

7-3-172. Purpose of Study Commission.

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- ▶ The purpose of a study commission is to study the existing form and powers of a local government and procedures for delivery of local government services and compare them with other forms available under the laws of the state.

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Ravalli County Local Gov't Study Commission

7-3-185. Scope of Study Commission recommendations.

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- ▶ (1)(a) A study commission examining the government of a county may:
  - ▶ (i) recommend amendments to the existing plan of government;
  - ▶ (ii) recommend any plan of government authorized by Title 7, chapter 3, parts 1 through 6;
  - ▶ (iii) draft a charter;
  - ▶ (iv) recommend municipal-county consolidation or amendments to an existing consolidation;
  - ▶ (v) in cooperation with a study commission in an adjoining county, recommend county merger; or
  - ▶ (vi) submit no recommendation.
- (b) In addition to one of the items in subsection (1)(a), a county study commission may recommend service consolidation or transfer in cooperation with a study commission of another county or with a study commission of another county or with a study commission of one or more municipalities.

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## 7-3-102. Adoption of alternative form.

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- ▶ Each local government in the state shall adopt one of the alternative forms of government provided for in parts 1 through 7, including one of each suboption authorized:
  - ▶ the **commission-executive** form;
  - ▶ the **commission-manager** form;
  - ▶ the **commission** form;
  - ▶ the **commission-presiding officer** form;
  - ▶ the **town meeting** form (not available for counties); or
  - ▶ the **charter** form.

**SEE APPENDIX (A) FOR DESCRIPTION OF EACH FORM**

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## Montana Counties – form of government

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- ▶ There are **56** counties in the State of Montana.
- ▶ **53** counties operate under the **Commission** form of government.
- ▶ **51** of those 53 counties have **3-member commissions elected to 6-year terms.**
- ▶ **1** of those 53 counties has a **3-member commission elected to 4-year terms** (Madison County).
- ▶ **1** of those 53 counties has a **5-member commission elected to 4-year terms** (Ravalli County)
- ▶ The remaining **3** counties **NOT** under the Commission form operate under the **Charter** form of government. 2 of those counties are **consolidated city/county forms**: Butte-Silver Bow County with 12 commissioners and a Chief Executive Officer; and Anaconda-Deer Lodge County with 5 commissioners and a Chief Executive Officer. The remaining county under the **Charter** form is Fergus County with a 3-member commission elected to 6-year terms.

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## Amendment of existing form of government.

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- ▶ 3 commissioners vs. 5 commissioners?
- ▶ Partisan vs. non-partisan?
- ▶ 4-year terms vs. 6-year terms?
- ▶ At-large vs. district?

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## 3 Commissioners vs. 5 Commissioners

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- ▶ Fiscal impact:
  - ▶ Commissioner base salary = \$53,911
  - ▶ Commissioner payroll taxes and employer benefits required by law (social security tax, medicare tax, workers' compensation insurance, health insurance, & Public Employee Retirement System) = \$16,925
  - ▶ TOTAL salary and payroll taxes/benefits for 1 commissioner = \$70,836

Note: By statute, each Commissioner is paid mileage for their commute from their residence to the County offices for each day they travel into the County offices. This amount is dependent upon where the Commissioner resides. The average for a Commissioner who lives in **Florence or Darby** is approximately \$5,700 depending on how many days they come into the office **AND** depending on the allowable IRS mileage rate for that year.

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Ravalli County Local Gov't Study Commission

## Partisan vs. Non-partisan

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- ▶ Ravalli County Elected Officials non-partisan:
  - ▶ Justice of the Peace (2)
  
- ▶ Ravalli County Elected Officials partisan:
  - ▶ Commissioners
  - ▶ Clerk & Recorder
  - ▶ Clerk of District Court
  - ▶ County Attorney
  - ▶ Sheriff
  - ▶ Treasurer
  
- ▶ Should all offices be elected partisan (current form)?
- ▶ Should all offices be elected non-partisan?
- ▶ Should some offices be elected partisan and some offices be elected non-partisan?

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## COMMISSIONERS: 4-year terms vs. 6-year terms

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- ▶ 4-year terms:
  - ▶ Allows more rapid turnover in office if officials are not responsive to voters.
  - ▶ Alternate elections (every 4<sup>th</sup> year), allows a majority of the Board to be elected.
  
- ▶ 6-year terms:
  - ▶ Longer term of office if official is not doing the will of the voters.
  - ▶ No majority can be elected in a single election.

