils in Missoula County must be authorized by ordinance in compliance with MCA 7-3-417(2). In accordance with 7-3-417(2), the Missoula Board of County Commissioners enacted Ordinance No. 2026-001.

And,

By Resolution No. 2026-_____, establishing the **XX** Community Council in Missoula County under the authority of the above-described ordinance.

Article 2
Statement of Purpose

The **XX** Community Council shall strive to promote the interests and welfare of its citizens in Missoula County, Montana. In order to accomplish this goal, the _____Community Council shall act as a liaison between the Missoula Board of County Commissioners and the citizens who reside in the neighborhoods and communities of **XX School District XX** which area is more particularly described in Exhibit "A," attached and which shall be known as the Council Area. The role of the Community Council is: to serve as a forum for residents to discuss local issues, concerns and opportunities; to provide useful and beneficial information to the Commissioners to aid the Commissioners in making decisions regarding the **XX** community; to inform the citizens who reside in the Council Area of any issues or problems heard by the Commissioners, which may affect their communities; to provide leadership and support to community efforts in ensuring orderly growth and development within the Council Area; and to serve as a channel of communication with local, state and federal government officials and agencies regarding matters of concern to the citizens of the _____community.

Article 3
Definitions

- I. "Community Council" shall mean the _____ Community Council.
- II. "Commissioners" shall mean the Missoula Board of County Commissioners
- III. "Council Area" shall mean the geographic area, neighborhoods and communities served by the Community Council more particularly described on Exhibit A.
- IV. The "County" shall mean Missoula County, its departments, employees, agents and representatives.
- V. The "LAC Office" shall mean the employees or representatives of the Missoula County Lands and Communities Office.
- VI. "MCA" shall refer to the Montana Code Annotated as amended.

Article 4
Authority, General Powers and Duties

Section 1: Duties and Responsibilities

The _____ Community Council and its council members shall have the duty, authority 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 communities and neighborhoods it represents.
- b. Promote the purposes described above in Article 2, by facilitating communication with and among the various boards that govern the _____ community infrastructure, namely: _____ School District, _____ Rural Fire District, and any other government entity within the boundaries of the Council Area.
- c. Communicate regularly with the citizens who reside in the Council Area through printed and/or social media, town meetings (see Article 7), and any other means deemed necessary as approved by the council or desirable to obtain the opinions, comments and suggestions regarding issues which are of concern to the communities and neighborhoods it represents.
- d. Attend meetings of the Missoula Board of County Commissioners and other county boards and commissions and any other meetings where issues of importance to the Council Area will be discussed. Attendance may be by the entire community council (with public notice) or a designated representative.
- e. Consult with county planning staff regarding potential development or update of an area plan, including the adoption process and plan implementation.
- f. Keep a record of all acts, meetings and monies received and disbursed by the Community Council.
- g. Prepare and submit a proposed agenda, which should be posted publicly at least 48 hours or two (2) calendar days in advance, when practicable.
 - i. To ensure proper noticing, it is recommended meeting agendas be submitted to County staff at least one week (seven days) before any meeting held by the Community Council.
- h. Prepare and submit meeting minutes to the LAC Office, for recording with the Missoula County Clerk and Recorder's Office, within 30 days after the minutes have been approved by the Community Council.
- i. Prepare and provide an annual report during an All Community Council Meeting summarizing activities and expenditures of the Community Council during the prior fiscal year from June 30 through July 1.
- j. All council members are required to complete the online board training within the first 30 days of each new term.
- k. Community councils and their respective council members may refer to the Missoula County Community Council Handbook for additional information on Missoula County's policies, expected duties and responsibilities, as well as for guidance on operational procedures for community councils.

Section 2: Staff Liaison

The Missoula County Lands and Communities Office shall be the staff liaison to and shall provide limited staff assistance to the Community Council if they have the resources to provide such assistance.

Section 3: Community Council Expectations from the Commissioners

To fulfill its duties, the Community Council is expected to provide to the Commissioners letters, comments, recommendations, and other correspondence or information for purposes of helping the Commissioners make decisions on various projects, guide the strategic vision of county departments and stay informed about important issues facing rural communities.

Article 5 **Membership**

Section 1: Appointment

- a. Number and Composition: The total number of council members shall be seven (7). Council members shall reside in Missoula County with a residence located in the Council Area.
- b. Selection and Term:
 - i. Seven (7) council members shall be appointed by the Commissioners.
 - ii. The terms of the council members shall be staggered so that approximately one-third of the seats expire at any given time.
 - iii. The initial terms for members shall be determined by the Commissioners so that:
 1. A seven (7) member council will have: two (2) members with one-year terms, two (2) members with two-year terms, and three (3) members with a three-year term.
 2. Thereafter, the term of office shall be three (3) years, which term shall run from June 1 through May 31.

Section 3: Resignation

Resignations from any member of the Community Council shall be in written form, either by letter or email, and shall state the effective date of that member's resignation. All resignation letters shall be submitted to the chair, the Commissioners and the LAC Office. Upon receipt of a written resignation, the chair shall inform the remaining council members of the resignation at the next scheduled meeting of the Community Council.

Section 4: Termination

Membership may be terminated by a council member's resignation, by ceasing to reside within the Council Area, or by failing to meet the duties, responsibilities and obligations of a council member. The Community Council may recommend termination of a member by a majority vote if the member has missed three (3) consecutive regular meetings without just cause. The Chair may recommend removal to the staff liaison and Commission.

Section 5: Vacancies

Vacancies shall be filled by appointment(s). Applicants must be residents of the Council Area who have completed an application expressing their qualifications and interests in filling the vacancy and submitted it to the Missoula Board of County Commissioners. After applications have been validated, the applicant(s) may be requested to interview, and thereafter may be appointed by the Commissioners to fill the vacancy(ies). Appointment shall fill the remainder of the vacant term and shall be eligible for reappointment to a full 3-year term thereafter.

Section 6: Compensation

Members shall serve without compensation

Section 7: Dissolution of Councils

Pursuant to its lawful discretion, the Commissioners may resolve to dissolve the Community Council under such circumstances as the Commissioners deem appropriate and in the best interests of the residents of the Council Area or, if any of the following conditions are met:

- a. Inactivity. The Community Council has failed to hold a public meeting for a period of six (6) consecutive months.
- b. Membership Vacancies. The Community Council's membership falls below the number required to establish a quorum, and the vacancies cannot be filled after reasonable efforts by the County, but not more than 12 months.
- c. The council submits a formal written request for dissolution, approved by a majority vote of its members.

Article 6 **Officers and Duties**

Section 1: Officers

The Community Council shall elect from its members a chair, a vice chair, a secretary, and a treasurer at its first regular meeting following a council member's annual term renewal or vacancy, but generally at the June meeting. The names and position of each elected officer shall be delivered, in writing to the Commissioners and the LAC Office.

Section 2: Chair

The chair shall preside over all meetings and shall perform all other duties as may be prescribed in these bylaws or by action of the Community Council.

Section 3: Vice Chair

The vice chair shall have the authority to act as chair in the chair's absence or inability to serve or otherwise directed by the chair.

Section 4: Secretary

The secretary shall be responsible for keeping the minutes of each meeting and shall act as a chair in the absence of both the chair and the vice chair.

Section 5: Treasurer

Pursuant to Article 11, below, the treasurer shall submit to the LAC Office, for payment, all invoices associated with the operations of the Community Council within ten (10) calendar days of receipt of the invoice. The treasurer shall keep accurate records of all invoices, receipts, payments made by or on behalf of the Community Council, and shall provide a monthly report to the council members of all financial activity to date. Financial records shall be open to the public for their inspection at all reasonable times.

Section 6: Term of Office

Council members may be elected for up to two offices. The terms of officers shall be for a period of one (1) year, commencing at the first regular council meeting following their election. Officers shall be limited to three (3) consecutive terms.

Article 7 **Regular and Special Meetings**

Section 1: Meeting frequency:

The Community Council shall meet at least six (6) times per year or more frequently as determined by the Community Council.

Notice of regular meetings:

The Community Council shall fix the time and place for holding regular meetings and they shall be published according to legal requirements for such meetings.

Notice of regular meetings shall have a minimum of two (2) days advance notice but whenever possible, shall have at least seven (7) days advance notice.

Notice of meetings must include:

- The date, time, and location of the meeting.

Canceled meetings shall be noticed at least 48 hours in advance, when practicable and in accordance with Montana's Open Meeting Law (MCA 2-3-212). Notice of a canceled meeting shall be published on the Missoula County website.

Remote/Virtual meetings:

Meetings may be held remotely on virtual platforms. All legal requirements regarding the public's right to participate and right to know apply to electronic meetings. Virtual meeting information must be published on the agenda. Agenda must note if the meeting is hybrid or virtual only.

Section 2: Special Meetings

Special meetings of the Community Council may be called by the chair or by a quorum of council members. The chair shall provide notice of the special meeting at least two (2) calendar days in advance.

Section 3: Quorum:

A quorum shall consist of a majority of active council members. No action of the Community Council may be taken unless authorized by a quorum present at a regular or special meeting. If the Community Council desires to take an advisory position on an issue in its Council Area, such position shall be determined by a majority vote of the quorum. In the event of a tie vote, the issue shall be forwarded to the Commissioners with no definitive position.

Section 4: Rule of Order:

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

Section 5: Open Meetings:

The Community Council shall comply with the Montana Open Meeting Law (M.C.A. 2-3-201 et seq.).

Article 8
Ethics and Conflicts of Interest

Section 1: Ethics

Council members are appointed to provide leadership and support to community efforts. They also serve as a channel of communication with local, state and federal government officials and agencies regarding matters of concern to the citizens of their _____ community.

As such, all council members shall carry out their duties for the people of the communities which they serve.

- a. No council member shall:
 - 1. Disclose or use confidential information acquired in the course of their duties to substantially further their personal economic interest
 - 2. Accept a gift of substantial value or a substantial economic benefit tantamount to a gift. Gifts to council members shall not exceed a value of \$100 in any fiscal year. Pursuant to M.C.A. 2-2-104(1)(b) and M.C.A. 2-2-102 (3) (a)

Section 2: Conflict of interest

A council member who may have a financial or personal interest in an item under consideration by the Community Council shall declare that they may have a conflict of interest. The remaining council members shall then decide whether that council member has a conflict. If it is determined that such council member has a conflict, that council member shall not participate in a vote or discussion of that item. However, that council member may participate as part of the public in attendance in providing information to the Community Council on that item. Any disqualification shall be entered into the minutes of the meeting.

Article 9
Order of Business

Unless otherwise determined by the chair, the order of business at regular meetings shall be:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of Agenda
- E. Approval of Minutes
- F. Public Comments on Items NOT on the agenda
- G. Treasurer's Report
- H. Reports from Council Members
- I. Communications
- J. Bouquet Moment
- K. Old Business
- L. New Business
- M. Next Steps
- N. Public Comment
- O. Adjournment

The Community Council may, by majority vote of the members present, dispense with any item on the agenda or change the order of business.

