

TOWN OF DRUMMOND
LOCAL STUDY COMMISSION
FINAL REPORT 1994 - 1996

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I. LETTER TO THE CITIZENS OF DRUMMOND

To the Citizens of Drummond:

The Drummond Study Commission elected by the voters, or thereafter appointed, present this final report to you, the citizens of Drummond.

The purpose of the study commission, as defined in state law, is "to study the existing form and powers of a local government and procedures for delivery of local government services and to compare them with other forms available under the laws of the state." After completing these two phases of the study, it is the responsibility of the study commission to submit a final report recommending no change, the proposal of an amendment to the existing form of government, or to offer an alternative form of government to the qualified electors.

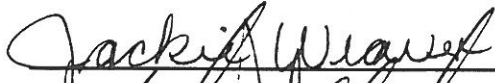
In every phase of this review, the study commission sought advice and information from as many people as possible. Opinions and recommendations were solicited from local government officials, community organizations, and citizens. All meetings of the study commission were open to the public. Public meetings were held to explain the work of the study commission, and also to hear the viewpoints, ideas, and concerns of those present. In addition, a survey of citizens' attitudes about local government was taken.


Our recommendations reflect the thoughts and opinions of those who participated in public meetings, and those who responded to the survey, as well as the independent efforts of this study commission.

In this final report, we present our recommendation for an alternative form of local government. A form of government that we feel will best meet the needs of a town the size of Drummond. A form of government that we feel will allow for the involvement of all of the citizens of Drummond. We feel that the citizens of Drummond would greatly benefit from adopting the town meeting form of government.

The question of whether or not to adopt this alternative form of government will be placed on the ballot on November 5, 1996. We solicit your support for its adoption.

Respectfully submitted,





DRUMMOND LOCAL STUDY COMMISSION

II. SUMMARY OF RECOMMENDATIONS

The Drummond Town Government Study Commission having thoroughly studied our present form of city government and the alternative forms of government available to cities under state law, and having studied the future government needs of the town of Drummond, recommends the following:

1. The Town of Drummond should adopt, effective March ____, 1997 the Town Meeting/Charter form of government. A town chairperson shall be elected for a term of two (2) years. The clerk/treasurer position shall be an elected position. An advisory board consisting of three (3) members shall be appointed.
2. The question on the form of government shall be submitted to the voters of Drummond on November 5, 1996.

A. Findings of the Study Commission

After an intensive study of almost two years, it is the decision of the study commission to recommend a change in the form of government that will provide a governmental framework to meet the changing needs of the town. The "traditional" mayor/council form of city government has been in effect since Drummond incorporated. This form still reflects its "traditional" role as an administrative arm of the state government in its organizational structure. Its duties are detailed in state law, and its authority to deal with local problems is limited.

At a time when most governments are downsizing, the town of Drummond's government has increased in size, despite the fact that the population has decreased almost 50% since the town was incorporated. This fact, coupled with the loss of mining, lumber, and railroad industries, in addition to the loss of numerous businesses, has put an increased burden on fewer tax payers to support the larger government.

Other areas of concern also emerged during the course of the study which affected the study commission's choice of an alternative form. Citizen responses to the survey which was conducted, and testimony at the public hearings, indicated that the citizens are concerned about the public not being informed about major decisions before they were made, the inefficiencies of the government, the large turnover of council members, lack of interested citizens to sit on the council, the level of taxes, and the quality of services.

These concerns, in combination with the decrease in population, and the increase in the size of the city government, led the study commission to identify five basic goals:

1. Local control over local problems;
2. A government that is responsive to citizens;
3. Efficient government;
4. A government structure that allows maximum participation by its citizens;
5. A government structure with adequate "checks and balances."

In an attempt to achieve these goals, the study commission has recommended a Town Meeting/Charter form of government.

B. Key Provisions of the Proposed Form

1. Direct Democracy

The town meeting form of government has been used in the New England states for more than 200 years. The town meeting is an example of direct democracy. Its essential features are meant to reintroduce democratic fundamentals such as representation and responsiveness into small town public affairs. The Montana town meeting form permits small towns to weight the merits of direct citizen participation in policy making. This is an advantage that small communities hold over larger, urban areas.

