

Government Study Review Commission Meeting

January 15, 2025

5:30 p.m. City Hall

Public comment

Agenda

- 1. Finalize By Laws**
- 2. Established timeline**

PUBLIC NOTICE

Government Study Review Meeting

City Hall

January 15, 2025

5:30 p.m.

Hardin Local Government Review Study Commission

December 18, 2024 Meeting Minutes

At 5:30 p.m., Temporary Presiding Officer Carolyn Dawes called the meeting to order. Present were Commissioners Carolyn Dawes, Jason Stephenson and Randy Mercier. Also present was Jordan Knudsen, ex-officio member.

No members of the public were present for Public Comment.

A motion was made to approve the minutes from the previous meeting of November 26, 2024, and seconded. A voice vote was called, and the motion passed unanimously.

Dawes called up the first order of business, establishing bylaws. The commission discussed waiving formal parliamentary procedure to begin editing a basic template of proposed bylaws. A motion was made by Jason Stephenson to waive the procedure, which was seconded. A voice vote was called, and the motion passed. The commission then proceeded to edit the proposed bylaws, section by section, with 'friendly' amendments allowed. The proposed template being a set of bylaws from a water/sewer district, required numerous changes to titles and duties. The commission then discussed officer positions for the commission. The commission agreed that there should be four officers: Chair, Vice-Chair, Secretary, and Treasurer. After numerous edits, the draft of the proposed bylaws was approved for the next meeting.

Dawes then called the second agenda item, the election of permanent officers. Dawes was nominated to be the Chair. There were no other nominations, nominations were closed, and Dawes was elected to be Chair upon a voice vote. Jason Stephenson was nominated to be Vice-Chair. There were no other nominations, nominations were closed, and Stephenson was elected to be Vice-Chair by voice vote. Jordan Knudsen was nominated to be Secretary. There were no other nominations, nominations were closed, and Knudsen was elected Secretary by voice vote. Randy Mercier was nominated to be Treasurer. There were no other nominations, nominations were closed, and Mercier was elected Treasurer by voice vote.

Chair Dawes then called the third agenda item, the time table for official dates and publication. Stephenson suggested that due to the time spent on the bylaws, the commissioners should each take the time table home, and bring back proposals at the next meeting. The commissioners discussed further. Stephenson moved that each commissioner take the time table home and fill out proposed dates and return with the table at the next meeting. Dawes seconded the motion. A voice vote was called, and the motion passed unanimously.

Commissioners then discussed the next meeting date. Knudsen reported that commissioners agreed at a previous meeting to have meetings on the third Wednesday of each month at 5:30 p.m. The commission agreed that January 15, 2025 would be the next meeting date.

Stevenson moved to table the remaining items on the agenda until the next meeting. Mercier seconded the motion. A voice vote was called, and the motion passed unanimously.

Stephenson moved to adjourn. Mercier seconded. A voice vote was called, and the motion passed unanimously. The meeting adjourned at 7:20 p.m.

**Rules and Procedures for City of Hardin Local Government Review Study
Commission**

PART I. General Provisions

Section 1.01 Purpose. The purpose of this policy is to establish the rules of procedure for the conduct of meetings and the transaction of business by the City of Hardin Local Government Review Study Commission. These rules of procedure are intended to assure that the Commission can accomplish its work efficiently, in full view of the public and with reasonable opportunity for the public to participate in the deliberations and decisions of its city government.

Section 1.02 Authority. These rules of procedure are promulgated pursuant to and supplement Part 1, Chapter 3, Title 7, Montana Code Annotated.

PART II. Public Participation

Section 2.01 Policy. It is the policy of City of Hardin Local Government Review Study Commission that the public shall be afforded reasonable opportunity to participate in the operation of Commission prior to the final decision of the Commission concerning any matter of significant interest to the public. A matter of significant interest to the public includes but is not limited to any matter:

1. Requiring a public hearing;
2. Adopting, Implementing, adopting or choosing and alternative form of government;
3. Relating to the entire process of the Commission.

Section 2.02 Open Meetings. A meeting of the Commission is convened whenever a quorum of Commission Commissioners hear, discuss or act upon any matter over which they have jurisdiction. All meetings of the Commission shall be open to the public. However the presiding officer of the Commission may close any meeting during the time the discussion relates to a matter of individual privacy and then if an 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. A quorum is two of three commissioners.

Section 2.03 Notice. The Commission shall give timely notice of any public hearing or any meeting to discuss or act upon any matter of significant interest to the public, as prescribed by law. Additionally, the agenda of all scheduled meetings of the Commission shall be posted on the designated public posting Commission not later than 48 hours prior to the meeting.