Meeting minutes must include a record of council member attendance, any votes taken and the time of adjournment.

Please note: For public comment on items not on the agenda, the council members shall not discuss these issues in any detail, but rather decide if and when it wants to discuss those items and place them on the appropriate subsequent meeting agenda(s).

The time allotted for public comment may be limited by the chair. The chair is encouraged to keep public comment to approximately three (3) minutes to ensure that any and all members of the public have a chance to be heard on any item.

Article 10
Communications

Section 1: Personal Communications of Members:

An individual council member shall not sign written communications to others using the name of the Community Council, unless approved by vote of the council members.

Section 2: Informal Communications:

It is understood that informal discussions between individual council members of the and members of the community on various issues affecting the community will occur from time to time. It is the expectation that council members will report the content of these conversations to the remaining council members at the next regularly scheduled meeting to ensure that the views expressed are known to all council members.

Section 3: Email Communications:

Council members are encouraged to create a personal email for council use only. Discussion and decision making among council members is prohibited via email communication. All email communication is public record and needs to be retained as such.

Councils shall copy or cc the provided Missoula County Email address on all communications about council business to help in maintaining the public record.

Section 4: Outside Agencies Communications:

Community councils are only advisory to the Commissioners and have no authority to advise tribal, state, federal or other entities on projects, grants or other policies. If the Community Council wishes to comment on any project, be it county, tribal, state, federal or other, councils are limited to provide those comments to the county commissioners who may then advise the other entities accordingly. The Community Council shall not directly comment to other agencies but should provide recommended comments to the Commissioners.

Article 11
Financial Management

Section 1: Funding and Financial Oversight

The County may, in its sole discretion, may allocate to the Community Council up to \$1,000 per fiscal year, subject to approval through the County's annual budgeting process. If approved during the annual County budget, if a Community Council has less than \$1,000 in allocated funds, the County may allocate additional funds to the Community Council to bring the balance of allocated funds to \$1,000.

County allocated operational funds are intended for community council-related administrative expenditures only and specifically for meeting space rental, public outreach and communications, website or digital tools, training or community engagement events and other such expenses approved by the County. All invoices associated with operational expenses shall be submitted to the LAC Office for payment. Invoices shall be submitted to the LAC Office within ten (10) calendar days of receipt by the Community Council.

The Community Council shall list Missoula County as an account holder on all official accounts including but not limited to bank accounts, post office boxes and digital communication channels.

The Community Council shall not accept or expend donations, grants, or other funds without prior written approval from the Commissioners.

- a. Additional funds may be available for community council projects or initiatives and can be brought before the Commissioners for consideration.
- b. The Community Council shall not receive grant funds without prior written approval from the Commissioners. If approved, the grant funds shall be administered by the County or other such authorized community entity on behalf of the Community Council.
- c. Expenses must be approved by a majority vote of council members present during a noticed meeting attended by a quorum of the council members.

Section 2: 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 Community Council, shall be signed by such officer or officers, agent or agents, and in such manner as shall, from time to time, be approved by a majority vote of the council members present during a noticed meeting attended by a quorum of the Community Council. These shall be entered into the minutes of the meeting and notification sent to the LAC Office.

Section 3: Maintenance and Access to Records

The Community Council shall maintain reasonable records of its proceedings and shall allow access to those records by the public, Missoula County, County Auditor and any independent auditor employed by Missoula County and to any duly-appointed representatives of the state or federal governments.

Article 12 **Committees**

Section 1: Standing Committees

Standing committees of the council members may be created for purposes and terms which the Community Council approves. Members will be appointed by the council chair. Standing committees are required to follow all the same open meeting requirements as the full committee.

Section 2: Special or Ad Hoc Committees

Special or ad hoc committees comprised of council and non-council members may be created by the Community Council for such special tasks as shall be needed or desirable for the purposes of the Community Council and the interests of community it represents. At least one member of any special or ad hoc committee must be a council member. The council member shall have the responsibility to be the contact person for county offices and to report back to the full council. The chair shall appoint the members.

Article 13 **Legal Assistance**

Legal assistance may be provided to the council through a request from the LAC Office to the Missoula County Attorney's Office, if they have the resources to provide such assistance.

Article 14 **Amendments**

Amendments to the bylaws may be introduced by any member of the Community Council at regular or special meetings called for that purpose. All amendments proposed must remain consistent with the Bylaw template and Ordinance No. 2026-001 and Resolution No. **XX**. All amendments to the bylaws shall be in writing and approved by the Missoula Board of County Commissioners in writing before the amended provisions are adopted.

Article 15
Severability

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

Article 16
Adoption

The following bylaws were approved by the Missoula Board of County Commissioners on the ___day of _____, 20__.

Board of County Commissioners:

Approved As to Form:

Chair

Deputy County Attorney

Commissioner

Attest:

Commissioner

Clerk and Recorder

Exhibit A to Bylaws
Council Area

APPENDIX F

SAMPLE MEETING AGENDA

APPENDIX F: SAMPLE MEETING AGENDA

COMMUNITY COUNCIL MEETING AGENDA (IN PERSON ONLY/ HYBRID)

DATE: _____

IF YOU ARE HOSTING A HYBRID MEETING A CLICKABLE LINK MUST BE POSTED ON THE AGENDA WITH JOINING INFORMATION

6:00 PM	<p>Call to Order</p> <ul style="list-style-type: none"> • Pledge of Allegiance - Chair/Facilitator • Roll Call and Introductions • Approval of the Agenda • Approval of Minutes - Secretary • Public Comments on items not on the agenda (no discussion by council members on these items)
6:15 PM	<p>Officer/Committee Reports</p> <ul style="list-style-type: none"> • Treasurer • Standing Committees • Temporary Committees • Communications/Announcements • Bouquet Moment - take a moment to recognize the community or community member
6:25 PM	<p>Old Business</p> <ul style="list-style-type: none"> • Topic A <ul style="list-style-type: none"> ○ Presentation of issue or topic ○ Public comment (set a time limit for speakers - 3 minutes is standard) ○ Community council action or decision • Topic B <ul style="list-style-type: none"> ○ Presentation of issue or topic ○ Public comment (set a time limit for speakers - 3 minutes is standard) ○ Community council action or decision
6:30 PM	New Business
7:30 PM	Public Comment (no discussion by council members on these items)
7:45 PM	<p>Next Steps</p> <ul style="list-style-type: none"> • Next Meeting Date • Agenda-Topics
8:00 PM	Adjournment - Chair/Facilitator

*Anyone who requires an auxiliary aid or service for effective communication should contact the council chair (or other designated member) as soon as possible but no later than 48 hours before the scheduled event. Requests for documents in braille may take up to two weeks to fill.

* Turn off cell phones and any other distracting electronic devices.

APPENDIX G

SAMPLE INVITATION TO “MEET THE CANDIDATE FORUM”

APPENDIX G: INVITATION TO “MEET THE CANDIDATE FORUM”

The _____ Community Council is inviting you to participate in a “Meet the Candidate Forum.”

The Meet the Candidate Forum is scheduled for **(Date, Location, Place)**. The purpose of this Forum is to inform the residents of the _____ Community Council Area about _____.

From **(__:00 pm to __:00 pm)**, there will be a meet and greet held at **(Location, Address)**. Candidates are encouraged to have their collateral material available and will be able to visit with constituents.

Agenda and Specifics

- At **(Time)**, the Forum will begin.
- Introduce the moderator. Moderator: Ground rules and order of business. Reminder, each candidate is given 2 minutes for introductions, and 1 minute and 30 seconds for each question. There will likely be no more than two questions asked due to time restraints.
- Candidate Introductions: Each candidate will have _____ (__) minutes to introduce themselves and present their perspective on _____. Candidates will begin in the following order:
 - a. Missoula County Justice of Peace
 - Candidate Name A
 - Candidate Name B
 - Candidate Name C
 - b. Senate District #
 - Candidate Name A
 - Candidate Name B

After the introductions, members of the audience may ask questions of the candidates in the same order as above. Questions administered by the moderator will be given 1 minute and 30 seconds to be answered.

After the forum, candidates can stay to answer additional questions.

If you are not able to attend, you may send a representative to read a statement on your behalf. The representative will not be able to answer audience questions on your behalf.

Please RSVP by email to: (e-mail) by (Date) so we can make venue arrangements based on candidates responses.

APPENDIX H

SAMPLE SOCIAL MEDIA GUIDELINES

APPENDIX H: SOCIAL MEDIA GUIDELINES (SAMPLE)

These guidelines apply to all official social media accounts maintained by the **[Council Name]** Community Council ("Council").

1. Purpose:

Council social media accounts serve as digital bulletin boards for distributing essential information to residents within **[Council Boundaries]**. These accounts function as one-way communication channels for official announcements and verified county communications.

2. Designated Roles

The Council Secretary, or a designee formally approved by the Council, is assigned as the Social Media Editor. Missoula County Communications is designated as the administrator for all official Council social media accounts.

3. Account Settings:

- a) Comments Disabled – Commenting will be disabled on all posts at time of post
- b) Direct Messaging Disabled (when possible) – Where platform settings allow, direct messaging will be disabled. If a platform does not permit disabling direct messages, the Council's policy of not replying remains in effect.

4. Permitted Content:

The Social Media Editor may post only the following:

- Upcoming Meeting Agendas – Agendas for all scheduled Council meetings.
- Official Missoula County Communications – Announcements, notices, and information received directly from Missoula County government.
- Links to Council-Area Project Pages – Links to official project webpages or surveys created by government agencies or relevant organizations for projects located within the Council area.

5. Prohibited Content and Actions

The Social Media Editor shall not:

- Post or share personal opinions or political endorsements
- Engage in discussion or debate
- Respond to comments
- Reply to direct messages
- Share or repost non-permitted content as outlined in section 4.
- Engage with Other Accounts

6. Policy Review:

The Council will review this policy periodically and may amend it as needed.

APPENDIX I

ANNUAL REPORT FORM

APPENDIX I: ANNUAL REPORT FORM

MISSOULA COUNTY COMMUNITY COUNCIL ANNUAL REPORT FORM

**Please note and include any anticipated expenditures for the remainder of Fiscal Year 20___.
(June 1, 20__)*

Community Council Name:		
Prepared By:		
Report Date (due June 1st):	Reporting for FY20__ (7/1/20__ — 6/30/20__)	Estimated FY20__ (7/1/20__ — 6/30/20__)
Current bank account balance (please include date of account balance): Date:		
Amount:		
REVENUE	AMOUNT RECEIVED IN FY20__	TOTAL FUNDS
Missoula County Community Council Operational Funds	\$	
Other	\$	
ANTICIPATED EXPENDITURES BY CATEGORY	FY20__ (7/1/20__ — 6/30/20__)	FY20__ (7/1/20__ — 6/30/20__)
	ESTIMATED REMAINING EXPENSES FOR FY20__	ESTIMATED EXPENSES FOR FY20__
1. Office Supplies		
2. Printing		
3. Postage/Shipping		
4. PO Box Rental		
5. Meeting Supplies		
6. Advertising		
7. Meeting Room Rental		
8. Secretarial Assistance		
9. Professional Assistance		
10. Membership Fees (Zoom etc.)		