The town meeting itself, is an assembly of all of the qualified electors of a town. The meeting possesses all the policy-making powers of the town government. The primary characteristic of the town meeting form is that the citizens take a direct part in policy making and tax levying rather than leaving these public chores to a representative body. A main purpose of this form is to overcome citizens feeling of being separated from the working aspect of their town government. As such, this form is suitable for small communities like Drummond which are concerned about informal decision-making and lack of openness in their present systems.

The town meeting form of government may be uniquely appropriate for small towns like Drummond, where expectations of government are few and simple, but where citizens feel, nonetheless, that their government is distant and indifferent. Fortunately, the rare opportunity to experience direct democracy still exists.

The study commission gave considerable thought to both the charter writing process and the text of the charter itself, giving special attention to the local unique conditions. In recommending the Town Meeting/Charter form of government, we have designed a completely unique form of government. The charter describes the structure of the form of government, following the guidelines and statutes of the state of Montana, but also leaves flexibility for citizens to make changes through the passing

of local ordinances.

2. Town Chairperson

The Town Meeting/Charter form of government and state statutes require the position of town chairperson. The duties, set forth by the charter and state statutes, are the same as a mayor and council, with the authority to appoint boards, department heads, and to hire and fire city employees. The town chairperson will also seek the advice of the advisory board. The position will be filled by the electors at the first town meeting, through a secret ballot, for a term of two (2) years. The compensation will be set by the electors.

3. Financial Officer

In the study commissions research, surveys and hearings, this position was surrounded in controversy. Since the Town Meeting/Charter form of government and state statutes allow this to be an elected position, the solution is to make this position an elected position with a two (2) year term, with the hours and salary to be set by the electors at the town meeting.

4. Advisory Board

The study commission intends that the necessary "check and balance" component, will reside in the form of a three (3) person advisory board. This board will assist in preparing the annual town budget, advise the town chairperson regarding departments, make recommendations on the annual budget, and make recommendations for each subject in the town warrant at the annual meeting or special meeting. Advisory board members shall not have a vote.

The study commission also felt that because many business owners pay property taxes and business licenses, and there are also other citizens who support the town without representation in the town government, that the advisory board should include electors within a five (5) mile radius of the town limits. The terms for the advisory board shall be for one (1), two (2), and three (3) year terms.

III. COMPARISON OF THE EXISTING FORM OF GOVERNMENT AND THE PROPOSED FORM OF GOVERNMENT

Existing Form

Policy making and administrative structure. The current form of government is known as the Commission-Executive form. Montana law requires that this form consist of an elected policy making body, (Drummond's is called a council and consists of four (4) members), and a single, elected, chief executive (Drummond's is called a mayor). These elected officials are the policy makers.

In addition to these elected officials, the current form of government has several different hired employees that represent different departments. The heads of each of these departments are under the mayor's direction. The current departments are listed below:

1. Clerk and Treasurer
2. Chief of Police
3. City Maintenance

The salaries of these employees are set by the council in accordance with state law.

Proposed Form

Policy making and administrative structure. In the town meeting form of government, both the policy making body and the executive body are the "town meeting" itself. An annual town meeting is held which consists of the qualified electors of the town. At this meeting, all policy making and administrative structure is set forth by the qualified electors of the town.

There are three (3) officials; town chairperson, town meeting moderator, and town clerk/treasurer. These officials shall be elected at the annual town meeting by the qualified electors of the town. Salaries of these elected officials shall be established at the annual town meeting in accordance with state law.

In addition to these elected positions, departments and department heads shall be established by the town chairperson. An advisory board consisting of three (3) members shall be nominated and approved by the electors at the annual town meeting. The purpose of the advisory board shall be to assist and advise the town chairperson in the performance of duties.

COMPARISON OF SPECIFIC CHARACTERISTICS OF EXISTING AND PROPOSED FORMS OF GOVERNMENT

The following chart compares several characteristics of the existing form of government with the proposed form of government. Under the last column entitled "comment," the study commission has included short summaries of the reasons why the town meeting form of government has been proposed.

