

THE MACD PROCESS DOCUMENT

The membership of the Montana Association of Conservation Districts consists of the 58 Districts within Montana. As such, it is important for each District to consider business as a District prior to area meetings where each will have one vote. As such, it is important that information to be discussed at the area meetings is provided to the MACD office to be distributed to all of the Districts by **September 1st**. These items include, nomination for MACD Director, interest in hosting convention, proposed bylaw changes, partial dues letters, and proposed resolutions. A more thorough description of process for each of these is outlined below.

THE ELECTION OF DIRECTORS

“Article VIII C. The election of directors takes place at Association area meetings, the time and place of which will be announced by the president of the Association. Each district will have one vote for election of its area director. A director will take office at the beginning of the Association’s regular annual meeting and, except as provided in Subsection A, will hold office for two years, or until a successor has been elected and qualified. Vacancies on the board will be filled by appointment of the president, with the concurrence of the majority of the executive committee.”

Those supervisors interested in putting forward their names for election at area Meetings should provide their names and an optional statement about “What skills and/or services they can bring to the MACD Board?” to the MACD office by September 1st. Other nominations can still be brought forward at the area meeting but this deadline should encourage more consideration of possible options at the District meeting. Each District should identify the person who is voting via ballot on behalf of that District at the Area Meeting.

THE SELECTION OF CONVENTION LOCATION

“Article XI A. Regular Association meetings shall be held once a year at a time and place to be selected by a majority vote of the conservation districts present at the annual meeting. In selecting the time and place of meeting, each district in attendance is entitled to one vote.”

Those Districts interested in hosting a convention should identify this interest to the

MACD Office by September 1st. Areas may then address how other Districts would participate or if no Districts come forward, whether their area would be interested. In this way, all the areas can identify travel concerns and interest. No official vote will occur unless the area decides to host as a whole. Official voting on the convention location is at the present year's business meeting.

THE BYLAW PROCESS FROM CONCEPT TO IMPLEMENTATION

“Article IX B. It is the duty of the board of directors to effectuate all policies and programs. The board of directors may adopt amendments to the By-Laws as it deems necessary or desirable for the governance of the Association.”

The MACD Board of Directors, as elected officials representing their constituent areas, can make changes to the bylaws. The board of MACD is not doing so in 2017 as the membership has requested bylaws be passed through the body this year.

“Article XIV By-Laws and Amendments A. As required by the Articles of Incorporation the initial By-Laws are adopted by the board of directors. B. By-Laws may be adopted, amended or repealed by a majority vote of the board of directors or by two-thirds majority vote of all qualified districts at the annual or special meeting of the Association.”

For a bylaw to come forward through the Districts, it should be officially documented in that Districts' minutes and submitted to the MACD office by September 1st. At that point, discussion may ensue with the office or legal to ensure the intent is met through the proposed changes. Upon concurrence with language, the proposed bylaw will be sent to the Districts for their consideration. The proposed bylaw change will be discussed at the Area Meeting but may not be voted upon at the area level according to bylaw requirements above. The proposed bylaw change will also be discussed at the District Operations meeting prior to the business meeting at convention where discussion will occur and the District Operations chair will provide a summary of discussion to the full membership. At the Business meeting at the convention, the proposed bylaw change will be voted upon by all the qualified Districts.

THE PARTIAL DUES PROCESS

“Article XII Dues A. The Association dues are established and assessed annually by the board of directors. The executive committee upon written application by a conservation district may excuse payment of the dues or allow the partial payment of dues upon good cause shown. Good cause must relate to lack of services provided by the Association to the conservation district or documentation of lack of funds of a conservation district to pay all or a portion of assessed dues.”

B. A conservation district that pays dues to the Association, has been excused from payment of dues to the Association for the current year, or has been allowed to pay partial dues for the current year may attend all special and regular meetings and exercise the right to vote under the By-Laws of the Association. Receipt of partial payment of dues does not necessarily excuse a district from further dues payment unless specifically stated in executive committee minutes.

C. A conservation district that does not pay dues to the Association, or has not been excused by the executive committee for payment of partial dues for the current year, may attend a general or special meeting of the Association but may not vote on any issue or bring forward a resolution at the area meetings or general or special meetings. Individual supervisors from non-dues-paying districts may participate in committees at the discretion of the president.”

A District that has paid partial dues and wants to participate in voting at the area Meetings should submit a letter identifying the lack of services or funds available that resulted in the partial dues payment. These letters will be discussed and voted upon prior to the area meetings. Districts are welcome to send in partial dues payment letters prior to the September 1st deadline but will only be considered at the Spring Board Meeting and at the meeting following September 1st so that all letters received are discussed when Districts can provide public comment during the public comment section of that meeting. Partial dues paying Districts who do not meet the September 1st deadline or are not excused by the Executive Board may approach MACD at the October meeting if they would like to vote at convention.

THE RESOLUTION PROCESS FROM CONCEPT TO IMPLEMENTATION

The Montana Association of Conservation District Bylaws lack a reference to how the resolution process is to be implemented. Article V simply states:

“A regular Association meeting must have time designated for conducting the business of the Association. At any such business meeting, a resolution proposed to modify Association policy must previously have received consideration at an Association area meeting or standing committee meeting.”