11. Bank Fees		
12. Other:		
a.		
b.		
TOTAL EXPENSES		

If you have carry-over funds from the previous fiscal year, please explain where and why you did not end up spending those funds:

Please describe how Community Council Funds were used in the past year to achieve your Community Council’s work plan and goals, including any events and activities:

Approved by the _____ Community Council

at their _____, 20__ meeting.

Signature of Community Council Chair or Treasurer:

Date: _____

APPENDIX J

PARLIAMENTARY PROCEDURE AND ROBERT'S RULES OF ORDER

APPENDIX J: PARLIAMENTARY PROCEDURE AND ROBERT'S RULES OF ORDER

Parliamentary procedure and Robert's Rules of Order are methods utilized by boards, councils and committees to maintain order and allow public participation in meetings. This Appendix J, contains information obtained directly and in verbatim, from the Montana Local Government Board Handbook, A Guide to Serving on Boards, Districts, Commissions and Committees 2022 Edition, published by the Montana State University (MSU) Extension Office (Board Handbook).

It is not intended to be exhaustive, but rather an easily accessible resource for Community Councils. Accordingly, the Board Handbook states:

"There are four essential elements to open meeting law:

1. If a quorum, defined as the number members legally required to conduct business, is convened by either physical presence or by means of electronic equipment (2-3-202) and,
2. Members will hear, discuss or act upon issues that it has jurisdiction over, (2-3-202), then,
3. The meeting must be open to the public and the press must be permitted to record the meeting (2-3-211) and,
4. Appropriate minutes of all meetings shall be kept and made available for the public (2-3-212)."

Council members shall agree upon a prescribed order of business during meetings and shall agree upon a set of behavior expectations. Each Community Council shall adopt coordinated rules to facilitate public participation and the agenda shall be structured to provide dedicated opportunity for public comment. Please keep in mind the following:

- The purpose of a public comment period is to provide members of the community with an opportunity to inform the Community Council about their views on an issue.
- During the public comment period, it is best for council members to refrain from speaking or engaging in conversation. At no time during the public comment period may a council member make a ruling or decide on an issue.
- Following closure of the public comment period, council members may ask additional questions so long as the questions are specific to issues on the agenda and no action or decisions are taken. Any other issues not on the agenda must be tabled.
- After questions from the council members are addressed, a motion must be made and seconded *before* council members can deliberate and debate an issue. Once deliberation and debate have begun, public comment may not be re-opened.
- The chair or vice chair is responsible for setting time limits and maintaining the order of business on the agenda.

To assist council members with governing meetings, the MSU Extension Office has published additional quick guides to help council members quickly navigate parliamentary procedure and Robert's Rules of Order.

Copies of the Guide to Parliamentary Procedure and Robert's Rules of Order and the Parliamentary Motions Guide are attached in the following pages.

PARLIAMENTARY PROCEDURE

- All have equal rights, privileges and obligations
- A quorum must be present for group to act
- Robert's Rules is handbook of operation
- Use of Motions (A proposal for assembly to take a stand or take action)

FIVE TYPES OF MOTIONS

MAIN MOTION

Introduce subjects for consideration
Cannot be made when another motion is before assembly
Yield to privileged, subsidiary, incidental motions
"I move that we purchase a..."

SUBSIDIARY MOTION

Change / affect main motion for consideration
Voted on before the main motion
"I move to amend the motion by striking out..."

PRIVILEGED MOTION

Concern special matters not related to pending business
Considered before other motions
"Because of the time, I move that we adjourn..."

RENEWAL MOTION

Allow certain items to be reconsidered
Usually brought up when no business is pending
"I move to reconsider..."

INCIDENTAL MOTION

Questions of procedure
Considered before other motions
"I move to divide the motion so that the question of purchasing ... can be considered separately."

ROBERT'S RULES OF ORDER

Typically, organizations using Robert's Rules follow the prescribed order of business during meetings to provide a framework for conducting orderly meetings.

TYPICAL ORDER OF BUSINESS

- The Chair calls the meeting to **order**.
- A **roll is called** of all present members.
- The secretary reads the **minutes** of the last meeting.
- Each **officer** gives a **report**.
- Each **committee representative** gives a **report**.
- Special orders (by way of **motions**) are called for and consist of any **important business** that was previously set aside to discuss at the meeting.
- **Unfinished business** from a previous meeting is discussed.
- **New business** can be brought forth at this time.
- **Announcements** are made.
- The meeting is **adjourned**.

MEETING GROUND RULES

- Meetings will start and end on time
- Every member's opinion is valuable
- Avoid sidebar conversations
- Focus on the meeting
- Decisions will be criteria-based
- Address any concerns

WHEN DEBATING YOUR MOTIONS

- Listen to the other side
- Focus on issues, not personalities
- Avoid questioning motives
- Be courteous
- Keep cool
- Speak clearly and concisely

Meeting ground rules are an agreed upon list of behavior expectations for members while participating in a meeting. These are a few examples that should be established to ensure a successful meeting.

VOCABULARY

Robert's Rules of Order and other parliamentary procedures contain specific vocabulary to be used at meetings.

POINT OF PRIVILEGE	This term refers to the right of the person speaking to have the floor and not be interrupted by others.
PARLIAMENTARY INQUIRY	Method to raise a point of order or to ask how to proceed when unsure of the proper motion.
POINT OF INFORMATION	This term refers to the method used to ask the speaker a question.
ORDERS OF THE DAY (AGENDA)	If the meeting is not following the agenda a member may call orders of the day to remind the assembly to adhere to the agenda. If the members would like to deviate from the agenda, "suspending the rules" is necessary.
POINT OF ORDER	Point of order is raised if a rule has been broken or a member is not using the proper meeting protocol to speak. A point of order needs to be raised right after the error occurs.
DIVIDE THE QUESTION	This term is used when a motion is split into two or more new separate motions.
CONSIDER BY PARAGRAPH	When considering adoption of a document, adoption of the full document can be postponed until each and every paragraph has been debated and if necessary amended.
WITHDRAW / MODIFY MOTION	After the question is stated; the person who made the motion may accept an amendment to the motion.
COMMIT / REFER / RECOMMIT TO COMMITTEE	Sometimes a committee is needed to research a motion. In this case, an already established committee is assigned the question or a new committee is appointed. If a new committee is necessary, the chairperson may indicate how many members are needed and how selection of committee members should occur.

EXTEND DEBATE

Calling to extend debate can be used for the question currently under debate and usually has a time limit.

LIMIT DEBATE

This term is used to refer to the time limit placed upon debate and when debate should be considered closed.

POSTPONE

If a motion or agenda item needs to be postponed, it is necessary to determine and state when it will be resumed.

OBJECT TO CONSIDERATION

Objection must be stated before discussion or another motion is stated.

LAY ON THE TABLE

This tool is used after a motion is closed to debate or is pending closure and can temporarily stop further consideration or action on the open motion.

TAKE FROM THE TABLE

If a motion has been previously “laid on the table,” it can be opened and considered again by stating the motion to “take from the table.”

RECONSIDER

If a member on the prevailing side of a debate changes their view, they can state they have reconsidered.

POSTPONE INDEFINITELY

Postponing a motion indefinitely stops the motion from proceeding forward just in that particular session, unless a motion to reconsider is made.

INFORMAL CONSIDERATION

This term refers to changing the debate to an informal format similar to that of a committee. To move to an informal consideration format a member moves that the assembly go into “Committee of the Whole.” Voting is still done formally and is still valid while the meeting is in an informal mode.

APPEAL DECISION OF THE CHAIR

The membership may appeal a decision made by the chair if the appeal does not relate to the violation of order of business or parliamentary rules. Appeals must also take place prior to other unrelated business.

SUSPEND THE RULES

This allows specific, stated rules with the exception of the assembly’s constitution to be suspended.

PARLIAMENTARY MOTIONS GUIDE

Based on Robert's Rules of Order Newly Revised (11th Edition) and www.jimslaughter.com

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

PRIVILEGED MOTIONS							
YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Adjourn	I move to adjourn	No	Yes	No	No	Majority	Yes
Take a break	I move to recess for	No	Yes	No	Yes	Majority	No
Register complaint	I rise to a question of privilege	Yes	No	No	No	None	No
Orders of the day	I call for the orders of the day	Yes	No	No	No	None	No

SUBSIDIARY MOTIONS							
YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Lay aside temporarily	I move to lay the question on the table	Yes	Yes	No	No	Majority	Negative vote only
Close debate	I move the previous question	No	Yes	No	No	2/3	Yes
Limit / extend debate	I move that debate be limited to...	No	Yes	No	Yes	2/3	Yes
Postpone to a certain time	I move to postpone the motion to...	No	Yes	Yes	Yes	Majority	Yes
Refer to a committee	I move to refer the motion to...	No	Yes	Yes	Yes	Majority	Yes
Amend a motion	I move to amend the motion by...	No	Yes	Yes	Yes	Majority	Yes
Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority	Affirmative vote only

MAIN MOTIONS

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Bring business to motion	I move that (or “to”) ...	No	Yes	Yes	Yes	Majority	Yes

No order of precedence. Arise incidentally and decided immediately.

INCIDENTAL MOTIONS

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Enforce rules	Point of order	Yes	No	No	No	None	No
Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority	Yes
Suspend rules	I move to suspend the rules which...	No	Yes	No	No	2/3	No
Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3	Negative vote only
Divide motion / question	I move to divide the question	No	Yes	No	Yes	Majority	No
Demand rising vote	I call for a division	Yes	No	No	No	None	No
Pliamentary law question	Parliamentary inquiry	Yes (if urgent)	No	No	No	None	No
Request information	A point of information , please.	Yes (if urgent)	No	No	No	None	No

No order of precedence. Introduce only when nothing else pending.

RENEWAL MOTIONS

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Take matter from table	I move to take from the table...	No	Yes	No	No	Majority	No
Cancel or change previous action	I move to rescind / amend the motion...	No	Yes	Yes	Yes	2/3 or majority w/notice	Negative vote only
Reconsider motion	I move to reconsider the vote on...	No	Yes	Varies	No	Majority	No

APPENDIX K

MONTANA CODE ANNOTATED APPLICABLE TO COMMUNITY COUNCILS

APPENDIX K: MONTANA CODE ANNOTATED APPLICABLE TO COMMUNITY COUNCILS

This Appendix K includes some of pertinent sections of the Montana Code Annotated 2023 which apply to Community Councils as of the date of the Council Handbook. This list is not intended to be inclusive as there are other provisions of Montana Law which may apply to specific situations a Community Council may face. Council members should address any questions or legal concerns with the LAC Office.