Comparison of Specific Characteristics

Characteristic	Present Form	Proposed Form	Evaluative Comments
Chief Administrative Officer	<p>Mayor: The Mayor acts as the chief administrative officer. She or he is over all departments.</p> <p>Council: The council makes the policies of the town.</p>	<p>Town Chair: The town chair administers according to the policies set up at the annual town meeting.</p> <p>Town Electors: All qualified electors of the town are involved in making policies.</p>	<p>The town chair is accountable to electors of the town. Though he or she is the chief administrator, they must administrate according to the electors of the town.</p> <p>One of the greatest advantages of having all of the electors as the policy making body is the increased amount of ideas, feedback, and opinions. Many heads are better than four or five.</p>
Policy Making Body	<p>Citizen elect representative and they vote on policies. Citizens may express opinions at council meetings.</p>	<p>Citizens have a direct vote on policies.</p>	<p>This is perhaps the biggest advantage to the town meeting form of government. The citizens vote directly on issues and policies. This should increase participation in government because the citizens will feel like their views and opinions are important.</p>
Citizen Participation	<p>The Mayor and council members are elected officials.</p>	<p>The town chair, town moderator, and the town clerk/treasurer.</p>	<p>The advantage here is that the person handling the financial affairs of the town will be elected.</p>
Elected Officials	<p>Department heads prepare budget. Budget is approved by council.</p>	<p>Budget prepared by town chair with the help of advisory board. Budget is approved by all qualified electors.</p>	<p>All of the qualified electors have a say in how the town's money will be spent.</p>
Budget Preparation			

Recommendation and Reasons

The first responsibility of this study commission was to study the current form of government; the second responsibility was to compare the existing form with alternative forms, and then decide whether or not to offer an alternative that might better meet the needs of Drummond and its citizens.

The decision of this study commission is to recommend a Town Meeting/Charter form of government. This recommendation is made with the belief that this form of government will best meet the needs of the town of Drummond, by allowing and encouraging greater involvement by the citizens of Drummond.

The response to a citizen survey that was conducted, as well as information given at public meetings, indicates that a majority of the citizens of Drummond are dissatisfied with the current form of government. There are three main areas of dissatisfaction.

The first area of dissatisfaction involves the appointment of a clerk/treasurer. The results of the survey suggest that the citizens feel this position carries a great deal of power. Because the position is appointed, the electors of the town do not have control over who is appointed. In contrast, the town meeting form of government, provides electors with direct control over this position. It would be an elected position, and as such, all qualified electors would have a direct vote as to who held this position.

The second area of dissatisfaction dealt with the citizen's power to be heard. Most of those surveyed feel that their opinions mean very little to the council. Opinions are expressed, but seem to be ignored by the council. In the town meeting form of government, all electors have the right to express their opinion and then cast a vote on specific issues. All electors now have a vote to parallel with their opinion.

The last area of dissatisfaction involves citizen apathy. Almost everyone questioned in the survey, and in public meetings felt that apathy among the citizens has reached an all time high level. This feeling was blamed on a feeling of "why bother, it doesn't do any good to get involved anyway." The town meeting form of government is ideal for creating involvement of all citizens. The town isn't run by a handful of people, but rather by all those that wish to get involved. Anyone that wants to get involved has the option of attending the annual town meeting and casting a vote equal to every other elector in attendance. The town meeting form of government truly is a government run by the people.

In view of these areas of dissatisfaction, and the ability of the town meeting form of government to assuage these areas of dissatisfaction, the study commission formally recommends that the town meeting form of government be adopted.

CERTIFICATE

ESTABLISHING THE OFFICIAL BALLOT FOR
THE NOVEMBER 5, 1996 GENERAL ELECTION

Instructions to voters: Place an "X" in the box which expresses your preference.

OFFICIAL BALLOT

BALLOT ON THE ALTERNATIVE FORM OF LOCAL GOVERNMENT

Vote for one.

