

# MOSQUITO ABATEMENT DISTRICT BYLAWS

Lolo, Montana

MISSOULA COUNTY

Updated February 2017

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## ARTICLE I: Background

The Board of Trustees, Lolo Mosquito Abatement District, was created October 1, 1978, as a Mosquito Abatement District by the County of Missoula under Montana Code Annotated § 7-22-2401 et seq. In 2009, the Montana Legislature repealed MCA §§ 7-22-2401 through 2448 and enacted MCA §§ 7-11-1001 through 1029 to govern all special districts including mosquito control districts.

## ARTICLE II: Purpose

The purpose of the Lolo Mosquito Abatement District is to manage and control mosquito pests and to minimize mosquito-borne diseases such as West Nile and Equine Encephalitis.

## ARTICLE III: Definitions

In these bylaws, the expression:

- (a) **"Commissioners"** mean the Board of County Commissioners of Missoula County;
- (b) **"District"** means Lolo Mosquito Abatement District;
- (c) **"Board"** means Lolo Mosquito Abatement Board;
- (d) **"Mosquito"** means any insect belonging to the family *Culicidae* of the order *Diptera*.

## ARTICLE IV: Membership

- A. **Selection and Terms:** The Missoula County Commissioners shall appoint members to the Board. The Board shall consist of five (5) voting members. All members have staggered three (3) year terms.
- B. **Conflict of Interest:** A member of the Board who may have a financial or personal interest in an item under consideration by the Board shall declare that he or she has a conflict of interest. Should a member with an apparent conflict fail to speak, the Chairperson shall announce the name of the member, the conflict and the disqualification of the member, subject to approval of the Board. That member shall then be excused from the Board and shall not participate in the vote taken on the item. That member

may participate as part of the public in attendance in providing information to the Board on the item. In the event of such disqualification, such facts shall be entered in the minutes of the meeting.

- C. **Member Participation:** Board service is voluntary but carries an expectation of time commitment and active involvement. Members are expected to consistently attend board meetings, review written materials in advance of meetings, and actively participate in one or more committees.
- D. **Resignations, Vacancies and Absences:**
- Resignation from the Board shall be in written form and submitted to the Board and the Commissioners;
  - Vacancies occurring on the Board shall be filled within sixty (60) days for the unexpired portion of the term;
  - Members shall notify the Chairperson of the Board in advance if they will not be able to attend a board meeting;
  - Absence from three consecutive regular board meetings, or six absences in a calendar year, may be grounds for removal from the Board.
- E. **Removal from Office:** Any appointee by the Commissioners may be removed from office by a majority vote of the Commissioners.
- F. **Terms of Office:** With approval from the Commissioners, members may serve more than three (3) consecutive terms in the absence of applications for the Board position or if there is a need to maintain the historical perspective of the mosquito program.
- G. **Training:** During the first year of their appointment, new appointees agree to participate in Board training approved by the Commissioners.
- H. **County Policy:** Appointees to the Lolo Mosquito Abatement Board agree to comply with Missoula County policies and procedures including fiscal and personnel.

## **ARTICLE V: Function, Powers and Duties**

The Board shall carry out the following functions:

- A. Develop and provide oversight to the District's Mosquito Abatement Plan;
- B. Establish management criteria for mosquito abatement on all land within the District;
- C. Make all reasonable efforts to develop and to implement a mosquito abatement program covering all land within the District.

The Board has the power and duty to:

- A. Supervise and develop policies for the affairs of the Mosquito District;
- B. Educate residents within the District of the mosquito abatement program and provide information on how they can help reduce the mosquito population;

- C. Under the guidance of the Missoula County Human Resource Department, employ/terminate employees in order to successfully carry out the District's plan;
- D. Annually revise and update the District's Mosquito Abatement Plan;
- E. Provide input on employee progress in carrying out the District's program;
- F. Keep records and have responsibility for the custody of papers and documents of the Board;
- G. Provide Commissioners with recommendations regarding policy and an annual report concerning Board activities and goals;
- H. Prepare and submit to the Commissioners an annual budget and monitor all budget expenditures;
- I. Keep and maintain County property under its jurisdiction.