General Laws and Definitions

Government Structure and Administration

Standards of Conduct

2-2-101. Statement of purpose. The purpose of this part is to set forth a code of ethics prohibiting conflict between public duty and private interest as required by the constitution of Montana. This code recognizes distinctions between judges, legislators, judicial officers, other officers and employees of state government, and officers and employees of local government and prescribes some standards of conduct common to all categories and some standards of conduct adapted to each category. The provisions of this part recognize that some actions are conflicts per se between public duty and private interest while other actions may or may not pose such conflicts depending upon the surrounding circumstances.

2-2-102. Definitions.

.....(3) (a) "Gift of substantial value" means a gift with a value of \$100 or more for an individual.

2-2-104. Rules of conduct for public officers, legislators, and public employees. (1) Proof of commission of any act enumerated in this section is proof that the actor has breached the actor's public duty. A public officer, legislator, or public employee may not:

(a) disclose or use confidential information acquired in the course of official duties in order to further substantially the individual's personal economic interests; or

(b) accept a gift of substantial value or a substantial economic benefit tantamount to a gift:

(i) that would tend improperly to influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties; or

(ii) that the person knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the person for official action taken.

(2) An economic benefit tantamount to a gift includes without limitation a loan at a rate of interest substantially lower than the commercial rate then currently prevalent for similar loans and compensation received for private services rendered at a rate substantially exceeding the fair market value of the services. Campaign contributions reported as required by statute are not gifts or economic benefits tantamount to gifts.

(3) (a) Except as provided in subsection (3)(b), a public officer, legislator, or public employee may not receive salaries from two separate public employment positions that overlap for the hours being compensated, unless:

(i) the public officer, legislator, or public employee reimburses the public entity from which the employee is absent for the salary paid for performing the function from which the officer, legislator, or employee is absent; or

(ii) the public officer's, legislator's, or public employee's salary from one employer is reduced by the amount of salary received from the other public employer in order to avoid duplicate compensation for the overlapping hours.

(b) Subsection (3)(a) does not prohibit:

(i) a public officer, legislator, or public employee from receiving income from the use of accrued leave or compensatory time during the period of overlapping employment; or

(ii) a public school teacher from receiving payment from a college or university for the supervision of student teachers who are enrolled in a teacher education program at the college or university if the supervision is performed concurrently with the school teacher's duties for a public school district.

(c) In order to determine compliance with this subsection (3), a public officer, legislator, or public employee subject to this subsection (3) shall disclose the amounts received from the two separate public employment positions to the commissioner of political practices.

2-2-121. Rules of conduct for public officers and public employees. (1) Proof of commission of any act enumerated in subsection (2) is proof that the actor has breached a public duty.

(2) A public officer or a public employee may not:

(a) subject to subsection (6), use public time, facilities, equipment, state letterhead, supplies, personnel, or funds for the officer's or employee's private business purposes;

(b) engage in a substantial financial transaction for the officer's or employee's private business purposes with a person whom the officer or employee inspects or supervises in the course of official duties;

(c) assist any person for a fee or other compensation in obtaining a contract, claim, license, or other economic benefit from the officer's or employee's agency;

(d) assist any person for a contingent fee in obtaining a contract, claim, license, or other economic benefit from any agency;

(e) perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which the officer or employee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent; or

(f) solicit or accept employment, or engage in negotiations or meetings to consider employment, with a person whom the officer or employee regulates in the course of official duties without first giving written notification to the officer's or employee's supervisor and department director.

(3) (a) A candidate, as defined in 13-1-101(8)(a), may not use or permit the use of state funds for any advertisement or public service announcement in a newspaper, on radio, or on television that contains the candidate's name, picture, or voice except in the case of a state or national emergency and then only if the announcement is reasonably necessary to the candidate's official functions.

(b) A state officer may not use or permit the use of public time, facilities, equipment, state letterhead, supplies, personnel, or funds to produce, print, or broadcast any advertisement or public service announcement in a newspaper, on radio, or on television that contains the state officer's name, picture, or voice except in the case of a state or national emergency if the announcement is reasonably necessary to the state officer's official functions or in the case of an announcement directly related to a program or activity under the jurisdiction of the office or position to which the state officer was elected or appointed.

(4) A public officer or public employee may not participate in a proceeding when an organization, other than an organization or association of local government officials, of which the public officer or public employee is an officer or director is:

(a) involved in a proceeding before the employing agency that is within the scope of the public officer's or public employee's job duties; or

(b) attempting to influence a local, state, or federal proceeding in which the public officer or public employee represents the state or local government.

(5) A public officer or public employee may not engage in any activity, including lobbying, as defined in 5-7-102, on behalf of an organization, other than an organization or association of local government officials, of which the public officer or public employee is a member while performing the public officer's or public employee's job duties. The provisions of this subsection do not prohibit a public officer or public employee from performing charitable fundraising activities if approved by the public officer's or public employee's supervisor or authorized by law.

(6) A listing by a public officer or a public employee in the electronic directory provided for in 30-17-101 of any product created outside of work in a public agency is not in violation of subsection (2)(a) of this section. The public officer or public employee may not make arrangements for the listing in the electronic directory during work hours.

(7) A department head or a member of a quasi-judicial or rulemaking board may perform an official act notwithstanding the provisions of subsection (2)(e) if participation is necessary to the administration of a statute and if the person complies with the disclosure procedures under 2-2-131.

(8) Subsection (2)(d) does not apply to a member of a board, commission, council, or committee unless the member is also a full-time public employee.

(9) Subsections (2)(b) and (2)(e) do not prevent a member of the governing body of a local government from performing an official act when the member's participation is necessary to obtain a quorum or to otherwise enable the body to act. The member shall disclose the interest creating the appearance of impropriety prior to performing the official act.

2-2-131. Disclosure. A public officer or public employee shall, prior to acting in a manner that may impinge on public duty, including the award of a permit, contract, or license, disclose the nature of the private interest that creates the conflict. The public officer or public employee shall make the disclosure in writing to the commissioner of political practices, listing the amount of private interest, if any, the purpose and duration of the person's services rendered, if any, and the compensation received for the services or other information that is necessary to describe the interest. If the public officer or public employee then performs the official act involved, the officer or employee shall state for the record the fact and summary nature of the interest disclosed at the time of performing the act.

Public Participation in Governmental Operations

2-3-101. Legislative intent. The legislature finds and declares pursuant to the mandate of Article II, section 8, of the 1972 Montana constitution that legislative guidelines should be established to secure to the people of Montana their constitutional right to be afforded reasonable opportunity to participate in the operation of governmental agencies prior to the final decision of the agency.

2-3-103. Public participation -- governor to ensure guidelines adopted -- procedures for publishing notice. (1)(a) Each agency shall develop procedures for permitting and

encouraging the public to participate in agency decisions that are of significant interest to the public. The procedures must ensure adequate notice and assist public participation before a final agency action is taken that is of significant interest to the public.

(b) The agency shall publish an agenda for a meeting, as defined in 2-3-202, as follows:

(i) if a newspaper of general circulation in the county where the agency is located publishes electronic notices and links to meeting agendas free of charge to the agency on the newspaper's website, the agency shall provide the notice and agenda to the newspaper to post on the newspaper's website;

(ii) if the agency does not have an option to post notices and links to meeting agendas free of charge, the agency shall provide adequate notice of a meeting by doing at least one of the following:

(A) posting a link to the meeting agenda on the agency's primary website; or

(B) posting the agenda on the social media site of the agency.

(c) The agenda must include an item allowing public comment on any public matter that is not on the agenda of the meeting and that is within the jurisdiction of the agency conducting the meeting. However, the agency may not take action on any matter discussed unless specific notice of that matter is included on an agenda and public comment has been allowed on that matter.

(d) Public comment received at a meeting must be incorporated into the official minutes of the meeting, as provided in 2-3-212.

(e) For purposes of this section, "public matter" does not include contested case and other adjudicative proceedings.

(2) The governor shall ensure that each board, bureau, commission, department, authority, agency, or officer of the executive branch of the state adopts coordinated rules for its programs. The guidelines must provide policies and procedures to facilitate public participation in those programs, consistent with subsection (1). These guidelines must be adopted as rules and published in a manner so that the rules may be provided to a member of the public upon request.

2-3-201. Legislative intent -- liberal construction. The legislature finds and declares that public boards, commissions, councils, and other public agencies in this state exist to aid in the conduct of the peoples' business. It is the intent of this part that actions and deliberations of all public agencies shall be conducted openly. The people of the state do not wish to abdicate their sovereignty to the agencies which serve them. Toward these ends, the provisions of the part shall be liberally construed.

2-3-202. Meeting defined. As used in this part, "meeting" means the convening of a quorum of the constituent membership of a public agency or association described in 2-3-203, whether corporal or by means of electronic equipment, to hear, discuss, or act upon a matter over which the agency has supervision, control, jurisdiction, or advisory power.

2-3-203. Meetings of public agencies and certain associations of public agencies to be open to public -- exceptions. (1) All meetings of public or governmental bodies, boards, bureaus, commissions, agencies of the state, or any political subdivision of the state or organizations or agencies supported in whole or in part by public funds or expending public funds, including the supreme court, must be open to the public.

(2) All meetings of associations that are composed of public or governmental bodies referred to in subsection (1) and that regulate the rights, duties, or privileges of any individual must be open to the public.

(3) The presiding officer of any meeting may close the meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceed 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 must be open.

(4) (a) Except as provided in subsection (4)(b), a meeting may be closed to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the public agency.

(b) A meeting may not be closed to discuss strategy to be followed in litigation in which the only parties are public bodies or associations described in subsections (1) and (2).

(5) The supreme court may close a meeting that involves judicial deliberations in an adversarial proceeding.

(6) Any committee or subcommittee appointed by a public body or an association described in subsection (2) for the purpose of conducting business that is within the jurisdiction of that agency is subject to the requirements of this section.

2-3-212. Minutes of meetings -- public inspection. (1) Appropriate minutes of all meetings required by 2-3-203 to be open must be kept and must be available for inspection by the public. If an audio recording of a meeting is made and designated as official, the recording constitutes the official record of the meeting. If an official recording is made, a written record of the meeting must also be made and must include the information specified in subsection (2).

(2) Minutes must include without limitation:

(a) the date, time, and place of the meeting;

(b) a list of the individual members of the public body, agency, or organization who were in attendance;

(c) the substance of all matters proposed, discussed, or decided; and

(d) at the request of any member, a record of votes by individual members for any votes taken.

(3) If the minutes are recorded and designated as the official record, a log or time stamp for each main agenda item is required for the purpose of providing assistance to the public in accessing that portion of the meeting.

