

TOWN OF SHERIDAN, MONTANA
LOCAL GOVERNMENT REVIEW
STUDY COMMISSION BYLAWS

**Rules and Procedures for Governing the Town of Sheridan
Local Government Review Study Commission (hereinafter referred to as the Town
of Sheridan Study Commission or, more simply, 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 2024-2026 Town of Sheridan Study Commission. These rules of procedure are intended to ensure 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 town government.

Section 1.02 Authority. These rules of procedure are promulgated pursuant to and supplement Title 2, Chapter 3 and Title 7, Chapter 3, Part 1 of the Montana Code Annotated.

PART II. Public Participation

Section 2.01 Policy. It is the policy of the Town of Sheridan Study Commission that the public shall be afforded reasonable opportunity to participate in the operations of the Study Commission prior to the final decision of the Study 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. Hearing, discussing, or deciding on a proposal to alter the current form of government for the Town of Sheridan; and
3. Relating to the budgetary and financial affairs of the Town of Sheridan Study Commission.

Section 2.02 Open Meetings. A meeting of the Town of Sheridan Study Commission is convened whenever a quorum of Study Commission members hear, discuss, or act upon any matter over which they have jurisdiction, whether corporeal or by means of electronic equipment. All meetings of the Town of Sheridan Study Commission shall be open to the public, unless otherwise provided by law after consultation with the Town Attorney/qualified legal counsel.

Section 2.03 Notice. The Town of Sheridan Study Commission will meet at 6:00 p.m. in Town Hall (or other suitable location) on every first Thursday of the month. The Study Commission shall give 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 Study Commission shall be posted on the

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designated public posting locations not later than 48 hours prior to the meeting. Public posting locations include Sheridan Town Hall.

In addition, the Study Commission may meet more or less frequently than once a month.

Section 2.03 Public Posting. The Town of Sheridan Study Commission will publish official notices of its meetings and public hearings in compliance with 2-3-103, MCA and utilizing the Town of Sheridan's designated official posting procedures.

PART III. Procedures.

Section 3.01 Quorum. A quorum of the Town of Sheridan Study Commission shall consist of two Study Commission members. No meeting of the Study Commission shall be convened without a quorum and no decision of the Study Commission on any matter requiring a majority vote of the Study Commission shall be made except by the affirmative vote of two Study Commission members. The *ex officio* member of the Study Commission shall be a member of the governing body or an elected official or employee of the local government appointed by the governing body. The *ex officio* is a non-voting member and does not factor into the quorum and majority vote requirements. The quorum number is based on three serving members and may be adjusted in the event vacancies arise.

Section 3.02 Agenda Preparation. Proposed agenda matters requiring consideration, discussion, or decision by the Study Commission shall be submitted in writing to the Chairperson of the Study Commission or to the designated point of contact of the Study Commission by 12:00 noon on the Friday immediately preceding the next regularly scheduled meeting of the Study 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. Electronic or printed copies of the agenda shall be provided to each member of the Study Commission and made available to the public not later than 48 hours prior to the scheduled meeting.

Section 3.03 Order of Business. The presiding officer shall prepare the agenda in substantially the following form which may be altered by consent of the Study Commission:

1. Call Meeting to Order
2. Roll Call of the Study Commission members
3. Pledge of Allegiance
4. Review/Approve Minutes of the Previous Meeting
5. Public Comment on anything not on the agenda but within the jurisdiction of the Study Commission: An item that is not scheduled on the agenda for the current meeting may be commented on by the public and may be briefly discussed by the Study Commission at the body's discretion. 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

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interest to the public should be decided upon without prior notice to the public as a scheduled Study Commission agenda item.

6. Public Comment on anything on the agenda
7. Reports
8. Unfinished Business
 - a. Matters that have previously been heard or considered but no final action has been taken.
9. New Business
 - a. Public Hearing (required by law for specific actions of the Study Commission)
10. Other Scheduled Matters
11. Announcements (such as time, date, and location of next meeting)
12. Adjournment

PART IV. Rules of Study Commission Participation.

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

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

1. A Study 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 Study 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 Study 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 Study 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 Study Commission may be made only on the day such action was taken. It may be made either immediately during

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the same session, or at a recessed and reconvened session thereof. Such a motion may only be made by a Study Commission member of the prevailing side but may be seconded by any Study Commission member and it shall be debatable.

6. Nothing herein shall be construed to prevent any member of the Study Commission from making or remaking the same or any other proper motion at a subsequent meeting of the Study 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 Study Commission.

