

WHITEFISH LAKESHORE PROTECTION COMMITTEE

Bylaws

ADOPTED: October 9, 2013

Article I

The Whitefish City/County Lake and Lakeshore Protection Committee [Committee or WLPC] was established as a special planning board to implement the policy and provisions of Montana Code Annotated, Section 75-7-201, et seq. and regulations set forth in Whitefish City Code, Title 13, Chapters 1-4. The Whitefish Lakeshore Protection Committee is empowered to review and comment on all activities within the jurisdiction of Montana Code Annotated, Title 75, Chapter 7, Environmental Protection, Aquatic Ecosystem Protections, Lakeshores, and Whitefish City Code, Title 13, Chapters 1 through 4 and the Whitefish Area Lake and Lakeshore Protection Regulations.

Article II

DUTIES

- A. Pursuant to Whitefish Ordinance 13-4-1, the Committee shall:
 - 1. Advise and work with potential applicants.
 - 2. Review and give recommendations on projects requiring a lakeshore permit.
 - 3. Review and offer amendments to the lake and lakeshore regulations, to keep them current, to improve efficiency and to address problems.
 - 4. Report violations to the proper authorities.
- B. Committee members shall attend regular and special meetings.

Article III

MEMBERSHIP

- A. Members: The Committee shall consist of eight (8) regular members, appointed as follows:
 - 1. The Whitefish City Council shall appoint three (3) members. All members shall be residents of Whitefish and at least two (2) shall be lakefront property owners or residents.
 - 2. The Flathead County Board of Commissioners shall appoint four (4) members. All members shall be residents of rural Flathead County and at

least three (3) shall be lakefront property owners or residents. Of those three (3), at least one (1) shall be a lakefront property owner or resident on Blanchard Lake.

3. The eighth member shall be appointed by the Whitefish City/County Planning Board and shall serve for a two (2) year term unless the member requests removal or is removed by a majority vote of the Planning Board. The eighth member may be a member of the Planning Board or may be a member at large, but in any event shall be a resident of Whitefish.

B. Term: Members of the Committee appointed by the City and the County serve terms of three (3) years and may be reappointed.

C. Vacancies: Vacancies during the term shall be filled by the appointing body or board for the duration of the unexpired term.

D. Attendance: Attendance at regular monthly meetings is mandatory unless excused. If a member is absent without excuse from three regular monthly meetings or more than four meetings in a calendar year, without legitimate reason, the chair shall so inform in writing the appointing body or board and may recommend appropriate action. Legitimate reason for absence shall include out of town travel, unavoidable scheduling conflict, illness of Member, or other circumstance found by the Chair to be excusable.

E. Compensation: Committee members serve without compensation.

Article IV

OFFICERS AND ELECTIONS

A. Officers: The officers of the WLPC shall be Chair and Vice-Chair.

B. Duties of Officers:

1. The Chair. The Chair shall officiate at all meetings, regular and special, shall decide all points of order or procedure, may administer oaths, may call special meetings, and may excuse the absence of members from meetings. The chair shall be a voting member who may vote on any or all issues or matters before the Committee.

2. The Vice-Chair. In the absence or incapacity of the Chair, the Vice-Chair shall decide all points of order or procedure, may administer oaths, and may call special meetings. The Vice-Chair shall be a voting member and may vote on any or all issues or matters before the Committee.

C. Election: Members of the WLPC may make nominations from their number for offices of the WLPC, and election shall be by a majority vote of its members present and in good standing at the first meeting after January 1st of each year.

D. Vacancy: Upon vacancy of an officer position, the Committee shall nominate and elect one of their number to fill out the remaining term of the departing member's term.

Article V **MEETINGS**

A. Meetings: All meetings of the Committee shall be open meetings.

B. Regular Meetings: Meetings shall be held on the second Wednesday of each month at 6:00 p.m., or as needed at such other date and time as the Chair may designate following notice. In case the second Wednesday of the month is in conflict with a holiday, the regular meetings shall be held on such other date as the chair may designate. Advance notice of at least 48 hours shall be given by the Chair to each member, by telephone, in writing or electronically, of any change in meeting date or time.

C. Special Meetings: The Chair may call special meetings as needed, provided advance notice of at least 72hours shall be given by the Chair to each member, by telephone, in writing, or electronically, of the date and time for any special meeting. The Chair shall call a special meeting within ten (10) days of receipt of a written request from any two (2) members of the Committee.

D. Meeting Place: The regular and special meetings of the Committee shall be held at the Whitefish City Planning and Building offices, in Whitefish, Montana, or in any other place designated by the Chair. The Chair, either prior to or during the meeting, may change the location of the meeting because of such unforeseen reasons as non-availability of the meeting room or overcrowding.

E. Minutes: One of the members of the Committee shall take minutes of regular and special meetings or the Committee may delegate the taking and transcription of the minutes to a non-member to serve with or without compensation. The member or acting recording secretary shall keep a minutebook of the proceedings of each meeting and each hearing, which shall include the vote of each member on each question, if so desired, or if absent or failing to vote, indicating such fact, the names of all witnesses, a summary of the facts to which they testify and the decision rendered by the Committee and other official actions of the Committee. These records shall be open and available to the public.

F. Quorum: A quorum of the Committee requires the attendance of at least four (4) members present at the meeting to conduct business.

G. Cancellation of Meetings: Whenever there is no business to be considered at a regular meeting, the Chair may dispense with such meeting by so notifying each member at least 48 hours prior to the time set for such meeting.

H. Order of Business: Suggested order of business is:

1. Call to Order and Roll Call.
2. Approval of Minutes.
3. Communication from the Public on non-action items.
4. Old Business
5. Public Hearings and Action.
 - a. Presentation of Staff report
 - b. Presentation of Applicant
 - c. Committee discussion and vote
6. New Business.
7. Good and Welfare.
8. Adjournment.

I. Voting on Matters before the Committee: All matters shall be decided by roll call vote. A concurring vote of a majority of those present shall be necessary to decide any question or matter before the Committee.

J. Disqualification of Members: No member of the Committee shall sit in hearing, participate in discussion, or vote on any matter which shall be in violation of the State of Montana Code of Ethics, §§2-2-101 through 2-3-304, MCA, and the Whitefish Code of Ethics, Resolution No. 98-22.

Article VI
AMENDMENT OF BYLAWS

These bylaws may be amended at any time as an agenda item at a regular public meeting by a majority vote of four or more members of the Committee present at the meeting.