For adoption of the Town Meeting/Charter form of government
proposed in the report of the Drummond Local Government Study
Commission.

For the existing form of government.

We, the Study Commissioners of Drummond do hereby certify that this is the
official ballot approved by the Study Commissioners of Drummond.

In testimony whereof, we set our hands.

LOCAL GOVERNMENT STUDY OFFICIALS

Seal

ATTEST: _____

CLERK AND RECORDER OF
GRANITE COUNTY

APPENDIX

CERTIFICATE ESTABLISHING THE EXISTING PLAN OF GOVERNMENT FOR THE TOWN OF DRUMMOND

If retained by the voters, the government of the town of Drummond shall be organized under the following provisions of MCA 7-3-113 which authorizes the municipal council-mayor government;

7-3-113. Statutory basis for municipal council-mayor government. (1) For the purpose of determining the statutory basis of existing units of local government, each unit of local government organized under the general statutes authorizing the municipal council-mayor form of government, which does not adopt a new form, shall be governed after May 2, 1977 by the following sections:

- (a) 7-3-201;
- (b) 7-3-202(1);
- (c) 7-3-203;
- (d) 7-3-212(2);
- (e) 7-3-213(3);
- (f) 7-3-214(2);
- (g) 7-3-215(2);
- (h) 7-3-216(2);
- (i) 7-3-217(1);
- (j) 7-3-218(2);
- (k) 7-3-219(1);
- (l) 7-3-220(1);
- (m) 7-3-221(3);
- (n) 7-3-222(2);
- (o) 7-3-223(2).

(2) This form has terms of 4 years for all elected officials. The size of the commission shall be established by ordinance, but it may not exceed 20 members.

These sections establish the following form of government which shall be called the COMMISSION-EXECUTIVE FORM.

7-3-201. Commission-executive form. The commission-executive form (which may be called the council-executive, the council-mayor, or the commission, mayor form) consists of an elected commission (which maybe be referred to as the council) and one elected executive (who may be referred to as the mayor) who is elected at large.

7-3-202. Nature of government. The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing:(1) general government powers.

7-3-203. Duties of executive. The executive shall:

- (1) enforce laws, ordinances, and resolutions;
- (2) perform duties required of him by law, ordinance or resolution;
- (3) administer affairs of the local government;
- (4) carry out policies established by the commission;
- (5) recommend measures to the commission;
- (6) report to the commission on the affairs and financial condition of the local government;
- (7) execute bonds, notes, contracts, and written obligations of the commission, subject to the approval of the commission;
- (8) report to the commission as the commission may require;
- (9) attend commission meetings and may take part in discussion;
- (10) execute the budget adopted by the commission;
- (11) appoint, with the consent of the commission, temporary advisory committees established by the executive.

7-3-212. Administrative assistants. The executive: (2) may appoint one or more administrative assistants to assist him in the supervision and operation of the local government, and such administrative assistants shall be answerable solely to the executive.

7-3-213. Supervision of personnel. The executive may: (3) appoint, with the consent of a majority of the commission, all department heads and remove department heads and may appoint and remove all other department employees.

7-3-214. Veto power. The executive may (2) veto ordinances and resolutions, subject to override by a two-thirds majority of the commission.

7-3-215. Preparation of budget. The executive may: (2) prepare the budget in consultation with the commission and department heads.

7-3-216. Administrative supervision and control. The executive may: (2) exercise control and supervision of all departments and boards to the degree authorized by ordinance of the commission.

7-3-217. Financial officer. A financial officer (who may be called the treasurer): (1) shall be elected.

7-3-218. Selection of commission members. The commission shall be: (2) elected by districts in which candidates must reside and which are apportioned by population.

7-3-219. Type of election. Local government elections shall be conducted on a: (1) partisan basis.

7-3-220. Chairman of commission. The commission shall have a chairman who shall be: (1) elected by the members of the commission from their own number for a term established by ordinance.

7-3-221. Presiding officer of commission. The presiding officer of the commission shall be: (3) the executive, who shall decide all tie votes of the commission but shall have no other vote (the chairman of the commission shall preside if the executive is absent).


