

**BYLAWS
OF THE
CITY-COUNTY PARKS BOARD**

ARTICLE I Name

The legal name of the board is the City-County Parks Board.

ARTICLE II Purpose

The Board shall serve in an advisory capacity to the City Commission and County Commission establishing the Board in matters relative to parks, recreation, and open space plans and their implementation.

ARTICLE III Membership

The Board shall consist of seven members who shall be appointed as follows:

Three members who shall reside outside of the city limits of Helena but within the jurisdictional area of the Board to be appointed by the Lewis and Clark County Board of Commissioners. These appointees may be county employees or may hold public office in the county.

Three members who shall be residents of the city of Helena to be appointed by the Helena City Commission. These appointees may be employed by the city of Helena or hold public office in the city.

One member who shall be a representative of School District No. 1. This appointee, who may be employed by or hold office within School District No. 1, shall be appointed by the Helena City Commission and the Lewis and Clark County Board of Commissioners.

Terms of members are for three years except the term of any member who has been elected to or appointed to a term of office by the city or county shall terminate with that appointment. Initially, two members shall serve one-year terms; two members shall serve two-year terms; and three members shall serve three-year terms. Vacancies shall be filled by the appropriate commissions. A member may serve no more than two consecutive three-year terms. After being off the Board for one term, a former member is eligible to reapply for a new three-year term.

ARTICLE IV Officers

Section 1. Enumeration of Officers. The officers of the Board shall consist of a chairman and vice-chairman who shall be elected by the appointed membership for two years or until the expiration of his or her term on the Board; whichever comes first. In the absence of the chairman, the vice-chairman shall preside. If the office of chairman or vice-chairman is vacated prior to the expiration of the term, the Board will hold an election to fill the vacated office. The newly-elected officer will serve for the remainder of the term.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following initial appointment of the Board.

ARTICLE V Meetings

The Board shall meet on the first Wednesday of each month at 11:30 A.M. in the City-County Building, 316 North Park Avenue, Helena, Montana. Special meetings may be called with the discretion of the Parks Board chairman.

ARTICLE VI Quorum

A majority of the appointed members shall constitute a quorum except that a vacant position shall not be counted in determining a quorum. Once the quorum is established, it carries through the end of that meeting. Proxies may be left. The chairman will determine whether a vote will be held or tabled.

ARTICLE VII Voting and Decision Making

The Board will strive to reach consensus in making decisions. However on issues where consensus cannot be reached, a simple majority of the quorum will decide the issue. At the discretion of the Board, absent members may be polled.

ARTICLE VIII Committees

There are no standing committees. The Board may appoint special committees as may be determined necessary.

ARTICLE IX Order of Business

The following shall be the regular order of business:

- | | |
|---------------------------------|--|
| 1. Roll call | 6. Comments from persons present |
| 2. Minutes of preceding meeting | 7. Comments from Board members present |
| 3. Staff reports | 8. Adjournment |
| 4. Unfinished business | |
| 5. New business | |

ARTICLE X Amendments

These bylaws may be added to or amended by a majority vote at any meeting of the Board provided a quorum is present and with approval by the respective commissions.

Approved and adopted this 22nd day of January,
2001.

HELENA CITY COMMISSION

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Colleen McCarthy, mayor
James E. Smith
[Signature]
Guy Propper
Ann Marisa

Karo G. Gendorf
Sheila Murray
Britt K. Varone

**THE 1999 INTERLOCAL AGREEMENT
FOR ESTABLISHING A
CITY AND COUNTY CONSOLIDATED PARK BOARD**

WHEREAS, Title 7, Chapter 11, MCA, permits local government units to make the most efficient use of their powers by enabling them to cooperate with other local government units on a basis of mutual advantage, to efficiently provide services and facilities in accordance with geographic, economic, population, and other factors influencing the needs and development of local communities; and,

WHEREAS, the above-referenced statute provides that an interlocal agreement may be adopted by authorization and approval by the governing bodies of the parties to said agreement; and,

WHEREAS, The City of Helena, Montana, hereinafter referred to as "City," and the County of Lewis and Clark, Montana, hereinafter referred to as "County," are both public agencies of the State of Montana; and,

WHEREAS, The City and the County both have completed and adopted the Comprehensive Parks, Recreation and Open Space Plan and wish to implement the goals set forth in that plan; and,

WHEREAS, The City and County deem it to be in their best interest to enter into an interlocal agreement as follows:

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency whereof being hereby acknowledged, the parties hereto agree that the agreement shall read as follows:

1. **PURPOSE OF AGREEMENT**: This agreement is made and entered into by the

City and County to establish the "City-County Park Board," hereinafter referred to as "Board." The Board shall perform various functions for the City and County related to parks, recreation, and open space.

The City and the County both have completed comprehensive parks, recreation and open space plans adopted by their respective commissions. Common to both plans is the recommendation to work together to provide parks and recreation services.

