

Missoula City-County Food Policy Advisory Board

By-Laws

ARTICLE I

Purpose

The purpose of the Missoula City-County Food Policy Advisory Board is to provide policy recommendations to increase security of Missoula's local food system, promote sustainable agriculture that enhances the local economy, connect food access programs to local, nutritious food, build regional self-reliance and climate resiliency.

To achieve this purpose, the Board will be:

- Collaborative – working with partners and stakeholders in the community, engaging in education and outreach,
- Creative – seeking new and innovative policy solutions and recommendations, and
- Flexible – being nimble and adaptive.

The work of this Board is multifaceted and Missoula's food system complex. As such, it will be important to ensure the Board is transparent, promotes equity, inclusivity, and resiliency, and exercises leadership in its work.

ARTICLE II

Definitions

1. "Board" means the Missoula City-County Food Policy Advisory Board.
2. "Commission" means the Board of County Commissioners, Missoula County, Montana.
3. "Council" means the Missoula City Council
4. "Mayor" means the Missoula Mayor
5. "CFAC" means the Missoula Community Food and Agriculture Coalition
6. "MCA" means the Montana Code Annotated as amended.
7. "Resiliency" means being able to prepare for and respond to change (adaptation), reducing demand for resources (mitigation), and building strong community relationships. (Adapted from the Kresge Institute)
8. "Food access" includes reasonable travel time using available travel modes, including walking and transit, to shopping; availability of healthy, nutritious foods at a price that is affordable at all levels of the range of incomes. (Adapted from USDA ERS <https://www.ers.usda.gov/topics/food-choices-health/food-access/>)
9. "Healthy food system" means a food system is health promoting, sustainable, resilient, diverse, fair, economically balanced, and transparent. A healthy, sustainable food system emphasizes, strengthens, and makes visible the interdependent and inseparable relationships between individual sectors (from production to waste disposal) and characteristics (health-promoting, sustainable, resilient, diverse, fair, economically balanced, and transparent) of the system. (See APA Principles of a healthy, sustainable food system <https://www.planning.org/nationalcenters/health/foodprinciples.htm>)
10. "Sustainable" means conserves, protects and regenerates natural resources, landscapes and biodiversity, and meets our current food and nutrition needs without compromising the ability of the system to meet the needs of future generations. (From APA Principles of a healthy, sustainable food system)

ARTICLE III

Authority, General Powers and Duties

Section 1: Authority:

The Missoula County Food Policy Advisory Board was created by joint resolution (City 8413/County 2020-020) on Feb. 24, 2020 by the Council and Feb. 27, 2020 by the Commission in accordance with MCA 7-1-201 et. seq.

Section 2: General Powers and Duties:

The Missoula Food Policy Advisory Board shall serve as an advisory board and has no authority to take official action on behalf of the city council and the county commissioners.

Section 3: Specific Powers and Duties:

The Board will advise elected officials on policy initiatives to support the following:

1. Increased access to affordable, nutritious and safe food for all Missoula city and county residents.
2. Enrollment in nutrition assistance programs to those who qualify.
3. The sustainability of human and natural resources necessary for agriculture (including agricultural land, important breeds/cultivars, water, skilled labor, capital and markets).
4. Development of small to mid-sized business in the food and farming sectors.
5. Strong, vibrant local food systems in Missoula city and county.

The Board will:

1. Make recommendation on local, state and federal policies
2. Coordinate and collaborate with existing programs within the City and County of Missoula, as well other county and state regional food policy organizations.
3. Bring to the attention of Missoula County and the City of Missoula new programs and opportunities related to food and farming.

Section 5: Limitation of Powers:

Powers of the Board are limited by these By-Laws and the requirement to comply with all policies and practices of Missoula City/County and all State and Federal laws.

ARTICLE IV

Organization and Membership

Section 1: Organization:

The Food Policy Board consists of seven regular members and two alternate members who vote in the absence of a regular member. One member is appointed by the Mayor, two by the Council, three by the Commission and one by the Community Food and Agriculture Coalition. The first alternate is appointed by the Commission and the second alternate is appointed by the Council.

Section 2: Status of Alternates:

Alternates vote only in the absence of regular members. Alternates shall be called on to serve as a regular Board member in the order of their appointment, first and then second, and under the following circumstances:

- a. To promote the conduct of business by seven members;
- b. May fill the unexpired term of a regular Board member who resigns;
- c. May advance to regular Board membership as vacancies occur; and
- d. To temporarily replace a Board member excused for having a conflict of interest.

Section 3: Ethics and Conflicts of Interest:

1. A member who may have a professional, financial or personal interest in an item under consideration by the Food Policy Advisory Board shall declare the potential conflict of interest. The Board shall determine whether a conflict exists, and the determination shall be entered into the minutes of the meeting. If determined that a conflict exists, the member shall not participate in the vote taken on the item. Failure to fully disclose as required by this Article may be grounds for removal from the Board for cause.
2. No member may disclose or use information acquired in the course of Board duties to further personal interest, accept a gift of substantial value or a substantial economic benefit tantamount to a gift, acquire an interest in any business or undertaking which he/she has reason to believe may be directly and substantially affected as to its economic benefit by official action to be taken by the Board.
3. Failure to comply with or fully disclose as required by this Article may be grounds for removal from the Board for cause.