7-3-222. Terms of commission members. Commission members shall be elected for: (2) overlapping terms of office.

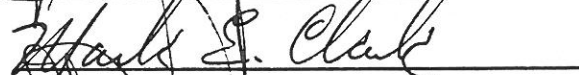
7-3-223. Size of commission and community councils. The size of the commission, which shall be a number not less than three, shall be established when the form is adopted by the voters and: community councils to advise commissioners may be authorized by ordinance.


We, the Study Commissioners of Drummond do hereby certify that this is the existing Plan of Government as established by Section 7-3-113 MCA.

In testimony whereof, we set our hands.

Done on this ___ day of August, 1996.







Drummond Study Commissioners

Seal

ATTEST: Betty June Bawls

TITLE: clerk/treasurer

**CERTIFICATE ESTABLISHING THE PROPOSED PLAN OF GOVERNMENT
FOR THE TOWN OF DRUMMOND**

Upon approval of the majority of voters, the government of Drummond shall be organized under the following provisions. Section 7-3-101, 7-3-102 and 7-3-103 set forth the statutory authority for alternative forms of local government.

7-3-101. Compliance with constitution. (2) Parts 1 through 7 establish the alternative forms of government for cities, towns, counties and consolidated governments. These parts shall be liberally construed to facilitate the adoption of a form of local government.

7-3-102. Adoption of alternative form. 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: (5) the town meeting form; or (6) the charter form.

7-3-103. Amendment of self government charter or adopted alternative form of government. (1) An amendment to a self government charter or an adopted alternative form of government ,may only be made by submitting the question of amendment to the electors of the local government. To be effective, a proposed amendment must receive an affirmative vote of the majority of the electors voting on the question . . .

The study commission recommends that Drummond establish the TOWN MEETING/CHARTER form of government. The following sections govern the town meeting form.

- (A) 7-3-601;
- (B) 7-3-602(2);
- (C) 7-3-603;
- (D) 7-3-604;
- (E) 7-3-605;
- (F) 7-3-606;
- (G) 7-3-607;
- (H) 7-3-612(1);
- (I) 7-3-613(1)(b);
- (J) 7-3-701(2);
- (K) 7-3-702;
- (L) 7-3-703(2);
- (M) 7-3-7-4(2)(a);
- (N) 7-3-705(2);
- (O) 7-3-706;
- (P) 7-3-707;
- (Q) 7-3-708;
- (R) 7-3-709.

7-3-601. Town meeting form. (1) The town meeting form consists of an assembly of all the qualified electors of a town (known as a town meeting), an elected town chairman, who shall be a qualified elector, and an optional elected town meeting moderator. (2) The town meeting form maybe adopted only by incorporated cities of less than 2,000 persons and incorporated towns of less than 2,000 persons, as determined by the most recent decennial census as conducted by the United States bureau of the census unless a more recent enumeration of inhabitants be made by the state, in which case such enumeration shall be used for the purposes of this part. Any unit of local government which adopts this form may retain it even though the population increases to more than 2,000.

7-3-602. Nature of government. The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing: (2) self government powers.

7-3-603. Holding of town meeting. (1) Towns adopting this form shall convene an annual town meeting on the first Tuesday of March. Special town meetings may be called by the town chairman or upon petition of 10% of the qualified electors of the town, but in no case by less than 10 qualified electors. (2) All qualified electors of the town may attend the town meeting, take part in the discussion, and vote on all matters coming before the town meeting. Others may attend but shall not vote or take part in the discussion except by a majority vote of the town meeting. (3) A quorum shall consist of at least 10% of the qualified electors of the town, but a higher quorum requirement may be established by a majority vote of the town meeting. (4) The election of town officials shall be nonpartisan and shall be by a plurality of those qualified electors present and voting. All other voting in the town meeting shall be by a simple majority of those qualified electors present and voting. (5) Election of officials shall be by secret ballot. Other voting shall be by secret ballot upon the request of at least five members of the town meeting.