The establishment of a City-County Parks Board with support from the City Department of Parks and Recreation is the first step to that goal.

2. ORGANIZATION OF BOARD:

A. **Membership:** The Board shall consist of seven (7) members, to be appointed as follows:

(1) Three (3) members to reside outside the City limits but within the jurisdictional area of the Board to be appointed by the Board of County Commissioners who may, in the discretion of the Board of County Commissioners, be employed by or hold public office in the County.

(2) Three (3) members to reside within the City limits to be appointed by the City Commission who may, in the discretion of the City Commission, be employed by or hold public office in the City.

(3) One (1) representative from School District No. 1 who may be employed by or hold public office for the School District, to be appointed jointly by the City Commission and the Board of County Commissioners.

(4) When any position is vacant it will not be counted in determining a quorum.

B. **Qualifications of Board Members:** All members of the Board shall be residents in the area over which the Board has jurisdiction. Any appointee may be removed from the office by a majority vote of the governing body of the governmental unit representing such appointee. The governing bodies may consider criteria of professional expertise, personal interest, geographic distribution, and other criteria in the appointment of members.

C. **Terms of Members:** The terms of the Board members who are officers of any governmental agency represented on the Board shall be co-extensive with their respective terms of office to which they have been elected or appointed. The terms of the other Board members shall be three (3) years. Initial appointments of Board members shall be staggered on the following basis: two members shall serve one-year terms, two members shall serve two-year terms, and three members shall serve three-year terms.

D. **Vacancy on Board:** Vacancies occurring on the Board by death or resignation of the members shall be filled for the unexpired term by the governing bodies having appointed them.

E. **Duties of Board:**

(1) The Board shall serve in an advisory capacity to the local governing bodies establishing said Board. The recommendations of the Board shall be forwarded to the appropriate governing body through the City Manager and/or through the County Administrative Officer.

(2) The Board shall review subdivision proposals with regard to park requirements and compliance with adopted City and County parks, recreation, and open space plans, and make recommendations to the appropriate jurisdictional staff and governing body.

(3) The Board shall develop general strategies for implementing adopted

City and County parks, recreation, and open space plans, and make recommendations to the appropriate jurisdictional staff and governing body.

(4) At the direction of the governing bodies, the Board shall pursue specific tasks related to the acquisition, development, and maintenance of parks and open space, and specific tasks related to recreational programs.

(5) The Board shall review annual budgets as they pertain to parks, recreation and open space, and make recommendations to the appropriate jurisdictional staff and governing body.

F. Policy Proposals: The Board may propose policies relating to public parks, recreation facilities and programs, and open space, and other related public planning issues and make recommendations to the appropriate jurisdictional governing body.

G. Administration of the Board: Administrative support for the Board shall be provided principally by the City Parks Department, including necessary technical and clerical functions. Additional technical staff support may be provided by the County Planning Department, County Public Works Department, City Public Works Department, and City Planning Department.

3. MANNER OF FINANCING BOARD:

A. Expenses of Board: All County expenses for operation of the Board shall be paid from the Lewis and Clark County budget, all city expenses shall be paid from the City of Helena budget, and any other sources as accepted by the City and County Commissions. Authorization for expenditures is the responsibility of the Board of County Commissioners and the Helena City Commission.

B. Establishing and Maintaining Budget: The Board shall review annual

budgets of the City and County as they pertain to parks, recreation and open space, and make recommendations to the appropriate jurisdictional staff and governing body. The Board shall have no authority to establish a budget, levy taxes, or indebt the City, the County or itself. The City and County shall jointly establish a budget through the annual budgeting process.

C. **Administration of Budget:** The City shall administer the adopted budget through the City Parks Department.


4. **BYLAWS:** The Board shall adopt by-laws in accordance with this agreement, and any amendments thereto, which shall remain in full force and effect.

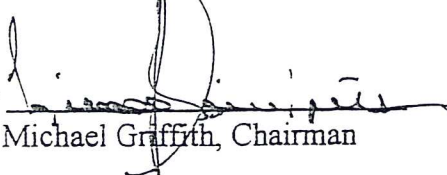
5. **DURATION:** This agreement shall continue for eighteen months from the 28TH day of JUNE, 1999, and shall remain in effect unless terminated by either party upon the giving of ninety (90) days written notice to the other party.

DATED this 29 day of June, 1999.

CITY OF HELENA, MONTANA

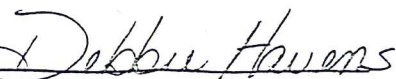
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

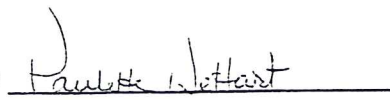
By 
Dennis Taylor, City Manager

By 
Michael Griffith, Chairman

ATTEST:

ATTEST:

By 
Debbie Havens
Clerk of the Board

By 
Paulette DeHart
Clerk of the Board