Section 2.03 Public Posting Commission. The Commission designates as its official posting place the Post Office in Hardin, MT, the District Courthouse in Hardin, MT, the City Hall of Hardin, MT, and the website of the City of Hardin.

PART II. Procedures.

Section 3.01 Quorum. A quorum of Commission shall consist of two Commissioners. No meeting of the Commission shall be convened without a quorum and no decision of the Commission on any matter requiring a majority vote of the Commission shall be made except by the affirmative vote of two Commissioners.

Section 3.02 Agenda Preparation. Proposed, resolutions, reports, recommendations, contracts and all other matters requiring consideration, discussion or decision by the Commission shall be submitted to the Chairperson of the Commission or to the Secretary of the Commission by 12:00 noon, two business days immediately preceding the next regularly scheduled meeting of the Commission. The Chairperson or his/her designated representative shall arrange the matters requiring discussion or action into an agenda according to the order of business specified herein. Copies of the agenda shall be provided to each member of the Commission not later than 48 hours prior to the scheduled meeting. Copies of the agenda shall be readily available to the press and to the public at large and one copy shall be posted on the designated public posting Commission not later than 48 hours prior to the scheduled meeting.

Section 3.03 Meeting times. The Commission shall meet at 5:30 p.m. at the Hardin City Council Chambers on the third Wednesday of each month. The Commission may set additional dates and places for meetings, public forums, and public hearings, as needed.

Section 3.04 Order of Business. The presiding officer shall prepare the agenda in substantially the following form which may be altered by consent of the Commission:

1. Roll Call of the Commission Commissioners
2. Pledge of Allegiance (optional)
3. Approval of Minutes of the Previous Meeting.
4. Public Comment over anything on the agenda.

5. Scheduled Matters.
 - i. General Business
 - ii. Claims (paying the bills)
 - iii. Old Business
 - iv. New Business
- b. Public Hearing (required by law or ordinance)
- c. Other Scheduled Matters
6. Public Comment on anything not on the agenda but within the jurisdiction of the Commission: An item that is not scheduled on the agenda for the current meeting may be discussed during the session at the discretion of the Commission. However, the purpose of such discussion shall be to decide whether or not to schedule the item for discussion and/or vote on a subsequent agenda. As a general rule no matter of significant interest to the public should be decided upon without prior notice to the public as a scheduled Commission agenda item.
7. Adjournment

PART IV. Rules of Commission Participation.

Section 4.01 Policy. To provide for the effective participation by all Commissioners of the Commission and to protect the right of participation by members of the public appearing before the Commission, all meetings of the Commission shall be conducted in general conformance with the provisions of the current edition of Robert's Rules of Order, except when inconsistent with law.

Section 4.02 Rules. Commission debate shall proceed in accordance with the following rules:

1. A Commission Member desiring to speak shall address the presiding officer, and upon recognition, shall confine him or herself to the question under debate, avoiding abusive and indecorous language.
2. A Commission Member once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or as herein otherwise provided. If a Commission Member while speaking is called to order, he or she shall cease speaking until the question of order is determined, and, if in order, he or she shall be permitted to proceed.
3. Order of rotation in matters of debate or discussion shall be at the discretion of the presiding officer.

4. A motion may be made by any member of the Commission but must be seconded prior to discussion and vote. If the motion is not seconded it shall be declared failed for lack of a second by the presiding officer.
5. A motion to reconsider any action taken by the Commission may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed and reconvened session thereof. Such a motion may only be made by a Commission Member of the prevailing side, but may be seconded by any Commission Member and it shall be debatable.
6. Nothing herein shall be construed to prevent any member of the Commission from making or remaking the same or any other proper motion at a subsequent meeting of the Commission but the matter must be a scheduled agenda item.

Section 4.03 Suspension of the Rules of Debate. The rules of debate may be suspended temporarily by the unanimous vote of the entire Commission.

Section 4.04 Majority of Whole Commission Required. The affirmative vote of two Commissioners is required to adopt any measure unless a greater number of votes may be required by law or ordinance.

Section 4.05 Duty to Vote. It shall be the duty of each Commission Member to vote in the affirmative or negative on each motion duly placed before the Commission by the presiding officer. A Commission Member may make a brief explanation of the reason why she or he voted in a particular way.

Section 4.06 Proxy Voting. A Commission Member who is not present in the meeting at the time a motion is put to a vote cannot vote. Commissioners shall not be permitted to vote by a proxy vote or by written vote.