Section 4: Terms of Office:

Members of the Board shall serve three-year terms with approximately one-third of the membership up for re-appointment each year. Members' terms will be limited to three (3) consecutive 3-year terms for a total of nine (9) years. If the responsible elected officials have not appointed a new member upon a term expiration, the outgoing member may be re-appointed to the Board for another three-year term. Partial terms and the time served as an alternate member will not count against the term limit. Alternates will serve terms chosen by the appointing elected officials. Terms expire on Dec. 31 and new terms begin on Jan 1.

Section 5: Termination:

Membership on the Board may be terminated by the member's resignation, by the member ceasing to reside in Missoula County, or by the Commission/Council/Mayor/CFAC acting in the best interests of the Board upon recommendation of the Board. The Board may recommend termination of a member by a 2/3 vote of those entitled to vote if the member has missed three (3) consecutive regular meetings. The Chair will contact any member who has missed two (2) consecutive meetings and advise the member that a third consecutive miss may result in a recommendation for termination.

Section 6: Resignation:

A Board member's resignation from the Board will be by written communication bearing the member's signature and addressed to their appointing elected officials.

Section 7: Vacancies:

Vacancies shall be filled by the responsible elected officials through appointment. All applicants are required to submit application materials for County/City Board positions.

Section 8: Compensation:

Members shall serve without compensation, except that reasonable expenses may be paid when travel or other activities occur as a result of Board activities. All expenses must be pre-approved by the Commission/Council/Mayor. Policies in this regard shall be proposed to, and adopted by the Commission/Council/Mayor.

Section 9: Rights and Responsibilities:

Members are expected to participate in the work of the Board and its subcommittees. Member' duties are to:

- Identify new and innovative ideas and plans for the food and agricultural systems and support the advocacy of selected policy issues and goals described above in Article III, Section 3;
- Be present and vote for all meetings;
- Start and end meetings on time;
- Turn cell phones to vibrate or off;
- Value each others' opinions, fully participate, actively listen and use open communication methods
- Build trust by meeting commitments to other Board members and the public;
- Notify Chair, Vice-Chair and/or staff if unable to attend a meeting;
- Read minutes when a meeting has been missed; and
- Help to maintain the direction, purposes and goals, functions and responsibilities, and guiding principles of the Board through participation in subcommittees and deliberations.

ARTICLE V

Committees

Section 1: Standing Committees:

Standing Committees composed of Board members and non-Board members may be created for purposes and terms approved by the Board. Members will be appointed by the Chair. All meetings will be documented with minutes.

Section 2: Special Committees:

Special or ad hoc committees comprised of Board and non - Board members may be created by the Board for such special tasks as shall be needed or desirable for the purposes determined by the Board. The Chair will appoint the members. All meetings will be documented with minutes.

ARTICLE VI

Officers and Duties

Section 1: Officers:

The officers of the Board shall consist of the Chair, the Vice-Chair and such other officers as may be determined by the Board. Any Board officer may be removed for cause upon a 2/3 vote of the Board.

Section 2: Chair:

The Chair shall be selected from the Board. The Chair shall preside at meetings and perform other duties as prescribed by these by-laws. The Chair shall be the principal spokesperson for the FPAC and shall sign official communications from the Board.

The Chair shall help develop meeting agendas with staff and lead the Board meetings, serve as the main liaison between the Board and government representatives, represent the Board in the community, ensure the Board acts

in accordance with its policies and mission, facilitate consensus decision-making whenever possible, put aside personal opinions when speaking for the Board, and commit to keeping the work of the Board going between the meetings. The Chair can participate fully and vote on all motions.

Section 3: Vice-Chair:

The Vice-Chair shall preside in the absence of the Chair and may perform other duties of the Chair when empowered by the Chair to do so. The vice chair can participate fully and vote on all motions.

Section 4: Elections:

Election of Officers will be held each year at the January meeting, or at a specific time designated by the Board. The Officers will take office immediately upon election.

Section 5: Term of Office:

Officers shall serve for a one-year term, and shall be limited to 3 consecutive terms.

ARTICLE VII

Staff

Section 1: County Staff:

Staff will be responsible for:

- Receiving requests from membership for agenda items prior to the next meeting and corresponding with the Chair to develop an agenda for the next meeting, as needed.
- Publishing public notices no later than 10 days prior to next meeting and posting notices in online community calendars and County website.
- Meeting set up and support including setting up meeting space, assure note taker and meeting leaders are present, assist with flow and time keeping during meeting, provide technical assistance as necessary, review minutes with members, and send minutes, next agenda and attachments to Board prior to the meeting.
- General support including active participation in the workings of the Board, receive and distribute appropriate information emails to members assist in seeking resources for Board's work, assist Board connecting with other boards, committees, community groups and elected officials, and assist subcommittees as needed.

