

CURRENT BY-LAWS

REVISED BY RESOLUTION 522

BY-LAWS OF THE MISSOULA HOUSING AUTHORITY

**ARTICLE I - THE AUTHORITY**

- Section 1. Name of Authority. The name of the Authority shall be the "Missoula Housing Authority."
- Section 2. Seal of Authority. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.
- Section 3. Office of Authority. The office of the Authority shall be at such place in the City of Missoula, Montana, as the Authority may from time to time designate by resolution.

**ARTICLE II - OFFICERS**

- Section 1. Officers. The officers of the Authority shall be a Chair, a Vice Chair and a Secretary.
- Section 2. Chair. The Chair shall preside at all meetings of the Authority. At each meeting the Chair shall submit such recommendations and information as the Chair may consider proper concerning the business, affairs and policies of the Authority.
- Section 3. Vice Chair. The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair; and in case of the resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as the Authority shall elect a new Chair.

Should the Vice Chair be unavailable to preside at regular or special meetings of the Authority, then the remaining Commissioner with the greatest length of service shall preside.

- Section 4. Secretary. The Executive Director of the Authority shall be the Secretary. The Secretary shall be responsible for the maintenance of the records of the Authority, shall be responsible for providing a record of all votes, and shall provide for the keeping of a record of the proceedings of the Authority in a journal of proceedings and shall keep in safe custody at the Housing Authority offices the journal of proceedings and the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority. The Secretary shall perform all duties incident to the office.

Except as otherwise authorized by resolution of the Authority, the Secretary and the Chair shall sign all checks for the payment of money and shall pay out and disburse such money under the direction of the Authority. The Secretary shall provide for the keeping of regular books of accounts showing receipts and expenditures and shall cause to be rendered to the Authority, at each regular meeting (or more frequently when requested), an account of transactions and also of the financial condition of the Authority. The Secretary shall give bond for the faithful performance of duties as the Authority may by resolution determine.

Section 5. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or the by-laws or rules and regulations of the Authority.

Section 6. Election of Officers. The Chair, and Vice Chair shall be elected at the annual meeting of the Authority from among the Commissioners of the Authority, and shall hold office for one year or until their successors are elected and qualified; except that the first Chair shall hold office until the expiration of their term as Commissioner.

The Executive Director shall be appointed by the Authority. Any person appointed to fill the office of Executive Director, or any vacancy therein, shall have such term as the Authority fixes, but no Commissioner of the Authority shall be eligible to this office.

Section 7. Vacancies. Should the offices of Chair or Vice Chair become vacant, the Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

Section 8. Retention of Personnel. The Authority may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Housing Authorities Law, as amended, of Montana and all other laws of the State of Montana applicable thereto. The selection and compensation of such personnel shall be determined by the Authority subject to the laws of the State of Montana.

The Executive Director shall be retained by and responsible to the Commissioners. The Executive Director shall have such contract term and compensation as the Commissioners establish. No Commissioner of the Authority shall be eligible to this position.

### ARTICLE III - MEETINGS

Section 1. Annual Meeting. The Annual Meeting of the Authority shall be held on the day of the first regular meeting in October. In the event such date shall fall on the legal holiday, the meeting shall be held on the date to which such regular meeting would be postponed.

Section 2. Regular Meeting. Regular meetings shall be held at such time and place as may from time to time be determined by resolution of the Authority. In the event a day of regular meeting shall be a legal holiday, the meeting shall be held on the same day of the following week.

Section 3. Special Meeting. The Chair of the Authority may, when the Chair deems it expedient, call a special meeting of the Authority for the purpose of transacting any business designated in the call. The Chair of the Authority shall, upon the written request of two Commissioners of the Authority, call a special meeting. At such special meeting no business shall be considered other than as designated in the call, but if all Commissioners of the Authority are present at a special meeting, any and all business may be transacted at such special meeting.

The call for a special meeting shall be mailed or hand delivered to each Commissioner of the Authority at their business or home address at least forty-eight (48) hours prior to the date of such special meeting. Any Commissioner who claims not to have received notice of the call and who does not attend the special meeting may at the next regular meeting move for reconsideration of any and all items of business which were voted upon at the special meeting.

Section 4. Closure of Meetings. All of the meetings of the Authority shall be open to the public whether regular or special, except in the following cases:

(1) When the discussion relates to a matter of individual privacy, the Chair or other presiding officer, with advice of legal counsel, shall make a determination as to whether the demands of individual privacy clearly exceed the merits of public disclosure. If the presiding officer does determine that the demands of individual privacy clearly exceed the merits of public disclosure, the Chair may close the meeting for the discussion of the matter unless the individual or individuals who are the subject of the discussion waive their right of privacy. In the latter event, the meeting shall remain open.

Section 5. Quorum. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Four Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the Commissioners present.

Section 6. Order of Business. The order of business shall be as set from time to time by resolution of the Authority.

Section 7. Resolutions. All resolutions shall be in writing and shall be copied in a journal of the proceedings of the Authority.

Section 8. Manner of Voting. The voting on all questions coming before the Authority shall be by roll call, and the yeas and nays shall be entered upon the minutes of such meeting, except on the election of officers which may be by ballot.

#### ARTICLE IV - AMENDMENTS

Section 1. Amendments to By-Laws. The by-laws of the Authority shall be amended only with the approval of at least five of the Commissioners of the Authority at a regular or a special meeting.