7-3-604. Meeting agenda. An agenda of the town meeting and a list of all elective and appointive offices to be filled shall be prepared by the town chairman, who shall post notice at least 2 weeks prior to the convening of all annual and special town meetings. Upon written petition of at least 10% of the qualified electors of the town but not less than 10 qualified electors, the town chairman shall insert a particular item or items in the agenda for the next annual or special town meeting. The town meeting agenda may include an item entitled "other business" under which any matter may be considered by the town meeting, except no mater dealing with finance or taxation shall be considered "other business."

7-3-605. Agenda and conduct of initial town meeting. The first agenda of the first town meeting following adoption of this form shall be established by the local study commission. At that town meeting the chairman of the local study commission shall preside over the election of the presiding officer of the town, after which the presiding officer of the town shall preside.

7-3-606. Selection, role, and duties of town chairman. (1) The town meeting shall elect a town chairman for a term of not less than 1 year or more than 2 years. An unexpired term of a town chairman shall be filled at the next annual or special meeting.

(2) The town chairman shall be the chief executive of the town, and he shall:

- (a) enforce laws, ordinances, and resolutions,
- (b) perform duties required of him by law, ordinance, or resolution;
- (c) administer the affairs of the town;
- (d) prepare the town meeting agenda;
- (e) attend all annual and special town meetings;
- (f) recommend measures to the town meeting;
- (g) report to the town on the affairs and financial condition of the town;
- (h) execute bonds, notes, contracts, and written obligations of the town, subject to the approval of the town;
- (i) appoint, with the consent of the town meeting, members of all boards and appoint and remove all employees of the town;
- (j) prepare the budget and present it to the town meeting for adoption;
- (k) exercise control and supervision of the administration of all departments and boards;
- (l) carry out policies established by the town meeting.

(3) Compensation of the town chairman shall be established by ordinance but shall not be reduced during the current term of the town chairman.

7-3-607. Committees. Permanent committees to advise the town chairman and/or the town meeting may be established and dissolved by ordinance. The town chairman may establish temporary committees to advise him.

7-3-612. Town meeting moderator. The town meeting shall: (1) elect a town meeting moderator for a term of one year, who shall be the presiding officer of all annual and special town meetings but who shall have no other governmental powers.

7-3-613. Administrative assistant. (1) The town chairman: (b) may appoint an administrative assistant to assist him in the supervision and operation of the affairs of the town.

7-3-701. Charter form. (2) charter provisions establishing executive, legislative, and administrative structure and organization are superior to statutory provisions.

7-3-702. Nature of government. A charter form of government shall possess self-government powers.

7-3-703. Charter required. (2) The enumeration of powers in a charter shall not be construed as a limitation or prohibition on the residual or self-governing powers granted by the constitution.

7-3-704. Legislative body. (2) The charter shall provide for the nomination and election of commissions: (a) at large.

7-3-705. Officials and personnel. (2) A charter form of government shall have such officers, departments, boards, commissions, and agencies as are established in the charter, by local ordinance, or required by state law.

7-3-706. Effective date. The charter shall specify the date on which the charter will take effect, except that provisions may be made for temporary partial effectiveness consistent with an orderly transition of government.

7-3-707. Other charter provisions. (1) The charter may establish other legislature, administrative, and organizational structures. (2) The charter may contain prohibitions on the exercise of power by a unit of local government. (3) The charter may include such provisions as may be necessary to permit an orderly transition to the new form of government. (4) The listing of charter provisions in this part shall not be construed to prevent the inclusion of additional provisions in charters.


7-3-708. Limitations on charter provisions. (1) Charter provisions may not conflict with the provisions of part 1, chapter 1, which establish statutory limitations on the powers of self-government units. (2) Charter forms are subject to state laws establishing election, initiative and referendum procedures; and charters shall not contain provisions establishing election, initiative and referendum procedures. (3) The charter shall not contain provisions establishing or modifying local court systems.


7-3-709. Amendment of charter. A charter may be amended only as provided by state law.

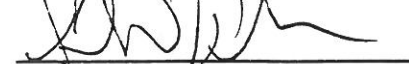
We, the Study Commissioners of Drummond do hereby certify that this is the proposed Plan of Government.