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Ravalli County Local Gov't Study Commission

## COMMISSIONERS: At-large vs. District

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- ▶ At-large:
  - ▶ Commissioner resides in a specific district **AND** is elected by **ALL** County voters (current form)
  
- ▶ District:
  - ▶ Commissioner resides in a specific district **AND** is elected by **ONLY** the voters that reside within that district

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Ravalli County Local Gov't Study Commission

## VOTERS WILL DECIDE

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- ▶ After evaluating their findings, the Local Government Study Commission will prepare and adopt a tentative report. Then another series of community forums will be held in October and November in Florence, Stevensville, Victor, Corvallis, Hamilton and Darby to gather citizens' response to the tentative report. The Study Commission will then adopt a final report. Any proposed recommendations in the final report will be placed on the primary ballot in June of 2016 where the **VOTERS WILL DECIDE.**
  
- ▶ **See "Timetable for Study Commission Deliberations and Actions" attached at Appendix (B).**

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Ravalli County Local Gov't Study Commission

## **CITIZEN INPUT NEEDED!**

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- ▶ The Local Government Study Commission has 5 **ELECTED** members who represent **ALL** of the citizens in Ravalli County and our diverse needs and interests. As the Study Commission, we look forward to citizens' input not only at these community forums but also through e-mail or contact with one of the members of the Study Commission.
- ▶ And we **THANK YOU** for your participation!
  
- ▶ **E-mail:**
  - ▶ **LGSC@rc.mt.gov**

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Ravalli County Local Gov't Study Commission

## **Local Government Study Commissioners**

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- ▶ Alan Thompson, Chair
- ▶ Scott Boulanger
- ▶ George Corn
- ▶ Sharon Schroeder, Vice-chair
- ▶ Marilee Shockley
- ▶ Klarryse Murphy, ex-officio (non-voting County liaison)

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Ravalli County Local Gov't Study Commission

## **Ravalli County Website**

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- ▶ Be sure to visit the “Local Government Study Commission” page on the Ravalli County website. Information available:
  - ▶ Live streaming of meetings held at the County Administrative Building
  - ▶ Archived video of past meetings held at the County Administrative Building
  - ▶ Up-to-date information on community forum meetings: dates, times, locations
  - ▶ Agendas and minutes of meetings
  - ▶ Various other documentation relating to the Study Commission

Either search for “Ravalli County, Montana” in your browser or type in the web address, **Ravalli.us**. There is a link to the Study Commission’s page right on the home page.

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Ravalli County Local Gov’t Study Commission

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# **APPENDIX (A)**

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Ravalli County Local Gov’t Study Commission

## 7-3-201. Commission-Executive.

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- ▶ The **Commission-Executive** form consists of an elected commission and one elected executive who is elected at-large.
  
- ▶ **The Executive:**
  - ▶ Chief-executive elected at-large to 4-year terms.
  - ▶ Enforces state law, local ordinances.
  - ▶ Presiding officer (breaks a tie and veto power).
  - ▶ Appoints department heads and board members.
  - ▶ Prepares budget.
  - ▶ Develops the agenda.
  
- ▶ **The Commission:**
  - ▶ Not less than 3 members with overlapping 4-year terms.
  - ▶ Governing and policy-making body (creates ordinances, policies and resolutions).
  - ▶ Power to override veto (2/3 vote).
  - ▶ Consents to department heads and boards.
  - ▶ Adopts budget.

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Ravalli County Local Gov't Study Commission

## Commission-Executive

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- ▶ Relies heavily on cooperation between the Executive and the Commission.
- ▶ Efficiency and innovation can be compromised and result in paralysis when the two governing bodies do not work as a team.
- ▶ Role clarity and formalized procedures ensure a greater degree of efficiency than relying on harmony (one election away from disaster).
  
- ▶ (slide courtesy of Montana State University Local Government Center)

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Ravalli County Local Gov't Study Commission

## 7-3-301. Commission-Manager.

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- ▶ The **Commission-Manager** form consists of an elected commission and a manager appointed by the commission, who shall be the chief administrative officer of the local government. The manager shall be responsible to the commission for the administration of all local government affairs placed in his/her charge by the law, ordinance, or resolution.

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Ravalli County Local Gov't Study Commission

## Commission-Manager

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- ▶ **The Commission:**
  - ▶ Serves like a "board of directors".
  - ▶ Set goals and makes policy.
  - ▶ Cannot dictate the appointment or removal of any employee.
  - ▶ Cannot give orders to any employee either publicly or privately.
  - ▶ Appoints boards.
  - ▶ Approves the budget.
  - ▶ Non-partisan, alternating 4-year terms.
- ▶ **The Manager:**
  - ▶ Hired by and serves at the pleasure of the commission.
  - ▶ Responsible for administration of all departments and services of the county.
  - ▶ Sole responsibility to enforce the law, supervise employees and prepares the budget.
  - ▶ Prepares the commission agenda.

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Ravalli County Local Gov't Study Commission

### 7-3-401. Commission.

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- ▶ The **Commission** form consists of an elected commission and other elected officers. Legislative, executive, and administrative powers of the local government not reserved by law to other elected officers shall reside in the commission. The commission shall appoint department heads and other employees, except for those appointed by other elected officials.
  