Section 4.04 Majority of Whole Study Commission Required. The affirmative vote of a majority of the Town of Sheridan Study Commission members 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 Study Commission member to vote in the affirmative or negative on each motion duly placed before the Study Commission by the presiding officer. A Study 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 Study Commission member who is not present in the meeting at the time a motion is put to a vote cannot vote. Study Commission members shall not be permitted to vote by a proxy vote or by written vote.

Section 4.07 Conflict of Interest. Any member of the Study Commission who has a private interest, as defined by law or as so advised by the Town Attorney/qualified legal counsel, in any matter pending before the Study Commission shall not participate in the debate nor vote in that matter nor seek to influence the vote of members of the Study Commission, except as otherwise provided by [2-2-201, MCA](#). If the presiding officer has a private interest in a matter pending before the Study 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 Study Commission.

Section 5.01 Procedures. The general procedure by which Study Commission members handle public presentations of proposals at *other than public hearings* shall be as follows:

1. The presiding officer recognizes the representative of the proposal and invites the representative to present the proposal to the Study Commission along with a brief summary of the matter for discussion, with or without the presiding officer's recommendation.

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2. For the purpose of clarification and after recognition by the presiding officer, Study Commission members may direct questions about the item to the presiding officer or representative.
3. Comments from the representative will then be heard by the Study Commission.
4. After recognition from the presiding officer the Study Commission may direct questions to the representative.
5. The presiding officer will then invite members of the audience to present or submit testimony beginning with those in favor of the proposal, followed by those who oppose the proposal, and concluding with those who neither favor nor oppose the proposal.
6. All testimony shall be directed to the presiding officer.
7. The Study 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 Town of Sheridan Study Commission shall conduct public hearings as required by law. Public testimony will be presented to the Study Commission in the same format as described in PART VII. below, except that witnesses may be required to testify under oath as provided by law in which case the Study Commission shall not be bound by the strict rules of evidence, but may exclude irrelevant, immaterial, incompetent, or unduly repetitious testimony or evidence. The presiding officer shall, with advice from the Town Attorney/qualified legal counsel, rule on all questions relating to the admissibility of testimony or evidence. The ruling of the presiding officer may be overruled by a majority vote of the Study Commission. Additionally, the following rules of procedure shall apply:

1. The proponents or opponents, their agent or attorney, may submit petitions and letters prior to the closing of the hearing and the same shall be entered by reference into the minutes and considered as other testimony received at the hearing.
2. Following the presentation of all testimony and evidence, the Study Commission may: (1) Continue the hearing to a date certain to allow additional information to be submitted to the Study Commission; (2) Close the public hearing and proceed to Study Commission meeting debate of the matter; or (3) Continue the Study Commission debate and vote to a date certain.
3. A public hearing which has been formally closed may not be reopened. If additional information is required before a decision can be made, the Study 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.

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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 Town of Sheridan Study Commission.

1. The public shall be invited to speak on any item under consideration by the Study Commission after and only after recognition by the presiding officer.
2. The speaker should stand, 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. While the Study Commission is in session, members of the public must preserve order and decorum. No person shall delay or interrupt the proceedings or the peace of the Study Commission nor disturb any member of the public or of the Study Commission while speaking or refuse to obey the orders of the presiding officer of the Study Commission.
5. Any person who while testifying shall use indecorous or abusive language or who shall become boisterous or disruptive shall be barred from further presentation to the Study Commission by the presiding officer, unless permission to continue be granted by a majority vote of the Study Commission.
6. Public comment is limited to 3 minutes per person per topic.

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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 Study 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 resolutions for adoption by the initiative process, as prescribed by law.

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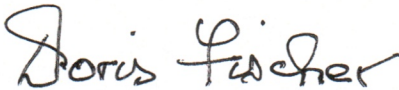
ADOPTED this 5th Day of February, 2025, by the Town of Sheridan Local Government Review Study Commission:



Ralph Sand, Vice-Chairperson

(absent)

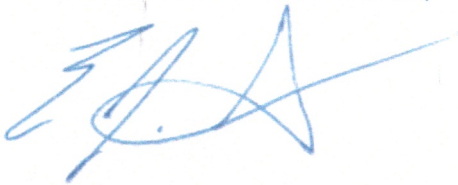
Claire Leonard, Member



Doris Fischer, Chairperson

Approved as to form this 18th day of February, 2025
Town of Sheridan Town Attorney

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Edward J. Guza