In testimony whereof, we set our hands.

Done on this _____ day of August 1996.







Drummond Study Commissioners

Seal

ATTEST: Betty June Bonds

TITLE: clerk/treasurer

TOWN OF DRUMMOND CHARTER

We, the citizens of the town of Drummond, do establish this charter form of government with self-government powers for the town of Drummond, in accordance with the constitution of the State of Montana, and the constitution of the United States of America in order to establish a just form of fundamental law for the following purposes:

- to be responsible to the public for providing equal and adequate services and protections, with efficient use of the community's revenue for all;
- to provide self governing powers with respect to health, safety and welfare of every citizen; and
- to utilize the utmost flexibility to represent the citizen's desires and to plan for the future of the town.

ARTICLE I: Powers of the Town

Section 1.1. Powers of the Town. The town shall have all powers entitled to a self-governing town under the constitution and laws of this state as fully and completely as if specifically enumerated in this charter.

Section 1.2. Construction. The powers of the town under this charter shall be construed liberally in favor of the town. The specific mention of particular powers in the charter shall not be construed as limiting the general power of the town in any way. Every reasonable doubt as to the existence of local government power or authority shall be resolved in favor of the existence of that power or authority.

ARTICLE II: Town Boundaries

Section 2.1. Boundaries. The incorporated boundaries of the town of Drummond shall remain fixed and established as they exist on the date this charter takes effect, however, the town shall have the power to change its boundaries in a manner provided by law.

ARTICLE III: Legislation

Section 3.1. Powers. The legislative powers of the town shall vest in an assembly of the qualified electors of the town. The electors may enact rules, resolutions, and ordinances at the town meetings.

Section 3.2. Date of Town Meetings. The annual town meeting shall convene on the first Tuesday of March. Special town meetings may be called by the town chairman or upon petition of 10% of the qualified electors of the town, but in no case by less than 10 qualified electors.

Section 3.3. Voting. All qualified electors of the town may attend the town meeting, take part in the discussion, and vote on all matters coming before the town meeting. Others individuals may attend the town meeting, and may take part in discussions, if approved by a majority of the electors. However, only qualified electors shall vote.

Section 3.4. Quorum. A quorum is at least 10% of the qualified electors of the town, but a higher quorum requirement may be established by a majority vote at the town meeting.

Section 3.5. Election of Town Officials. The election of town officials shall be nonpartisan and shall be by a plurality of those qualified electors present and voting. All other voting in the town meeting shall be by a simple majority of those qualified electors present and voting.

Section 3.6. Ballots. Election of officials shall be by secret ballot. Other voting shall be by secret ballot upon the request of at least five members of the town meeting.

Section 3.7. Meeting Warrant. A warrant of the town meeting and a list of all elective and appointive offices to be filled shall be prepared by the town chairman, who shall post notice at least 2 weeks prior to the convening of all annual and special town meetings. Upon written petition of at least 10% of the qualified electors of the town, but not less than 10 qualified electors, the town chairman shall insert a particular item or items in the agenda for the next annual or special town meeting. The town meeting agenda may include an item entitled "other business" under which any matter may be considered at the town meeting, except no matter dealing with finance or taxation shall be considered "other business".

Section 3.8. Agenda and Conduct of Initial Town Meeting. The first agenda of the first town meeting following adoption of this charter shall be established by the local study commission. At that town meeting, the chairman of the local study commission shall preside over the election of the presiding officer of the town, after which the presiding officer of the town shall preside.

Section 3.9. Town Meeting Moderator. The town meeting shall elect a town meeting moderator for a term of one year, who shall be the presiding officer of all annual and special town meetings.

The town meeting moderator shall:

- (a) administer the oath of office to new officers;
- (b) have powers to stop discussions and call for a vote on the business being conducted;
- (c) have authority to interrupt any and all heated discussions and ask for a moment of silence; and
- (d) authorize the chief of police to remove anyone from the meeting who uses foul or abusive language or is violent in their conduct and have them restrained outside of the meeting place until the meeting is concluded.

