

BY-LAWS

of the

SOUTH DAKOTA MUNICIPAL LEAGUE

A. DUTIES OF OFFICERS AND COMMITTEES

1. **PRESIDENT.** The President of the South Dakota Municipal League shall have general supervision and charge of the affairs of the League. The President shall give such aid and direction to the Executive Director as may be necessary to carry out the plans and policies of the Board of Directors. The President shall require from the Executive Director such reports as may be necessary to keep advised as to the affairs of the League. The President shall be Chairperson of the Board of Directors. The President shall preside at the annual meeting and all meetings of the Board of Directors. The President shall appoint all committees unless otherwise provided, and shall have all the powers and duties customarily incident to the office of President.
2. **VICE-PRESIDENTS.** The 1st Vice-President shall perform all the duties and have all the powers of the President in case of the absence of the President from meetings or inability of the President to perform the duties of the office. In case of a vacancy in the office of the President, the 1st Vice President shall serve as the president until a successor is elected at the next annual meeting. The Vice Presidents shall assist and aid the President whenever required in carrying out the duties of the President or the Board of Directors. In case of the absence or inability of the President and/or the 1st Vice President to perform their duties, the 2nd Vice President shall assume such powers and duties.
3. **IMMEDIATE PAST PRESIDENT.** The immediate Past President, because of his/her knowledge, wisdom and experience, shall serve on the Board of Directors with all the rights and privileges thereto. The immediate Past President shall be an active official with a member municipality.
4. **TRUSTEES.** Trustees shall perform such duties as may be assigned by the President or the Board of Directors. In case of vacancy, the President may fill such vacancy by appointment.
5. **EXECUTIVE DIRECTOR.** The Board of Directors may appoint an Executive Director who shall have charge of the business and activities of the League. The office of secretary-treasurer, and Executive Director may, at the discretion of the Board, be combined in one person. The Executive Director shall be directly responsible to the Board of Directors.

The Executive Director shall appoint the employees of the League, and shall be responsible for the proper and efficient administration of the League office. The Executive Director shall receive and disburse all League revenue, keeping an accurate account of all money belonging to the League and shall submit to the Board of Directors a report of receipts and disbursements during the preceding fiscal year. This report shall be audited by a competent certified public accountant satisfactory to the Board of Directors. The Executive Director shall prepare an annual budget, covering estimated receipts and disbursements of the League and this budget shall be presented to the Board of Directors for its approval. The Executive Director shall prepare a monthly budget

statement and shall cause accurate minutes to be kept of all meetings of the League and the Board of Directors.

The Executive Director shall conduct the correspondence of the League and shall supervise all publications of the League, be responsible for League legislative activities, and shall generally do any and all acts necessary or appropriate to carry out the purpose and intent of this section whether herein specifically enumerated or not.

B. THE AUDIT COMMITTEE, A RESOLUTIONS COMMITTEE, AND A NOMINATING COMMITTEE shall be appointed by the President.

The membership of the nominating and auditing committees shall consist of not less than three nor more than five members.

1. **AUDITING COMMITTEE.** The auditing committee shall examine the accounts or annual audit of the League and report thereon before the annual election is held.
2. **RESOLUTIONS COMMITTEE.** The President, at least thirty (30) days prior to the convening of the annual conference, shall appoint a Resolutions Committee. One member shall be a city attorney.

The Resolutions Committee shall meet during the annual meeting at a time and place designated by the Board of Directors.

Any municipal official may appear before the committee in support or opposition to a proposed resolution.

Resolutions, except those from standing committees, must be submitted to the Executive Director of the League at least fifteen (15) days prior to the conference. The Executive Director shall reproduce copies of the resolutions submitted for study and consideration by the committee. The Resolutions Committee may, by a majority vote, consider resolutions presented during the annual conference. The committee shall decide which resolutions shall be presented to the delegates of the conference. Resolutions shall be presented to the delegates of the conference. Resolutions presented to the committee and not reported on favorably to the convention by said committee, may be considered from the conference floor, upon the approval of a majority vote.

3. NOMINATING COMMITTEE.

Composition. The SDML President shall appoint a nominating. Appointment shall be made prior to July 1 of each year. The SDML President will select one of the members to serve as Nominating Committee Chair.

The Nominating Committee shall present a slate of officers to the conference for their consideration for the office of President, Vice- Presidents, and Trustees. The report of the nominating committee shall not exclude nominations from the floor. The nominating committee shall submit their report to the League office by August 15th of each year.

Consideration should be given to factors other than the amount of pressure brought to bear in behalf of the candidate. Factors suggested for consideration should include, among others, the following.

- a. Each nominee should be considered a potential future League President;
- b. Geographic distribution;
- c. Size of City
- d. Active participation and interest in League affairs;
- e. Service on other League committees;
- f. Prospective term in municipal office;
- g. Ability to spend time on League affairs; and willingness to serve.

A list of the Nominating Committee nominations will be published in the September SDML magazine. The list of the Nominating Committee nominations shall also be published in the Annual Convention Program and posted at the Annual Convention.

Election Procedures. The Nominating Committee Chairman shall ask for nominations from the convention floor. If there is more than one nominee for an office, the Nominating Committee Chair will select three people, representing different municipalities present, to collect and count the ballots.

The results will be given to the Nominating Committee Chair, who will announce the election results to the assembly.

In case of a tie, another ballot shall be cast for that office.

Candidates receiving a plurality of the votes cast will be declared the winner.

Ballots will be retained by the Nominating Committee Chair for one week and then destroyed.

Protests must be made to the Nominating Committee within 72 hours of the election results announcement.

C. AFFILIATE GROUPS, ORGANIZATIONS, OR ASSOCIATIONS.

Groups, organizations or associations whose functions are directly related to municipal government may petition the Board of Directors for formal recognition and affiliation with the League. Groups, etc., so affiliated must abide by the Constitution and By-Laws of the League, shall hold annual meetings in conjunction with the annual conference of municipal officials, and for the purpose of control, shall be governed by such Standing Committees as specified in their respective by-laws.

D. AMENDMENTS.

These By-Laws may be amended by a resolution duly submitted to the Resolutions Committee and approved by a majority vote of the municipalities voting at the Annual Conference.