(4) Any time a presiding officer closes a public meeting pursuant to 2-3-203, the presiding officer shall ensure that minutes taken in compliance with subsection (2) are kept of the closed portion of the meeting. The minutes from the closed portion of the meeting may not be made available for inspection except pursuant to a court order.

Public Records

2-6-1002. Definitions. As used in this chapter, the following definitions apply:

(1) "Confidential information" means information that is accorded confidential status or is prohibited from disclosure as provided by applicable law. The term includes information that is:

(a) constitutionally protected from disclosure because an individual privacy interest clearly exceeds the merits of public disclosure;

(b) related to judicial deliberations in adversarial proceedings;

(c) necessary to maintain the security and integrity of secure facilities or information systems owned by or serving the state; and

(d) designated as confidential by statute or through judicial decisions, findings, or orders.

(2) "Constitutional officer" means the governor, lieutenant governor, attorney general, secretary of state, superintendent of public instruction, or auditor, who are the constitutionally designated and elected officials of the executive branch of government.

(3) "Constitutional officer record" means a public record prepared, owned, used, or retained by a constitutional officer.

(4) "Essential record" means a public record immediately necessary to:

(a) respond to an emergency or disaster;

(b) begin recovery or reestablishment of operations during and after an emergency or disaster;

(c) protect the health, safety, and property of Montana citizens; or

(d) protect the assets, obligations, rights, history, and resources of a public agency, its employees and customers, and Montana citizens.

(5) "Executive branch agency" means a department, board, commission, office, bureau, or other public authority of the executive branch of state government.

(6) "Historic record" means a public record found by the state archivist to have permanent administrative or historic value to the state.

(7) "Local government" means a city, town, county, consolidated city-county, special district, or school district or a subdivision of one of these entities.

(8) "Local government records committee" means the committee provided for in 2-6-1201.

(9) "Permanent record" means a public record designated for long-term or permanent retention.

(10) "Public agency" means the executive, legislative, and judicial branches of Montana state government, a political subdivision of the state, a local government, and any agency, department, board, commission, office, bureau, division, or other public authority of the executive, legislative, or judicial branch of the state of Montana.

(11) "Public information" means information prepared, owned, used, or retained by any public agency relating to the transaction of official business, regardless of form, except for confidential information that must be protected against public disclosure under applicable law.

(12) "Public officer" means any person who has been elected or appointed as an officer of state or local government.

(13) "Public record" means public information that is:

(a) fixed in any medium and is retrievable in usable form for future reference; and

(b) designated for retention by the state records committee, judicial branch, legislative branch, or local government records committee.

(14) "Records manager" means an individual designated by a public agency to be responsible for coordinating the efficient and effective management of the agency's public records and information.

(15) "State records committee" means the state records committee provided for in 2-6-1107.

2-6-1006. Public information requests -- fees. (1) (a) A person may request public information from a public agency. A public agency shall make the means of requesting public information accessible to all persons.

(b) (i) All public agencies are governed by this subsection (1).

(ii) A public agency that is not an executive branch agency must meet the requirements of subsection (2) when responding to a public information request.

(iii) (A) Except as provided in subsections (1)(b)(iii)(B) and (1)(b)(iv), all executive branch agencies must meet the requirements of subsection (3) when responding to a public information request.

(B) The provisions of subsection (3) apply to the secretary of state, the justice department, the superintendent of public instruction, and the state auditor beginning on October 1, 2025.

(iv) The secretary of state must meet the requirements of subsection (4) regarding fees.

(c) A public agency other than the office of the secretary of state may charge, pursuant to this subsection (1)(c), a fee for fulfilling a public information request. Except where a fee is otherwise provided for by law, the fee may not exceed the actual costs directly incident to fulfilling the request in the most cost-efficient and timely manner possible. The fee must be documented. The fee may include the time required to gather public information. The public agency may require the requesting person to pay the estimated fee prior to identifying and gathering the requested public information.

(d) A public agency is not required to alter or customize public information to provide it in a form specified to meet the needs of the requesting person.

(e) If a public agency agrees to a request to customize a records request response, the costs of the customization may be included in the fees charged by the agency.

(2) Upon receiving a request for public information, a public agency that is not an executive branch agency shall respond in a timely manner to the requesting person by:

(a) making the public information maintained by the public agency available for inspection and copying by the requesting person; or

(b) providing the requesting person with an estimate of the time it will take to fulfill the request if the public information cannot be readily identified and gathered and any fees that may be charged pursuant to subsection (1)(c).

(3) (a) An executive branch agency shall respond to a public information request by acknowledging receipt of the request within 5 business days of the agency's designated contact person receiving the request. Except for confidential, privileged, or otherwise protected information that is not subject to public disclosure under applicable law and information withheld from public scrutiny as provided in 2-6-1003, the executive branch agency shall respond by:

(i) making the public information maintained by the executive branch agency available in a timely manner for inspection and copying by the requesting person;

(ii) providing a specified public record to the requesting person within 5 working days of the executive branch agency's acknowledgment of receipt of the request if the request is for a single, specific, clearly identifiable, and readily available public record. This subsection (3)(a)(ii) does not apply to requests pertaining only to a specified person or property, including requests for applications, vital records, licenses, permits, or registrations; or

(iii) responding as provided in subsection (3)(b).

(b) (i) If a request seeks public information that cannot be readily identified and gathered, the agency shall provide the requesting person an estimate of the time it will take to fulfill the request and any fees that may be charged pursuant to subsection (1)(c) and shall provide the public information to the requesting person in a timely manner, which may be, except as provided in subsection (3)(b)(ii), within:

(A) 90 days of the public agency's acknowledgment of the request; or

(B) 6 months of the public agency's acknowledgment of the request if the agency determines 90 days is not feasible for a response and the agency provides the requesting person written notice explaining why the agency is unable to provide a response within 90 days.

(ii) If an executive branch agency requires a requesting person to pay an estimated fee pursuant to subsection (1)(c), the agency's obligation to respond to the request is suspended upon sending the estimate to the requesting person and remains suspended until the requesting person makes payment.

(c) An executive branch agency may request additional information or clarification from a requesting person for the purpose of expediting the agency's response to the request. If the agency has requested additional information or clarification, the agency's obligation to respond to the request is suspended until the requesting person provides the requested information or clarification or until the requesting person denies the agency's request for additional information or clarification. If a person requesting public information fails to respond within 30 days to an agency's request for additional information or clarification, the agency may close the request after notifying the requesting person.

(d) Each executive branch agency must have a designated contact for public information requests posted on its website.

(e) By November 1, 2024, or 1 month after this section becomes applicable to an executive branch agency, whichever occurs second, an executive branch agency that is subject to this subsection (3) shall:

(i) establish a public information request process describing the steps for submitting a request and the process the agency will follow when responding to a request for public information, which must be published on a state website;

(ii) provide statistics about public information requests received by the designated contact of the agency, including the number of requests and the agency's response time to fulfill or otherwise resolve the requests; and

(iii) retain and publish on a state website the public information requests the agency has received and the agency's response. The agency is not required to publish requests or responses if the request:

(A) was not submitted according to the agency's posted process;

(B) pertains only to a specific person or property, including requests for applications, vital records, licenses, permits, registrations, and related supporting documents; or

(C) was for information accessible on a state website or other publication available at the time the request was made.

(4) (a) The secretary of state is authorized to charge fees under this section. The fees must be set and deposited in accordance with 2-15-405. The fees must be collected in advance.

(b) The secretary of state may not charge a fee to a member of the legislature or public officer for any search relative to matters pertaining to the duties of the member's office or for a certified copy of any law or resolution passed by the legislature relative to the member's official duties.

2-6-1017. Prohibition on dissemination or use of distribution lists -- exceptions -- penalties. (1) Except as provided in subsections (3) through (10), to protect the privacy of those who deal with state and local government:

(a) a public agency may not distribute or sell a distribution list without first securing the permission of those on the list; and

(b) a list of persons prepared by a public agency may not be used as a distribution list except by the public agency or another public agency without first securing the permission of those on the list.

(2) As used in this section, "distribution list" means any list of personal contact information collected by a public agency and used to facilitate unsolicited contact with individuals on the distribution list.

(3) This section does not prevent an individual from compiling a distribution list by examination of records that are otherwise open to public inspection.

(4) This section does not apply to the lists of:

(a) registered electors and the new voter lists provided for in 13-2-115;

(b) the names of employees governed by Title 39, chapter 31;

(c) persons holding driver's licenses or Montana identification cards provided for under 61-5-127;

(d) persons holding professional or occupational licenses governed by Title 37, chapters 1 through 4, 6 through 20, 22 through 29, 31, 34 through 36, 40, 47, 48, 50, 51, 53, 54, 60, 65 through 69, 72, and 73, and Title 50, chapters 39, 72, 74, and 76;

(e) persons who own property in a county water and/or sewer district provided for in 7-13-2275(4)(d); or

(f) persons certified as claims examiners under 39-71-320.

(5) This section does not prevent an agency from providing a list to persons providing prelicensing or continuing education courses subject to state law or subject to Title 33, chapter 17.

(6) This section does not apply to the right of access by Montana law enforcement agencies.

(7) This section does not apply to the secretary of state's electronic filing system developed pursuant to 2-15-404 and containing corporate and uniform commercial code information.

(8) This section does not apply to the use by the public employees' retirement board of a list of board-administered retirement system participants to send materials on behalf of a retiree organization formed for board-administered retirement system participants and with tax-exempt status under section 501(c)(4) of the Internal Revenue Code, as amended, for a fee determined by rules of the board, provided that the list is not released to the organization.

(9) This section does not apply to lists of individuals who sign attendance sheets or sign-in sheets at a hearing or meeting of a public agency.

(10) This section does not apply to a public school providing lists of graduating students to representatives of the armed forces of the United States or to the national guard for the purposes of recruitment.

(11) A person violating the provisions of subsection (1)(b) is guilty of a misdemeanor.

2-6-1202. Local government records committee -- duties and responsibilities. The local government records committee shall:

(1) approve, modify, or disapprove proposals for local government records retention and disposition schedules;

(2) appoint a subcommittee, known as the local government records destruction subcommittee, to handle requests for disposal of records that are not listed on an approved retention schedule. The subcommittee consists of the state archivist, one of the local government records managers, and the representative of the department of administration. Unless specifically authorized by statute or by the retention and disposition schedule, a local

government public record may not be destroyed or otherwise disposed of without the unanimous approval of the subcommittee. When approval is required, a request for the disposal or destruction of local government records must be submitted to the subcommittee by the entity concerned. If there is not unanimous approval of the subcommittee, the issue of the disposition of a record must be referred to the local government records committee for approval. When approval is obtained from the subcommittee or from the local government records committee for the disposal of a record, the local government records committee shall consider the inclusion of a new category of record for which a disposal request is not required and shall update the schedule as necessary.

(3) establish a retention and disposition schedule for categories of records for which a disposal request is not required. The local government records committee shall publish the retention and disposition schedules. Updates to those schedules, if any, must be published at least annually.

(4) develop guidance for local governments to identify, maintain, and secure their essential records;

(5) respond to requests for technical advice on matters relating to local government records; and

(6) provide leadership and coordination in matters affecting the records of multiple local governments.

Local Government

General Provisions

7-1-201 Boards. (1) A board of county commissioners may by resolution establish the administrative boards, districts, or commissions allowed by law or required by law to be established pursuant to 7-1-202, 7-1-203, Title 7, chapter 11, part 10, and this section and listed in 7-1-202. The resolution creating an administrative board, district, or commission must specify:

(a) the number of administrative board, district board, or commission members;

(b) the terms of the members;

(c) whether members are entitled to mileage, per diem, expenses, and salary; and

(d) any special qualifications for membership in addition to those established by law.

(2) (a) An administrative board, a district board, or a commission may be assigned responsibility for a department or service district.

(b) An administrative board, a district board, or a commission may:

(i) exercise administrative powers as granted by resolution, except that it may not pledge the credit of the county or impose a tax unless specifically authorized by state law; and

(ii) administer programs, establish policy, and adopt administrative and procedural rules.

(c) The resolution creating an administrative board, a district board, or a commission must grant the administrative board, district board, or commission all powers necessary and proper to the establishment, operation, improvement, maintenance, and administration of the department or district.

(d) If authorized by resolution, an administrative board, a district board, or a commission may employ personnel to assist in its functions.

(3) (a) An administrative board, a district board, or a commission may be made elective.

(b) If an administrative board, a district board, or a commission is made elective, the election must be conducted as provided in Title 13, chapter 1, part 5.

(c) A vacancy created pursuant to 2-16-501 occurring during a term must be filled for the unexpired term by the county commissioners. The member appointed to fill the vacancy holds the office until a successor has been elected and qualified.

(4) An administrative board, a district board, or a commission may not sue or be sued independently of the local government unless authorized by state law.

(5) (a) If administrative board, district board, or commission members are to be appointed, the members must be appointed by the county commissioners. The county commissioners shall post prospective membership vacancies at least 1 month prior to filling the vacancy. A vacancy created pursuant to 2-16-501 occurring during a term must be filled for the unexpired term by the county commissioners. The member appointed to fill the vacancy holds the office until a successor has been appointed and qualified.

(b) The county commissioners shall maintain a register of appointments, including:

(i) the name of the administrative board, district board, or commission;

(ii) the date of appointment and confirmation, if any is required;

(iii) the length of term;

(iv) the name and term of the presiding officer and other officers of each administrative board, district board, or commission; and

(v) the date, time, and place of regularly scheduled meetings.

(c) Terms for members of elected or appointed boards or commissions may not exceed 4 years. Unless otherwise provided by resolution or as provided in 7-11-1010, members shall serve terms beginning on July 1 and shall serve at the pleasure of the county commissioners.

(6) An administrative board, a district board, or a commission must consist of a minimum of 3 members and must have an odd number of members.

(7) The resolution creating an administrative board, a district board, or a commission may provide for voting or nonvoting ex officio members.

(8) Two or more local governments may provide for a joint administrative board, district board, or commission to be established by interlocal agreement.

(9) A majority of members constitutes a quorum for the purposes of conducting business and exercising powers and responsibilities. Action may be taken by a majority vote of members present and voting unless the resolution creating the board, district, or commission specifies otherwise.

(10) An administrative board, a district board, or a commission shall provide for the keeping of written minutes, including the final vote on all actions and the vote of each member.

(11) An administrative board, a district board, or a commission shall provide by rule for the date, time, and place of regularly scheduled meetings and file the information with the county commissioners.

(12) Unless otherwise provided by law, a person must be a citizen of the United States and a resident of the county to be eligible for appointment to an administrative board, a district board, or a commission. The county commissioners may prescribe by resolution additional qualifications for membership.

(13) A person may be removed from an administrative board, a district board, or a commission for cause by the county commissioners or as provided by resolution.

(14) A resolution creating an administrative board, a district board, or a commission must contain, if applicable, budgeting and accounting requirements for which the administrative board, district board, or commission is accountable to the county commissioners.

(15) If a municipality creates a special district in accordance with Title 7, chapter 11, part 10, the governing body of the municipality shall comply with this section if the governing body chooses to have the special district governed by a separate board.

7-1-203. County commissioners to assume duties of administrative boards, districts, and commissions. (1) If the minimum number of qualified persons is not available for membership on an administrative board, district, or commission, the county commissioners may by resolution, at a public meeting, assume the duties of the administrative board, district, or commission and may act as that board, district, or commission with the same powers and duties as that board, district, or commission.

(2) County commissioners, acting in the capacity of an administrative board, district, or commission may not receive any compensation in addition to their compensation as county commissioners.

Alternative Forms of Local Government

7-3-111. Statutory basis for elected county official government. (1) For the purpose of determining the statutory basis of existing units of local government after May 2, 1977, each unit of local government organized under the general statutes authorizing the elected county official form of government shall be governed by the following sections:

...(h) 7-3-417(2)

7-3-417(2). Size of commission and community councils. The size of the commission, which shall be a number not less than three, shall be established when the form is adopted by the voters, and:

...(2) community councils to advise commissioners may be authorized by ordinance.

APPENDIX L

MISSOULA COUNTY ACCESSIBILITY POLICY FOR PERSON WITH DISABILITIES POLICY NO. 2005-02 AND RESOURCES FOR INTERACTING WITH AND SERVING PERSONS WITH DISABILITIES

APPENDIX L: MISSOULA COUNTY ACCESSIBILITY POLICY FOR PERSONS WITH DISABILITIES POLICY NO. 2005-02 AND RESOURCES FOR INTERACTING WITH AND SERVING PERSON WITH DISABILITIES

MISSOULA COUNTY ACCESSIBILITY POLICY FOR PERSONS WITH DISABILITIES POLICY NO. 2005-02

Purpose: To comply with the requirements of title II of the Americans with Disabilities Act (ADA) of 1990 and to affirm Missoula County's policy and practice that facilities, programs, services, and activities of Missoula County government are accessible to members of the public, including qualified individuals with disabilities.

Definitions: "Qualified individual with a disability means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity (Section 504 of the Rehabilitation Act of 1973, as amended, 42 U.S.C. Section 12131 et seq., 28 CFR Part 35, the Americans with Disabilities Act of 1990)."

Policy: In accordance with Title II of the ADA and its implementing regulations, no qualified individual with a disability shall, on the basis of such a disability, be subjected to discrimination or be excluded from participation in, or denied the benefits of the services, programs, activities or physical facilities which Missoula County provides to the public.

Employment: The County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the Americans with Disabilities Act (ADA).

Effective Communication: The County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County's programs, services, and activities, including qualified sign language interpreters, documents in braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments. Primary consideration will be given to the requests of the qualified individual with a disability unless another equally effective accommodation is available, or the use of the means requested would result in a fundamental alteration of the service, program, or activity or in undue financial or administrative burden.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a County program, service, or activity, should contact the appropriate Missoula County office at 406-721-5700, as soon as possible but no later than 48 hours before the scheduled event. Requests for documents in braille may take up to two (2) weeks to fill.

Complaints that a Missoula County program, service, or activity is not accessible to persons with disabilities should be directed to Missoula County's ADA Coordinator at 406-258-4877.

Modification to Policies and Procedures: The County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all County programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited unless the service animal's presence or behavior creates a fundamental alteration to the program or service being provided or presents a direct threat to safety. In addition, as a matter of policy, not compliance, Missoula County will afford access to individuals, with or without a disability, accompanied by service animals-in-training. Individuals and their accompanying service animals-in-training will be subject only to the conditions and limitations established by law and applicable alike to individuals with disabilities and their service animals.

To the extent possible, Missoula County will ensure that physical facilities are usable by qualified individuals with disabilities. Where physical facilities cannot be made usable, overall program accessibility will be ensured.

Public meetings will be held at accessible locations and in such a manner that qualified people with disabilities are able to participate fully.

Qualified people with disabilities shall not be discriminated against in participation on boards, commissions, or on advisory and planning committees.

All Missoula County offices and programs shall be accessible to users of TTYs either by having a TTY to provide direct TTY access or by using the Montana Relay Service.

Missoula County's grievance procedure (Appendix A) provides an avenue for prompt and equitable resolution of grievances alleging discrimination on the basis of disability in the County's provision of programs, services, and activities, and access to physical facilities.

The County is not required to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

Appendix A (to Missoula County Policy No. 2005-02)
ADA Grievance Procedure

This grievance procedure is established to meet the requirements of the Americans with Disabilities Act (ADA). Anyone who wishes to file a complaint alleging discrimination on the basis of disability in:

- Missoula County employment policies or practices, or
- Missoula County programs, services, activities, or access to facilities may use this grievance procedure to file such a complaint.

The complaint should be in writing and should contain information about the alleged discrimination, such as:

- The name, address, and phone number of the person filing the grievance;
- A description of the problem;
- The date on which the problem occurred;
- The location where the problem occurred.

Upon request of persons with disabilities, Missoula County will make available alternative means of filing complaints, such as personal interviews or tape recordings of the complaint. The complaint should be submitted as soon as possible to the ADA Coordinator, 200 W Broadway, Missoula, MT 59802, but no later than 60 calendar days

Within 15 calendar days from receipt of complaint the ADA Coordinator will respond in writing. Where appropriate, the response will be in a format accessible to the person who filed the complaint.

If the ADA Coordinator's response does not satisfactorily resolve the issue, the grievance may, within 15 calendar days after receipt of the ADA Coordinator's response, be submitted to the Missoula County Board of Commissioners or designee.

Within 15 calendar days of receiving the complaint, the Board of County Commissioners will respond to the complaint in writing. The Board will respond in a format that is accessible to the person who filed the complaint.

The ADA Coordinator and the Board of County Commissioners may attempt to resolve the grievance informally at any time within the time limits specified above.

Missoula County will keep all written information pertaining to the grievance for at least three years. Examples include:

- Written complaints received by Missoula County;
- Appeals to the Board of County Commissioners;
- Written responses by the ADA Coordinator and the Board of County Commissioners.

Interacting with and Serving Persons with Disabilities: Resources and Information for Missoula County Employees

The Americans with Disabilities Act, other laws and the efforts of many disability organizations have made strides in improving accessibility in buildings, increasing access to education, opening employment opportunities and developing realistic portrayals of persons with disabilities in television programming and motion pictures. Where progress is still needed is in communication and interaction with people with disabilities. Individuals are sometimes concerned that they will say the wrong thing, so they say nothing at all - thus further segregating people with disabilities. Listed here are some suggestions on how to relate to and communicate with and about people with disabilities.

Positive language empowers. When writing or speaking about people with disabilities, it is important to put the person first. Group designations such as "the blind," "the retarded," or "the disabled" are inappropriate because they do not reflect the individuality, equality, or dignity of people with disabilities. Further, words like "normal person" imply that the person with a disability isn't normal, whereas "person without a disability" is descriptive but not negative. People with disabilities may have different preferences when referring to their disability. Some people see their disability as an essential part of who they are and prefer to be identified with their disability first, this is called Identity-First Language*. In general, refer to the person first and disability second. However, always ask to find out an individual's language preference.

Etiquette considered appropriate when interacting with people with disabilities is based primarily on respect and courtesy. Outlined below are tips to help you in communicating with persons with disabilities.

The accompanying chart shows examples of positive and negative phrases.

Affirmative Phrases	Negative Phrases
Person with an intellectual, cognitive, developmental disability	Retarded; mentally defective
Person who is blind, person who is visually impaired	The blind
Person with a disability	The disabled; handicapped (derived from "cap in hand")
Person who is deaf	The deaf; deaf and dumb
Person who is hard of hearing	Suffers a hearing loss
Person who has multiple sclerosis	Afflicted by MS
Person with cerebral palsy	CP victim
Person with epilepsy, person with seizure disorder	Epileptic
Person who uses a wheelchair	Confined or restricted to a wheelchair
Person who has muscular dystrophy	Stricken by MD
Person with a physical disability, physically disabled	Crippled; lame; deformed; invalid
Unable to speak, uses synthetic speech	Dumb; mute
Person with psychiatric disability	Crazy; nuts
Person who is successful, productive	Has overcome his/her disability; it courageous (when it implies the person has courage because of having a disability)

* Examples of Identity-First Language include identifying someone as a *deaf person* instead of a *person who is deaf*, or an *autistic person* instead of a *person with autism*.

General Tips for Communicating with People with Disabilities

- When introduced to a person with a disability, it is appropriate to offer to shake hands. People with limited hand use or who wear an artificial limb can usually shake hands. (Shaking hands with the left hand is an acceptable greeting.)
- If you offer assistance to a person with a disability, wait until your offer is accepted before you help. Then listen to or ask for instructions.
- Treat adults as adults. Address people who have disabilities by their first names only when extending the same familiarity to all others.
- Relax. Don't be embarrassed if you happen to use common expressions such as "See you later" or "I've got to be running" that seem to relate to a person's disability.
- Be considerate of the extra time it might take for a person with a disability to get things done or said.
- Don't be afraid to ask questions when you're unsure what to do.

About the Deaf and Hard of Hearing Community

Approximately six to eight percent of the American population has some type of hearing loss that affects their ability to hear speech or environmental sounds. A person who is deaf has a hearing loss of such severity that he or she depends primarily upon visual communication such as sign language, lip-reading (also called speech-reading), writing or gestures. A person who is hard of hearing has a functional hearing loss, but may not depend primarily on visual communication.

The causes and degrees of hearing loss vary across the deaf and hard of hearing community, as do methods of communication. There are two major types of hearing loss:

- Conductive loss affects the sound-conducting paths of the outer and middle ear. The degree of loss can be accommodated through the use of a hearing aid or by surgery, but can rarely be corrected completely. People with conductive loss might speak softly, hear better in noisy surroundings than people without conductive hearing loss, and might experience ringing in their ears or difficulties with balance and dizziness.
- Sensorineural loss affects the inner ear and the auditory nerve and can range from mild to profound. Hearing aids, surgery, and other devices may not be as effective in accommodating this type of hearing loss. People with sensorineural loss might speak loudly, experience greater high-frequency loss, have difficulty distinguishing consonant sounds, and not hear well in noisy environments.

The inability to hear does not affect an individual's native intelligence or the physical ability to produce sounds. However, given the close relationship between oral language and hearing, persons with hearing loss might also have speech impairments. Age at the time of the loss determines whether an individual is prelingually deaf (hearing loss before oral language acquisition) or adventitiously deaf (normal hearing during language acquisition). Those born deaf or who become deaf as very young children might have more limited speech development.

Modes of Communication

Not all deaf individuals are fluent users of all communication modes used across the deaf community – just as users of spoken language are not fluent in all oral languages. Some deaf individuals are skilled lip-readers, but many are not. Many speech sounds have identical mouth movements, which can make lip-reading particularly difficult. For example, "p," "b," and "m" look exactly alike on the lips, and many sounds such as vowels are produced without using clearly differentiated lip movements.

Many deaf individuals use sign language, but there are several types of sign language systems:

- American Sign Language (ASL) is a natural, visual language having its own syntax and grammatical structure which closely resembles French.
- Finger-spelling is the use of the manual alphabet to form words.

People who use ASL often identify as culturally Deaf (with a capital "D") to indicate that ASL (not a spoken language) is their first language and they identify as members of the Deaf community, with its own cultural norms, art, history, humor, etc. These individuals may also have difficulty with reading and writing English, because it is not their native language. Their grammar and literacy will be that of a student learning English as a second language.

Some individuals who are more familiar with English may use Pidgin Sign English (PSE), which is also called "Contact Signing." It combines aspects of ASL and English and is used in educational situations.

For additional information on issues facing individuals who are deaf or hard of hearing, access any of the following websites:

- National Association of the Deaf
<http://www.nad.org>
- Registry of Interpreters for the Deaf
<http://rid.org>
- Western Region Outreach Center & Consortia
<http://ruralinstitute.umt.edu>

Tips for Communicating with People who are Hard of Hearing

- Get the person's attention before speaking. Call out the person's name, tap the person on the shoulder, or wave.
- Key the person into the topic. They need to know what the subject is to be able to pick up words that will help them follow the conversation.
- Speak slowly and clearly, but do not yell, exaggerate, or over pronounce. Exaggeration can distort lip movements. Short sentences are easier to understand.
- Look directly at the person when speaking. Avoid turning away.
- Do not place anything in your mouth when speaking.
- Maintain eye contact with the person. If an interpreter is present, continue to speak directly to the person with the hearing impairment.
- Use the words "I" and "you" when communicating with an interpreter, not "tell him."

Tips for Communicating with People who are Deaf

- Get the person's attention before speaking. Gently tap the person on the shoulder, or wave.
- Key the person into the topic. They need to know what the subject is to be able to pick up words that will help them follow the conversation.
- Speak slowly and clearly.
- Maintain eye contact with the person. If an interpreter is present, continue to speak directly to the person with the hearing impairment.
- Use the words "I" and "you" when communicating with an interpreter, not "tell him."

Considerations in Working with Members of the Public who are Deaf or Hard of Hearing

It is important to ask the individual which type of interpreter they prefer. A Certified Interpreter (C.I.) translates English to American Sign Language. A Certified Transliterater (C.T.) works solely in English. Each of the three local interpreters available to the County is nationally certified as an interpreter, a transliterator, or both (C.S.C.).

An oral interpreter has had extensive training and is fluent in translating the meaning of spoken words by quietly mouthing a speaker's words for a person who is deaf or hard of hearing. Oral interpreters are skilled at substituting words for those that are difficult to speech read while maintaining the intent of the speaker. Sign language is not typically used by oral interpreters for effective communication. Montana does not have any nationally certified oral interpreters.

If a matter requiring translation is of a legal nature it is important to understand that the interpreter will *not* serve as the defense interpreter, the prosecuting interpreter, and the proceedings interpreter. Were an interpreter to serve as the sole interpreter for a court proceeding, an obvious conflict of interest would result. Missoula County, however, has only one certified legal interpreter. A legal matter may require bringing in a larger team of interpreters from surrounding areas.

For sign language interpreting services, please contact the County.

Real-Time Transcription Services

Real-time transcribing is a method of using specialized software to convert spoken language into visual text onto a laptop computer screen. Individuals who are deaf or hard of hearing read the transcription from a second computer. The transcriber captures both the meaning and style of what is said.

There is a shortage of court reporters in Missoula, as a result transcription services are difficult to acquire. There are a number of configurations available for delivering transcribed communication. Ask the vendors what they offer.

Working with Sign Language and Oral Interpreters and Real-time Captioners

Interpreting and real-time captioning are easier if interpreters and captioners receive a print copy of a presentation beforehand. If possible, the written script of any slide show, film or video soundtrack should also accompany the presentation's text and vocabulary. It is thoughtful to routinely send such materials to the conference coordinator with a note explaining that these are for the interpreters' and captioners' use. If the complete text of a presentation isn't available, interpreters and/or captioners should receive an outline and a list of definitions for any technical or esoteric terms and names. Interpreters frequently must devise signs for unusual terms or fingerspell proper names - advance notice makes this easier and enhances the audience's understanding of the presentation. If it's impossible to provide terms to interpreters beforehand, presenters must be prepared to spell and/or define unusual terms, names and foreign words. If the audience breaks into groups for activities, the conference coordinator will need advance notice - additional interpreters may be required and the room

set-up may need reconfiguration so groups aren't segregated by disability (i.e., everyone who uses an interpreter or a wheelchair).

A presenter should use any amplification system provided, face the audience when speaking, and keep hands, papers, etc. away from the face so lips aren't obscured. Any writing on a board or flipchart should be completed before the presenter turns and speaks to the audience - if possible, an assistant should do the writing, distribute materials, etc. The presenter shouldn't walk or stand in front of an interpreter. Audience members can hold all comments and questions until the end of the presentation and wait until they are specifically acknowledged before speaking (to ensure that only one person speaks at a time). If the audience doesn't have access to microphones, before responding the speaker should repeat each question or comment into his or her microphone.

About the Blind and Low Vision Community

There are approximately 12 million blind and visually impaired people in the United States. Some blind people may not have any useable vision or their vision may be extremely limited (light, color or shadow perception only). Only two percent of people with vision impairments are totally blind; most blind people have some amount of usable vision. What they all have in common is a bilateral visual impairment that makes it more difficult to do major life activities and cannot be adequately corrected by medical or surgical intervention, therapy, conventional eyewear or contact lenses.

Blindness may be defined in several ways. A person is considered "Legally blind" if their best corrected visual acuity is 20/200 or less. This means that, at best, the person can see an object from a distance of 20 feet that a person with "normal" (20/20) vision can see from a distance of 200 feet. A person is also considered legally blind if their visual field - everything seen while looking straight ahead, including peripheral (side) and central (straight ahead) vision - is 20 degrees or less. The typical human visual field is 180 degrees. Some individuals, while not legally blind, may need some type of accommodation due to other eye conditions that prevent them from reading print for extended periods of time.

Considerations in Working with Blind and Low-Vision Members of the Public

- Some individuals with vision loss use canes or dog guides for mobility purposes; however, many navigate without them.
- When talking with or greeting a person with a visual impairment, speak in a normal voice; most people with visual impairments are not hard of hearing.
- When entering a room, identify yourself to the individual. Use the person's name when directing the conversation to him or her.
- When giving directions, use terms such as "left," "right," "step up" or "step down." Give direction from the individual's perspective.
- When guiding a person with a visual impairment, offer your arm and let the person take it; rather than pulling, pushing or otherwise trying to steer the individual.
- Do not pet or otherwise distract a working dog guide.

If a member of the public requests a public record or County document in braille or large format, reference the following ranked list:

Braille Plus, Inc.
2659 Commercial Street SE
Salem, OR 97302
866-264-2345
<http://www.brailleplus.net>

National Braille Press
88 Saint Stephens Street
Boston, MA 02115
888-965-8965
<http://www.nbp.org>

The turnaround time for putting a document in Braille depends on the length of the document. One printed page is the equivalent of about 3-4 Braille pages. Braille Plus, Inc. also provides documents in large print, audio, and basic text documents (e.g., documents without formatting, graphics, charts, or tables) to facilitate reading software use.

For additional information on issues facing individuals who are blind or low vision, contact Missoula County or access any of the following websites:

- American Foundation for the Blind
<http://www.afb.org>
- American Council of the Blind
<http://www.acb.org>
- National Federation of the Blind
<http://www.nfb.org>

Tips for Communicating and Interacting with People with Visual Impairments

- Always ask first before offering any help and do not be offended if it is refused.
- Allow the person to take your arm when offering assistance to a person with a visual impairment.
- Greet a person with a severe loss of vision by touching their arm and identifying yourself and others who may be with you.
- Be clear in giving directions such as, "The door is five steps ahead of you."
- Keep doors open or closed. A half-opened door is a hazard.
- If someone needs assistance in taking their seat, show them to their chair by putting their hand on the back of the chair.

Tips for Communicating with People with Speech Impediments

- Give 100% of your attention when talking to a person who has difficulty speaking. Be encouraging rather than correcting.

- Be patient rather than speak for the person.
- Ask short questions that require short answers or a nod or a shake of the head.

Tips for Communicating with Wheelchair Users

- Place yourself at the wheelchair user's eye level when talking to a person in a wheelchair for more than a few minutes.
- Consider distance, weather conditions, and physical obstacles such as stairs, curbs, and steep hills when giving directions to a person in a wheelchair.
- Avoid leaning or hanging on a person's wheelchair. This could be interpreted as an invasion of one's personal space.
- Do not push the wheelchair unless asked.
- Do not patronize people in wheelchairs by patting them on the head.

How can you help eliminate barriers confronting people with disabilities?

- Understand the need for accessible parking and leave it for those who need it.
- Encourage participation of people with disabilities in activities by making sure that the activity is accessible.
- Speak up when negative words or phrases are used in connection with disabilities.
- Accept people with disabilities as individual human beings with the same needs and feelings you might have.
- Avoid attaching labels to people with or without disabilities. For example, the word "normal" is acceptable when referring to statistical norms or averages, but not as a label for a person who has no disability.

Website Design

Increasingly, Community Councils are creating their own websites to share information about their Council and the other infrastructure boards in their area. It is important to ensure that such websites are easy to access and navigate and are generally appropriate and understandable. Councils should refer to the County's webpage for information on accessibility of web content when creating websites. If creating a website, please contact the Missoula County ADA Coordinator for accessibility requirements. (<https://www.missoulacounty.us/directory/accessibility>).

The Americans with Disabilities Act (ADA)

The following websites have further information about the Americans with Disabilities Act:

- www.ada.gov/ - U.S. Department of Justice - Information and Technical Assistance on the ADA
- www.ada.gov/pcatoolkit/chap3toolkit.htm - General Effective Communication Requirements Under Title II of the ADA
- www.ada.gov/civicac.htm - Project Civic Access - A wide-ranging effort to ensure that counties, towns, and villages comply with the ADA by eliminating physical and communication barriers that prevent people with disabilities from participating fully in community life.

- www.ada.gov/publicat.htm#anchor-website - ADA Regulations and Technical Assistance Materials

Resources in Missoula

- www.summitilc.org - Summit Independent Living Center, Inc. - Advocacy Center for Montanans with Disabilities

Resources in Montana

- Independent Living Centers that serve regions of the state of Montana
<https://dphhs.mt.gov/detd/independentliving/Center>

APPENDIX M

FREQUENTLY ASKED QUESTIONS

APPENDIX M: FREQUENTLY ASKED QUESTIONS

What is a Community Council?

In general, a community council is a group of citizens representing a particular neighborhood or geographic area and which provides focus, leadership, support and continuity to a community. Community Councils are authorized under Montana law and established by the County Commissioners through an ordinance.

How many Community Councils are in Missoula County?

Missoula County currently has seven (7) Community Councils representing specific regions within Missoula County. The boundaries of the geographic areas and neighborhoods served by Community Councils are defined as Council Areas or Council Boundaries and typically follow existing school district boundaries.

How many members sit on a Community Council?

The County Commissioners have established that each Community Council serving Missoula County shall consist of seven (7) council members.

What is the purpose of Community Councils?

One of the primary roles of the Community Councils is to serve as an official conduit of information and a communication link between the citizens outside the Missoula urban area and the governing body of Missoula County, namely the County Commissioners. Community Councils disseminate information to citizens and provide a forum for the discussion of local issues, which may include, but not be limited to, public health and safety, economic development, housing, land use planning and zoning, infrastructure needs and parks and recreation. Community Councils provide input and recommendations to the County Commissioners and are intended to advance and promote the interests and welfare of the citizens it represents.

Additionally, Community Councils serve to facilitate communication with other local, county, state, federal and tribal government agencies, and with other organizations or individuals.

What authorities to Community Councils have?

Community Councils serve in an advisory capacity, solely to the County Commissioners. Community Councils have the authority to provide recommendations and comments to the County Commissioners on issues within or which may impact their respective Council Areas. A Community Council may provide information to the citizens in its Council Area and gather local opinion regarding public health and safety issues such as economic development, housing development, land use planning and zoning, infrastructure needs, parks and recreation activities. Community Councils can also recommend the creation of additional governance tools as needed such as business or special improvement districts and multi-jurisdictional districts, and they serve as a liaison for local agencies in their Council Area to apply for and receive grants from Missoula County or other agencies. *Note: Since Community*

Councils are not separate legal entities and not authorized to enter into binding legal agreements, they are not authorized to receive or accept grants funds or donations, except for grants administered by a department of Missoula County on behalf of the Community Council.

What kinds of activities do Community Councils engage in?

Community Councils may facilitate community engagement on in their respective Council Areas on proposed actions being taken by state, federal and tribal agencies such as timber sales, land swaps and acquisitions, traffic studies, subdivision reviews, new parks, parks improvements, air quality standards and weed control; trail building projects within Missoula County, matching grants programs for local agencies, conservation resource assessment, streamside protection project and land use plans; public safety measures; air and water quality issues, solid waste hazards, community fire protection and crime.

Community Councils may engage participation in their Council Area through a variety of means.

- Newsletters, flyers or posters informing citizens of the proposed projects and the potential impacts on the Council Area.
- Question and answer forums or open houses with local representatives associated with proposed projects.
- Conducting surveys.
- Utilizing social media platforms for outreach and publishing materials on the Community Council website.
- Neighborhood walks and regular meetings.

What are the limitations of a Community Council?

- Imposing its will on the citizens of the communities they serve.
- Levying taxes or asserting other governmental powers.
- Adopting planning policies or zoning regulations.
- Provide written comment advising tribal, state, federal or other entities on projects grants, or other policies. If a Community Council wishes to comment on any project or issues which are handled by state, federal, or tribal agencies, the Community Council must submit its request and comments to the County Commissioners, so that the County Commissioners can make the formal recommendation to the respective state, federal or tribal agency. However, and for informational purposes only, Community Councils are permitted to have informal communication with agencies outside of Missoula County and their respective Council Areas.
- Entering into contracts or agreements or apply and directly receive donations or grant funding. Community Councils are not formal legal entities and have no binding legal authority.
- Taking a position during an election on candidates, ballot initiatives and/or referenda.
- Taking positions on local, state and federal bills.
- Lobbying the Montana Legislature. As mentioned above, the process for Community Councils to express its opinion about legislative initiatives it to make recommendations to the County Commissioners. Receiving compensation. No Community Council or its

Council may *not* receive any compensation for their service and serve in a strictly volunteer capacity.

What are the duties and responsibilities of a Community Council?

- Facilitate communication with and among the boards that govern community infrastructure.
- Communicate regularly with the citizens of the community it represents through printed and/or social media, town meetings and any other approved means necessary to obtain the opinions, comments and suggestions regarding local issues.
- Provide a transparent and open public forum for citizens that facilitates an unbiased discussion of all sides of community issues.
- Follow and attend meetings of the County Commissioners and other Missoula County boards and commissions, as necessary and to remain informed on important community issues.
- Consult with Missoula County planning staff regarding growth policies, area and issue plans and developments, as well as the adoption or modification process and implementation of planning initiatives.
- Keep a record of all acts, meetings and monies received and disbursed by the Community Council.
- Follow Montana law and Missoula County policies, including but not limited to complying with open meeting and public records provisions when conducting Community Council activities.
- Prepare meeting agendas and minutes for distribution to the County Commissioners and recording with the Missoula County Clerk and Recorder's Office (Clerk and Recorder).
- Prepare and submit the annual financial report detailing the financial expenditures for the prior fiscal year and providing the current fund balance. The annual financial report shall also provide an estimate of expenditures to be made in the next fiscal year.
- Present the annual financial report during an October or November All Community Council Meeting for purposes of summarizing activities and expenditures of the Community Council during the prior fiscal year from July 1 through June 30.

Do my taxes go up if there is a community council in my area?

No, the council members are all volunteers from the community and do not receive any compensation for serving on the council.

Can Community Councils comment on issues outside of their Council Area?

If a Community Council wishes to comment on any project or issues outside of its Council Area which are handled by state, federal, or tribal agencies, the Community Council must submit its request and comments to the County Commissioners, so that the County Commissioners can make the formal recommendation to the respective state, federal or tribal agency.

Do Community Councils have funding?

The County may, in its sole discretion, allocate to a Community Council up to \$1,000 per fiscal year as operational funding, which allocation is subject to approval through the County's annual budgeting process. Community Councils with an aggregate balance less of than \$1,000 in their accounts may be funded to bring the aggregate balance up to \$1,000 at the start of each fiscal year.

ADDITIONAL QUESTIONS OR COMMENTS

If you have questions or need further clarification on any of the issues discussed in the Council Handbook or the Appendices to the Council Handbook, please contact the Missoula Board of County Commissioners (County Commissioners or Commissioners) by calling 406-258-4877 or emailing bcc@missoulacounty.us or the LAC Office by calling 406-258-4657 or emailing lac@missoulacounty.us.