ARTICLE IV: Executive Selection and Duties of Town Chairman

Section 4.1. Selection of chairman. The electors at the first annual town meeting shall elect the chairman for two years. Upon the election and qualification of the chairman at the annual town meeting, and upon appointment and qualification by oath of the officers authorized to perform the duties of any existing town board or officers, the term of office of such existing town board or officers shall thereupon terminate, and all duties, powers, and obligations of said boards and officers shall be transferred to and imposed upon their successor. An unexpired term of a chairman shall be filled at the next annual or special meeting.

Section 4.2. Duties of the Chairman. The chairman shall:

- (a) enforce laws, ordinances and resolutions;
- (b) perform duties required by law, ordinance, or resolution;
- (c) administer the affairs of the town;
- (d) prepare the town meeting warrant;
- (e) attend all annual and special town meetings;
- (f) recommend measures to the town meeting;
- (g) report to the town on the affairs and financial condition of the town;
- (h) execute bonds, notes, contracts, and written obligations of the town, subject to the approval of the town;
- (i) appoint, with the consent of the town meeting, members of departments and appoint and remove all employees of the town;
- (j) prepare the budget and present it to the town meeting for adoption; and
- (k) exercise control and supervision of the administration of all departments and boards.

Section 4.3. Compensation of Chairman. Compensation of the town chairman shall be established at the annual town meeting by ordinance, but shall not be reduced during the current term of office.

Section 4.4. Advisory Board. A three member advisory board shall be nominated and approved by the electors at the first annual meeting. Members of the advisory board shall not hold any town office. The advisory board may include electors within a five (5) mile radius of the town boundaries. The terms for the advisory board shall be for one (1), two (2), and three (3) year terms. An unexpired term of an advisory board member shall be filled at the next annual or special meeting. The duties of the advisory board are:

- (a) assist in preparing the annual town budget;
- (b) assist and advise the town chairman with departments;
- (c) make recommendations regarding the passage of the annual budget at the town meeting; and
- (d) make recommendations to the town meeting for each subject in the town warrant at the annual town meeting each year.

Section 4.5. Departments. The town chairman shall have the power to appoint departments and department heads to assist in the supervision and operations in the affairs of the town.

Department heads shall be answerable solely to the chairman. Each department head may choose assistants to assist in the operation of the department, upon approval of the town chairman. All department heads and their assistants shall be sustained or removed with cause at the annual town meeting or at a special meeting.

Section 4.6. Law enforcement. The town of Drummond shall provide police protection either through the hiring of a qualified and certified candidate, or through contract in accordance with state statutes.

Section 4.7. Town Judge. The town judge shall be appointed by the town chairman and approved by the electors at the annual town meeting for a term of two years. Any vacancy occurring during the term may be filled by a temporary appointment by the chairman until a special town meeting or the annual town meeting is held.

ARTICLE V: Financial Administration

Section 5.1. Town Clerk/Treasurer. The town clerk/treasurer shall be elected for a two year term at the annual town meeting. Compensation for the clerk/treasurer shall be established annually at the town meeting. Any vacancy occurring during the term may be filled by a temporary appointment by the chairman until a special town meeting or the annual town meeting is held.

Section 5.2. Financial Administration. All financial transactions shall be signed by both the chairman and the town clerk/treasurer. Borrowed money must be voted on at the annual town meeting with the following two exceptions. First, the emergency borrowing limit without approval at a town meeting is \$5,000.00. Second, total debt shall not exceed 10% of the total annual budget.

ARTICLE VI: Local Taxes

Section 6.1. Local taxation. All actions on local taxes must be approved by a vote of the electors at the annual town meeting.

WE, THE STUDY COMMISSIONERS OF DRUMMOND, DO HEREBY CERTIFY THAT THIS IS THE OFFICIAL CHARTER RECOMMENDED BY THE STUDY COMMISSIONERS OF DRUMMOND.

IN TESTIMONY WHEREOF, WE SET OUR HANDS.

DONE THIS _____ DAY OF AUGUST, 1996.

RECOMENDATIONS OF CHARTER APPROVED BY:
