

RESOLUTION 2025 - 90

**A RESOLUTION APPROVING THE BYLAWS FOR THE BOARD OF DIRECTORS OF
THE SCRATCH GRAVEL SOLID WASTE DISTRICT**

WHEREAS, the Lewis and Clark County Board of County Commissioners created the Scratch Gravel Solid Waste District; and

WHEREAS, the Board has the power and exercises the duties and functions convened upon it by the Lewis and Clark County Board of County Commissioners pursuant to 7-1-1021, MCA. The Board shall act as advisory board to the County Commissioners.

WHEREAS, the Scratch Gravel Solid Waste District board members has proposed the attached by-laws for adoption by the Commission.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lewis and Clark County that it does hereby approve the bylaws of the Scratch Gravel Solid Waste District.

DATED this 26 of August, 2025.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Candace Payne, Chair

ATTEST:


Amy Reeves, Clerk of Board





Lewis and Clark County

BYLAWS FOR THE BOARD OF DIRECTORS OF THE SCRATCH GRAVEL SOLID WASTE DISTRICT

1. **Name and Location:**

The name of the solid waste management district is Scratch Gravel Solid Waste District, and its principal place of business shall be in Lewis and Clark County, Montana.

2. **Authorization:**

The authorization to create this District is set forth under legislative determination and declaration of policy in Section 7-11-1003, Montana Code Annotated (MCA).

3. **Purpose:**

The purpose of the Scratch Gravel Solid Waste District is to ensure proper collection, management, and disposal of solid waste within a specific geographic area. Protecting the environment by ensuring proper waste disposal practices and minimizing the negative impacts of waste on the environment and human health.

The Scratch Gravel Solid Waste Board is a group of individuals that effectively supplement the Lewis and Clark Board of County Commissioners (BoCC) in an advisory capacity to guide the Solid Waste District towards its stated mission. The BoCC retains the ultimate governing authority as provided in Section 7-11-1021(2)(d), MCA.

The Scratch Gravel Solid Waste Board is responsible for making recommendations to the BoCC regarding the general operational direction of solid waste management including but not limited to, the rate structure and annual budget for the Scratch Gravel Solid Waste District. The Scratch Gravel Solid Waste Board must factor in regulatory requirements, budget constraints, and fiduciary responsibility.

4. **General Powers and Duties:**

The Board has the powers and exercises the duties and functions convened upon it by the BoCC pursuant to Section 7-11-1021, MCA. The Board shall act in an advisory capacity to the BoCC. The District shall be administered by the Lewis and Clark County Public Works Department.

5. **The Scratch Gravel Solid Waste Board members shall be appointed by the BoCC pursuant to Section 7-1-201, MCA, and consist of:**
- a. One County Commissioner.
 - b. The City/County Health Officer or one member of the City/County Health Department, or designee.
 - c. Three residents of the District. It is recommended that one member be from Marysville Sub-district.
6. **Terms of Directors:**
- a. Members of the Board of Directors shall serve at the pleasure of the BoCC.
 - b. Terms of all members, except the elected member and the Health Officer, may not exceed four years as provide in 7-1-201(5)(c), MCA.
7. **Fiscal Year:**
- a. The fiscal year of the District shall begin on the first day of July of each year and end the last day of the following June.
 - b. The District will operate under the Lewis and Clark County financial system and will be audited annually as provided by law.
 - c. The Board shall submit preliminary rate recommendations and a budget to the BoCC as provided by law, by April 15th of each year.
8. **Meetings:**
- a. All meetings (annual, budget, regular, special, and subcommittee) and work sessions shall be open to the public.
 - b. **Public v. Private.** Independently or upon the request of an applicant, the Scratch Gravel Solid Waste Board members may close a meeting or a portion of a meeting to the public but may do so only after the Board determines that the privacy interests of a citizen, employee, or director outweigh the public's right to know. If closed in advance of the meeting, the noticed agenda shall include reference to the closed meeting or the closed portion of a meeting.
 - c. **Quorum.** The presence of any scheduled meeting of a majority of the Scratch Gravel Solid Waste Board members shall constitute the necessary quorum for the transaction of business. A quorum is required for regular and special meetings but not for work sessions or subcommittee meetings.
 - d. The **annual meeting** of the District shall be held in Helena, Montana or surrounding area, after January 1st, but before the end of March, of each year. At this meeting, the Scratch Gravel Solid Waste Board members shall: 1) present the annual report, include programs and activities of the District for the previous year, and a financial report; 2) invite suggestions and recommendations for improving the District's overall operations for the coming year from those in the District who receive service; and 3) shall elect from its membership a chair and vice-chair of the Board.
 - e. The **budget meeting** of the District shall be held in Helena, Montana or surrounding area before April 15th of each year. At this meeting, the Scratch Gravel Solid Waste Board members shall recommend to the County Commissioners: 1) The coming year's preliminary budget for the District; 2) make recommendations on policies or improving services within the District.

- f. A special meeting of the Scratch Gravel Solid Waste Board may be called at any time by the Chair of the Board, or at the request of any two members of the Board.
- g. Written or printed notice of each meeting of the Directors, whether annual or special, stating the place, date, hour, and purpose for which the meeting is called shall be given to each member of the Board. Public notice will be provided in accordance with Montana State law and county policy.
- h. Any citizen may comment or provide testimony on any item on the agenda and any item not appearing on the agenda but within the jurisdiction of the Board.

9. Officers and Their Duties:

- a. The Scratch Gravel Solid Waste Board members at the first annual meeting shall elect from its membership the chair and vice-chair of the Board.
- b. The District shall be administered by the Lewis and Clark County Public Works Department.
- c. The Board shall secure the services of a secretary. The secretary shall record the minutes, maintain records, and send out meeting notices, among other duties.
- d. Additionally, the Board may employ other persons as is deemed necessary to discharge the obligations of the District. The Board will determine qualifications and duties.
- e. The Board shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted.
- f. The secretary shall prepare an agenda for Board and other meetings. Agendas shall be provided to each member of the Board no later than three days prior to the meeting date. Hard copies shall be made available to the public at the time of the open meeting.
- g. The Scratch Gravel Solid Waste Board members or any of the officers shall not receive any compensation aside from the reimbursements provided by law.

10. Adoption and Amendment

These bylaws shall be effective upon approval by a majority of the members of the Board at a regular, special, or annual meeting. These bylaws may be amended upon approval by a majority of the members of the Board at any regular, special, or annual meeting.

Scratch Gravel Solid Waste District Board


Chair

DATED this 26th day of August 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY


Amy Reeves, Clerk of Board


Candace Payne, Chair