Section 4.07 Conflict of Interest. Any member of the Commission who has a private interest, as defined by law or as so advised by the County Attorney, in any matter pending before the Commission shall not participate in the debate nor vote in that matter nor seek to influence the vote of Commissioners of the Commission, except as otherwise provided by Section 2-2-201, MCA. If the presiding officer has a private interest in a matter pending before the Commission he or she shall yield the chair to the Vice Chairperson during the course of debate and decision concerning the matter in which she or he has a private interest.

PART V. Presentation to the Commission.

Section 5.01 Procedures. The general procedure by which items are handled by the Commission at *other than public hearings* shall be as follows:

1. The presiding officer or staff member presents the item to the Commission along with a brief summary of the matter for discussion, with or without the presiding officer's recommendation.
2. For the purpose of clarification and after recognition by the presiding officer, Commission Commissioners may direct questions about the item to the presiding officer or staff member.
3. Commissioners may discuss the item prior to any action and seek input from public comment, if they desire.
4. The Commission may, upon a proper motion and second, vote on the matter or table the matter until a date certain.

PART VI. Public Hearings

Section 6.01 Procedures. The Commission shall conduct public hearings as required by law. Public comment will be presented to the Commission as allowed by law. the Commission may not vote on any substantial matter, only procedural matters.

1. A public hearing which has been formally closed may not be reopened. If additional information is required before a decision can be made, the Commission, upon motion duly made, seconded and passed, may call for an additional public hearing which hearing shall be duly noticed as required by law and this policy.

PART VII. Guide for Public Participation

Section 7.01 Guidelines for Public Participation. The following guidelines shall serve to assure reasonable and fair public participation in the decisions of the _____ Commission.

1. The public shall be invited to speak on any item under consideration by the Commission after and only after recognition by the presiding officer.

2. The speaker should step to the front of the room, and for the record, give his or her name and address and, if applicable, the person, or organization he or she represents.
3. Prepared statements are welcomed and should be given to the presiding officer and noted in the minutes of the meeting. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become a part of the permanent record.
4. Public Comment shall be limited to five (5) minutes per speaker, unless the presiding officer invites the speaker to go over the five minute limit. No person may speak more than once on a topic unless all other members of the public have spoken, and upon permission of the presiding officer.
5. Public comment should be limited to the matters within the jurisdiction of the Commission. If public comment is not about the matters within the jurisdiction of the Commission, the presiding officer may stop or suspend the public comment and redirect the speaker to matters within the jurisdiction of the Commission.
6. While the Commission is in session, Commissioners of public must preserve order and decorum. No person shall delay or interrupt the proceedings or the peace of the Commission nor disturb any member of the public or of the Commission while speaking or refuse to obey the orders of the presiding officer of the Commission.
7. Any person who while speaking shall use indecorous or abusive language or who shall become boisterous or disruptive may be barred from further presentation to the Commission by the presiding officer, unless permission to continue be granted by a majority vote of the Commission.

PART VIII. Resolutions

Section 8.01 Resolutions. Except as provided by law, proposed resolutions may be introduced at any time by a member of the Commission and if adopted shall be effective on the date specified therein.

Section 8.02 Right of Initiative. The people retain the right to present ordinances and resolutions for adoption by the initiative process, as prescribed by law.

PART IX. Officers

Section 9.01. The Commission shall elect the following officers: Chairperson, Vice Chairperson, Secretary, and Treasurer.

1. Chairperson: Shall be the presiding officer, and shall set the agenda for each meeting. The Chairperson shall execute the directives of the Commission. The Chairperson may appoint other commissioners to assist in executing the directives of the Commission, or appoint committees and their respective chairs.
2. Vice Chairperson: Shall serve as the presiding officer in the absence of the Chairperson, and shall execute all functions of the Chairperson, if absent. The Vice Chair shall also be responsible for public relations, and shall assist the Chairperson in executing the directives of the Commission.
3. Secretary: Shall take minutes of the meeting, and shall prepare the minutes for approval at the next meeting of the Commission. Upon request of the Chairperson, assist with the agenda or other items, as needed.
4. Treasurer: Shall report to the Commission the status of the budget, including expenses and remaining balance since the previous meeting.

Section 9.02. Who may be officers:

Each commissioner may be an officer, but may not hold more than one officer position. The ex-officio members may also be an officer, but may not hold more than one officer position.

In the event of a vacancy, upon which cannot be filled after due diligence by the governing body, then a commissioner may assume a second officer position upon a approval of the remaining Commission members.

Approved by the Commission and Adopted this _____ day of January, 2025

Carolyn Dawes, Chairperson

Attest: _____
By: Jordan Knudsen, Secretary