Section 2: CFAC:

CFAC has a standing appointment to the Board. In addition to Board rights and responsibilities, the CFAC appointee will provide technical expertise. At the request of the Board, CFAC will identify topics of interest, provide research services, and report back to the Board.

ARTICLE VIII

Regular and Special Meetings

Section 1: Regular Meetings:

Regular meetings of the Board shall be held once a month and at a time and location to be set by the Board. Notice of time, place and agenda will be published in a newspaper of general circulation.

Section 2: Special Meetings and Committees:

Special meetings may be called by the Chair, by a majority of the Board, or by the Commission/Council/Mayor with seven (7) day notice to members and with 48 hours public notice. The

notice shall include date, time, location, and agenda. Appropriate notice will be given for all committee meetings.

Section 3: Quorum:

A quorum shall be five members (or alternates acting in place of a member) who must be present for the conduct of business. No action of the Board may be taken unless authorized by a quorum present at a regular or special meeting.

Section 4: Voting:

Questions at meetings of the Board may be decided by the majority of those entitled to vote. Each member is entitled to one (1) vote.

Section 5: Open Meeting Law:

All meetings shall be conducted in accordance with Montana State Open Meeting Law (MCA. 2-3-201 et seq.).

Section 6: Minutes:

All meetings will be documented with minutes and will include the final vote on all actions. Minutes must be submitted and filed with the Clerk and Records Office within 30 days of Board approval. Minutes will be made available to the public in a timely manner.

Section 7: Records:

All records, including reports, correspondence, and finances, are public records pursuant to Montana law and must be made available for inspection and copying by members of the public. A reasonable fee may be charged for copies.

ARTICLE IX
Conduct of Business

Section 1: Order of Business:

The general order of business at a regular meeting of the Board and, so far as applicable at all other meetings, shall be as follows:

1. Call to order;
2. Approval of minutes;
3. Public Comment on non-agenda items and Announcements;
5. Items Involving Guests and Action Items;
6. Old Business;
7. New Business;
9. Communications;
10. Adjournment/Next meeting date announced.

Section 2: Off-Site Meeting Participation:

Board members may participate in meetings from an off-site location via appropriate live electronic communication methods. Those members who participate from an off-site location have all voting rights as members who are present at the meeting.

Section 3: Parliamentary Authority:

Standard and customary parliamentary procedure shall govern in all parliamentary matters, except as expressly stated herein and unless the context hereof requires otherwise.

ARTICLE X

Communications

Section 1: Personal Communications of Members:

Any individual member shall not sign written communications to others using the Board name, unless approved by the Board.

Section 2: Informal Communications:

It is understood that informal discussions between individual members of the Board and members of the community on various issues will occur from time to time. It is the expectation that Board members will report the content of discussions that deal with specific projects being considered by the Board to the rest of the Board members at the next regularly scheduled meeting in order to assure that the views expressed are known to the entire Board.

ARTICLE XI

Legal Assistance

The City or County Attorney's Office may be available to provide legal assistance to the Board, upon request by the Board, subject to availability of legal staff resources and priority of various projects.

ARTICLE XII

Amendments

By-law 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 by-laws are subject to the approval of the Board. The Board shall review the by-laws on an annual basis.

ARTICLE XIII

City-County Policies

Board Members agree to comply with Missoula City-County policies and procedures, including fiscal and personnel policies.

ARTICLE XIV

Severability

If any of these By-Laws or any section, sentence, clause, phrase, or word of the application thereof in any circumstances shall be held to be contrary to the law, such portion is severable from the remainder of these By-Laws and of the application of any such provision, sentence, clause, phrase or word in any other circumstance shall not be affected thereby.

Executed this 19 day of July, ²⁰²¹ ~~2020~~ *SA*

John D. Bari

Last, First
JOHN DIBARI
Chair, Missoula County Food Policy Advisory Board

Authorized by the City of Missoula on the _____ day of _____, 2021

Authorized by the Board of County Commissioners on the 21st day of Oct., 2021

ATTEST: MISSOULA COUNTY BOARD OF COUNTY COMMISSIONERS

Tyler Gernant

F941C347B06B66B1FE14B1915AFB4B77 readysign

Tyler Gernant, Clerk and Recorder

Not Available

Dave Strohmaier, Chair
Josh Slotnick

137D51ED69FA2244FFA409545EBDD56F readysign

Josh Slotnick, Commissioner

Juanita Vero

6F45D36DCC41E9C2B2D512DC93A576B2 readysign

Juanita Vero, Commissioner

ATTEST: CITY OF MISSOULA

Martha L. Rehbein, CMC, City Clerk

John Engen, Mayor