#### **ARTICLE VI: Officers and Duties**

- A. The Board shall elect from its members a Chairperson, Vice-Chairperson, and Secretary at its first regular Board meeting each year.
- B. The Chairperson shall preside at all meetings and shall perform all other duties as may be prescribed in these bylaws or by Board action. The Chairperson shall vote only to make or break a tie.
- C. The Vice-Chairperson shall have the authority to act as Chairperson in his/her absence or disability.
- D. The duties of the Secretary shall consist of recording the minutes of all meetings and carrying out correspondence at the direction of the Board.
- E. The Missoula County Extension office shall prepare reports on the financial condition of the Mosquito District, including a complete accounting of current income and expenditures, and present them to the Board for approval at regularly scheduled meetings.

#### **ARTICLE VII: Meetings**

- A. **Regular Meeting:** The Board shall fix the time and place for holding regular meetings.
- B. **Special Meetings:** Such meetings may be called by the Chairperson or by two (2) voting members. The Chairperson shall give all members written or telephone notice of the special meeting at least two (2) days in advance.
- C. **Public Notification of Board Meetings:** Notification of and agenda for regular Board meetings shall be provided to the Commissioners by Thursday of the week prior to the meeting.
- D. **Public Participation:** In accordance with § 2-3-103 MCA, an item allowing public comment will be included on each month's agenda. Public comment will be heard during this time on any public matter that is not on the agenda of the meeting and that

is within the jurisdiction of the Board. The Board may not take action on the matters discussed unless specific notice of that matter is included on an agenda and public comment has been allowed on that matter. Public comment will be incorporated into official minutes of the meeting.

- E. **Quorum:** A majority of the voting members shall constitute a quorum. No action of the Board may be taken unless authorized by a majority of voting members present at a regular or special meeting.
- F. **Rules of Order:** Roberts Rules of Order shall apply in all parliamentary matters except where these bylaws may state otherwise.

#### **ARTICLE VIII: Order of Business**

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

- |                                      |                      |
|--------------------------------------|----------------------|
| 1. Call to Order                     | 7. Committee Reports |
| 2. Roll Call/Determination of Quorum | 8. Manager's Report  |
| 3. Public Comment                    | 9. Old Business      |
| 4. Approval of Agenda                | 10. New Business     |
| 5. Financial Report                  | 11. Public Comment   |
| 6. Old Business                      | 12. Adjournment      |

The public may add to the discussion of an item before the Board votes on a motion.

#### **ARTICLE IX: Committees**

Special committees of the Board may be appointed by the Chairperson for purposes and terms which the Board approves.


#### **ARTICLE X: Amendments**

Bylaw amendments may be introduced by any member of the Board at a regular or special meeting called for that purpose. All amendments proposed must be in writing before they are adopted. Adoption of or changes in bylaws are subject to the approval of the Commissioners.

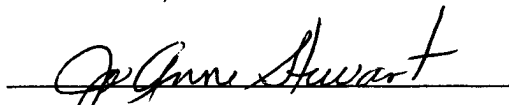
Adopted by the Lolo Mosquito Abatement Board on

12 day of April, 2017

**Approved:**


  
Chair, John Fuchs

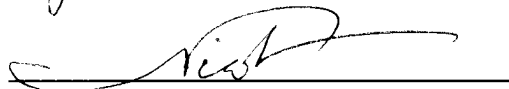
  
Vice Chair, Fred Bremer


  
Secretary, JoAnne Stewart

Authorized by the Board of Missoula County Commissioners on

11<sup>th</sup> day of May, 2017

  
Commissioner

  
Commissioner

  
Commissioner