

RESOLUTION 2015-41

RESOLUTION APPROVING THE BYLAWS FOR THE BOAD OF DIRECTORS OF
THE AUGUSTA SOLID WASTE DISTRICT

WHEREAS, the Lewis and Clark County Board of Commissioners created the Augusta Solid Waste District; and

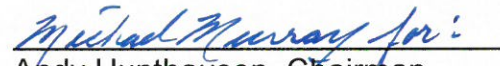
WHEREAS, the Augusta Solid Waste Board of Directors generally oversees the management and operation of the Augusta Solid Waste District for Lewis and Clark County; and

WHEREAS, the Board of Directors has proposed the attached By-Laws for adoption by the Commission,

NOW, THEREFORE BE IT RESOLVED that the Lewis and Clark County Commission hereby approves the attached Bylaws of the Augusta Solid Waste District.

DATED this 13 day of March, 2015.

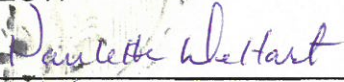
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman



ATTEST:



Paulette DeHart, Clerk of the Board





Lewis and Clark County

BYLAWS FOR THE BOARD OF DIRECTORS OF THE AUGUSTA SOLID WASTE DISTRICT

1. **Name and Location:**

The name of the solid waste management district is Augusta Solid Waste District, and its principal place of business shall be in Augusta, Lewis & Clark County, Montana.

2. **Authorization:**

The authorization to create this district is set forth under legislative determination and declaration of policy in Section 7-11-1003, MCA.

3. **Purpose:**

The purpose of the Augusta Solid Waste District is to alleviate the improper storage, collection and disposal of refuse which is a hazard to the health, safety and welfare of the citizens who reside in the District.

4. **General Powers and Duties:**

The Board has the powers and exercises the duties and functions conveyed upon it by the Lewis and Clark County Commission pursuant to Section 7-11-1021, MCA. The Board shall act as an advisory board to the County Commission.

5. **The Board of Directors shall be appointed by the Lewis and Clark County Commission pursuant to Section 7-1-201 MCA, and consist of:**

- a. One County Commissioner.
- b. One member of the Lewis & Clark County Public Works Department
- c. Five residents of the District.

6. **Terms of Directors, pursuant to Section 7-1-201 MCA:**

Members of the Board of Directors shall serve at the pleasure of the Board of County Commissioners.

7. **Fiscal Year:**

- a. The fiscal year of the District shall begin on the first day of July of each year and end the last day of the following June.
- b. The District will operate under the Lewis and Clark County Financial system and will be audited annually as provided by law.
- c. The board shall submit preliminary rate recommendations and budget to the Board of County Commissioners as provided by law, by April 15th of each year.

8. **Meetings:**

- a. All meetings (regular, special, and subcommittee) and work sessions shall be open to the public.
- b. **Public v. Private.** Independently or upon the request of an applicant, the Board of Directors may close a meeting or a portion of a meeting to the public, but may do so only after County legal staff approval and a two-thirds majority of a quorum determines that the privacy interests of a citizen, employee, or director outweighs the public's right to know. If closed in advance of the meeting, the noticed agenda shall include reference to the closed meeting or the closed portion of a meeting.
- c. **Quorum.** The presence at any scheduled meeting of a majority of the Board of Directors shall constitute the necessary quorum for the transaction of business. A quorum is required for regular and special meetings but not for work sessions or subcommittee meetings.
- d. The **annual meeting** of the District shall be held in Augusta, Montana, in April. At this meeting, the Board of Directors shall: 1) present the annual report, include programs and activities of the District for the previous year, and the financial report; 2) adopt the coming year's preliminary budget for the District; and 3) invite suggestions and recommendations for improving the District's overall operations for the coming year from those in the District who receive service.
- e. Special meeting of the Board of Directors may be called at any time by the Chair of the Board of Directors, or at the request of any two members of the Board.
- f. Written or printed notice of each meeting of the Directors, whether annual or special, stating the place, date, hour, and purpose for which the meeting is called shall be given to each of the Directors. Public notice will be provided in accordance with State law and county policy.
- g. Any citizen may comment or provide testimony on any item on the agenda and any item not appearing on the agenda but within the jurisdiction of the Board.

9. **Officers and Their Duties:**

- a. The Board of Directors at the first annual meeting shall elect from its membership the chair and vice-chair of the Board.
- b. The Board shall secure the services of a secretary who may be a member of the Board, or as its discretion the Board may elect to secure the services of a secretary from outside the Board of Directors. The secretary shall

- record the minutes, maintain records, and send out meeting notices, among other duties.
- c. Additionally, the Board may employ other persons as is deemed necessary to discharge the obligations of the District. The Board will determine qualification and duties.
- d. The Board shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted.
- e. The secretary shall prepare an agenda for Board and other meetings. Agendas shall be provided to each member of the Board no later than three days prior to the meeting date. Hard copies shall be made available to the public at the time of the open meeting.
- f. The Board of Directors or any of the officers shall not receive any compensation aside from the reimbursements provided by law.

10. Adoption and Amendment

These bylaws shall be effective upon approval by a majority of the members of the Board at regular, special, or annual meeting. These bylaws may be amended upon approval by a majority of the members of the Board at any regular, special, or annual meeting.

Dated this 13th day of February, 2015

Augusta Solid Waste District Board of Directors

Larry J. McHusker
Chair

Ronald W. Jones
Vice Chair

Julian A. Hayes
Member

Andrey V. Kostin
Member

Deborah
Member

Joan M. Melanick
Member

Member

DATED this 13 day of March 2015.

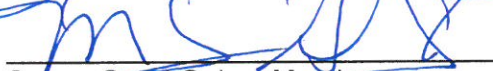
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Andy Hunthausen, Chairman

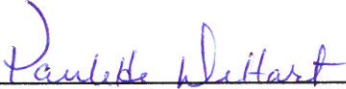


Michael Murray, Vice Chair



Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board