The MACD is implementing a timetable for the resolution process. See the attached. The following discussion supplements the outlined MACD process. The MACD process defines a process for the orderly development of a resolution from an idea through area meetings to consideration at a business meeting of the MACD. It is important to

understand that a resolution may only direct MACD to take action. A resolution cannot direct any other entity, such as a federal agency, a state agency, or a local government agency to act in any specific manner.

Concept

A concept for a resolution starts with an idea of a supervisor or supervisors on an issue relevant to the operation of a district or of importance to the mission of a conservation district. While there is no fixed time for when the idea for a resolution must be made, it should be presented to the district’s governing body well in advance of the Area Meeting. As such, MACD requests that districts time submission of their resolutions to the appropriate MACD Committee by September 1 (MACD may adjust the submission deadline depending on the time for the holding of the annual meeting).



Discussion at the District Level

The matter should be placed on the district’s agenda for discussion by the conservation district supervisors at an open meeting. The discussion can be as general or specific as the proponent of the resolution is prepared to make it. Depending on the complexity of the issue more than one meeting may be required. The discussions should center on the justification for the resolution. Effectively, the justifications will form the “Whereas” clauses that support the ultimate resolution.



Optional Review

Each district has technical and legal resources available to it. These resources can help the districts in preparing a resolution for consideration at an Area Meeting. Technical services can be acquired through CARDD. Legal services can be acquired through the local county attorney, an attorney retained by the district, or an attorney made available through the MACD. Identification of technical and/or legal impediments can be identified and dealt with prior to submission to the Resolution Committee. It is recommended that technical and legal review occur at this stage. However, such review is not required and does not preclude a district from going forward with submitting a proposed resolution to MACD.



Action on a Draft Resolution

After developing a draft resolution at the district level, with or without a technical or legal review, the governing body must take action on the proposed resolution for submission to MACD. This is an action item to be noticed on a Board agenda, with the action to be taken in an open meeting.



Submission and Review by Resolutions Committee

The district should deliver the proposed resolution to the Resolutions Committee within the time set by the Committee to allow for review. The review may determine whether MACD currently has a policy addressing the issue. The draft resolution will be edited for clarification and grammatical and typographical errors. The Committee may request legal review. Upon completion of the review of all of the proposed resolutions they will be posted to the MACD website and emailed to the affected area districts. The review process should be completed prior to the Area Meeting at which the resolutions will be discussed.



Review at Area Districts

Hopefully, a district will have a meeting after completion of the Resolution Committee review, but in any event it is recommended that at the last regular monthly meeting prior to the Area Meeting the supervisors delegate to the supervisor or supervisors attending the Area Meeting the power, upon completion of the discussion of the proposed resolution at the Area Meeting, to support, support with amendment, or reject the proposed resolution. Each district may only cast one vote on behalf of the district regardless of the number of supervisors attending the Area Meeting from a district.



Discussion, Review and Action at Area Meetings

Area Meetings are public meetings as defined by Montana's open meeting law. Because resolutions must arise out of area meetings, the area meetings are considered meetings of an association that is composed of public or governmental bodies and therefore are meetings under the open meeting laws. By affirmative vote a proposed resolution, or a proposed resolution as amended, may be passed at an Area Meeting. A committee may be designated to finalize the wording of a proposed resolution but the committee may not change the intent of the proposed resolution. The proposed resolution is then forwarded on to the MACD business meeting for consideration. The proposed resolutions will be posted to the MACD website.



Interim Discussion and Review

Committee chairs and secretaries should be reviewing the proposed resolutions assigned to the committees during the interim between the Area Meetings and the MACD Annual Meeting. Similarly, supervisors should be reviewing the proposed resolutions. If a supervisor desires to put forth an amendment to a proposed resolution the supervisor is encouraged to do so in writing prior to the Annual Meeting to afford the sponsoring district the opportunity to address the amendment. The failure to put forth an amendment

prior to the Annual Meeting does not preclude a proposed resolution from being amended at the Annual Meeting.



Discussion and Action at the Annual Meeting

At the MACD annual business meeting the proposed resolutions are assigned to standing committees for discussion and recommendations. Once acted upon at the business meeting, either as proposed or amended, it becomes a formal resolution directing MACD to take an action. As noted above regarding area meetings, the standing committee meetings and the business meetings are subject to the open meetings law.



-Districts identify and approve resolutions to be considered at area meetings.
 -Resolutions approved at districts meetings will be sent to Committee for current policy and grammatical review.
 -District will identify who will represent resolution, if passed, at area meeting and convention.

- Resolutions will be edited for clarification and typos.
 -After review, proposed resolutions will be posted to the website and emailed to districts.

-Review meeting procedures
 -Districts present resolutions.
 -Discuss it and/or amend it.
 -Move for adoption or dismiss.
 -Once an area passes a resolution it will be placed on the MACD website where people can add comments or questions to be addressed.
 - A committee can be designated at area meeting to finalize resolution language.

-Review all resolutions
 -Put forth written amendments to committee to put on website and be addressed by sponsor district
 -Committee chairs and secretaries will also be reviewing resolutions at this time
 -Committee chairs will review Sturgis Parliamentary Procedure

Committee Meetings
 -Committees will review resolutions and use positive motions to pass resolutions

Business Meetings
 -Each resolution will be read by committee chair and representative spokesperson from the sponsoring district will be present
 -Committee chair moves for adoption, will be seconded and then ask for discussion and then proceed to the vote.