- ▶ This is Ravalli County's current form of government.

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Ravalli County Local Gov't Study Commission

### 7-3-501. Commission-Presiding Officer.

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- ▶ The **Commission-Presiding Officer** form consists of an elected commission and a commission-presiding officer (who may be referred to as president) elected by the members of the commission from their own number and serving at the pleasure of the commission.
- ▶ All members of boards and committees must be appointed by the presiding officer with the consent of the commission.
- ▶ The presiding officer must be recognized as the head of the local government unit and may vote as other member of the commission.
- ▶ The presiding officer term is established by ordinance.

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Ravalli County Local Gov't Study Commission

## Commission-Presiding Officer

- ▶ **Presiding Officer:**
  - ▶ Presiding officer of the commission and chief executive of local government.
  - ▶ Power to vote as other members of the commission.
  - ▶ Enforces laws, ordinances and resolutions.
  - ▶ Administers the affairs of local government.
  - ▶ Direct, supervise and administer all departments, agencies and offices of local government.
  - ▶ Carry out policies established by the commission.
  - ▶ Prepares the commission agenda.
  - ▶ Recommends measures to the commission.
  - ▶ Reports to commission on the affairs and financial condition of the local government.
  - ▶ Executes the budget.
  - ▶ Appoints, with consent of commission, all members of boards and committees.

Ravalli County Local Gov't Study Commission

## Commission-Presiding Officer (cont.)

- ▶ **Presiding Officer (cont.):**
  - ▶ Appoint, with consent of commission, all department heads and may remove department heads and may remove and appoint all other employees.
  - ▶ Exercises control and supervision over the administration of departments and boards.
  - ▶ Prepares budget and presents it to the commission.
- ▶ **Commission:**
  - ▶ Governing and policy-making body. Creates ordinances, policies and resolutions.
  - ▶ Not less than 5 members.
  - ▶ 4-year terms.
  - ▶ Elected from districts on a partisan basis.
  - ▶ Consents to departments heads and boards.
  - ▶ Adopts budget.

Ravalli County Local Gov't Study Commission

### 7-3-701. Charter.

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- ▶ Charter provisions establish executive, legislative, and administrative structure and organization, and they are superior to statutory provisions.
- ▶ A Charter is the local government equivalent of a state or national constitution.
- ▶ A Charter is approved by the voters within its jurisdiction.
- ▶ A Charter is a written plan of government.

**APPENDIX B**

***LOCAL GOVERNMENT REVIEW STUDY COMMISSION  
OF RAVALLI COUNTY***

***TIMETABLE FOR STUDY COMMISSION  
DELIBERATIONS AND ACTIONS***

*All meetings of the Study Commission are open to the public.*

This timetable for the deliberations and actions of the Ravalli County Study Commission is established as required by 7-3-186, MCA for the purpose of assuring full public information concerning the Local Government Review process in our County and enabling informed citizen participation. Per statute, the timetable may be revised, but each revision must be republished.

**November 26, 2014** Study Commission organization meeting, Ravalli County Administrative Building

**December 16, 2014** Study Commission training at Ravalli County Administrative Building by Montana State University.

**January 6, 2015** and thereafter every Tuesday of each week through May 26, 2015 at 1:00 p.m. regular Study Commission meeting at Ravalli County Administrative Building.

**March 16-June 5, 2015**

Public hearings to gather citizen input on the form, functions, powers and problems of County government and the adequacy of county services. Public hearings will be held in Florence, Stevensville, Victor, Corvallis, Hamilton and Darby. Exact dates and place to be determined and noticed.

**October 6, 2015** Adopt Tentative Report.

**October 7-November 20, 2015**

Public hearings to gather citizen response to Tentative Report. Public hearings will be held in Florence, Stevensville, Victor, Corvallis, Hamilton and Darby. Exact dates and place to be determined and noticed.

**March 10, 2016** Adopt final report and provide County Clerk and Recorder a ballot certificate if a proposal is to be place on the June 7, 2016 ballot. File two copies of the final report with the Department of Administration.

**April 8, 2016** A copy of the final report must be certified by the Study Commission to the County Clerk and Recorder.

**April 15, 2016** If the final report proposes an alteration of local government, prepare public education materials to help citizens understand the proposal and compare the proposal with existing governmental form, structures and powers. Publish once each week for 2 successive weeks a summary of findings and recommendations.

- April 30, 2016** Approve public education materials and conduct public forum.
- May 6, 2016** Final report must be available to electors.
- June 7, 2016** Election Day. If a proposed alteration of the government is approved by the voters, initiate transition planning.
- July 8, 2016** Adopt transition advisory plan.
- September 2, 2016** Deposit all minutes and other Study Commission documents with the County Clerk and Recorder. Vacate office as per MCA 7-3-178.