

# FINAL REPORT OF THE GLACIER COUNTY STUDY COMMISSION

## I. Letter to Citizens of Glacier County

To the Citizens of Glacier County:

The Glacier County Study Commission, elected by the voters on November 6, 1984, or thereafter appointed, present this final report to you, the citizens of Glacier County.

The purpose of the study commission, as defined in state law, is "to study the existing form and powers 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, or propose an amendment to the existing form of government or offer an alternative form of government to the qualified electors.

In every phase of this review this study commission

sought advice and information from as many people in the county as possible. Opinions and recommendations were solicited from local government officials and citizens. All meetings of the study commission were open to the public. Public hearings were held in Cut Bank and Browning and a survey of citizen attitudes was made.

Our recommendations reflect the thoughts and opinions of those who participated in public hearings, those who attended our regular meetings, and those who responded to a survey, in addition to the independent efforts of this study commission.

In this final report we present our recommendations for an alternative form of government that we feel will provide the governmental services expected by the people both today and in the future. Our concern has been to pro-

vide a form of government that will be responsive to local problems. We feel the citizens of Glacier County can achieve these goals by adopting the Commission form of government.

The question of adopting this alternative form of government will be placed on the ballot November 4, 1986.

Respectfully submitted,  
Mark Haemig  
Billie Wallace  
Carol Juneau  
Darryl Omsberg, Ex-officio

Attest: Secretary



## II. Summary of Recommendations

The Glacier County Local Government Study Commission having thoroughly studied our present form of county government and the alternative forms of government available to counties under state law, and having studied the future governmental needs of this county, recommends the following:

1. Glacier County should adopt, effective June 5, 1987, the commission form of government. A commission, or elected legislative body, of five (5) or three (3) members shall be elected for four (4) year terms of office. All members shall be elected from districts in which they reside and which are apportioned by population. Due to a recent decision by the Attorney General, in order to make any changes in our present form of government the study commission must recommend adoption of an alternative form of government. The alternative form recommended is in essence the same form we have now, with some very subtle changes.

2. The question on the form of government shall be submitted to the voters of Glacier County on November 4, 1986.

### A. Findings of the Study Commission

After an intensive study of almost two years, it is the decision of the study commission to recommend changes in the structure and power of county government that will provide a governmental framework to meet the changing needs of this county. Problem areas were identified during the course of the study by research, discussion, public hearings, testimony of public officials and citizen surveys. One of these areas is unequal representation. If county

government is to enjoy support of its citizens, it must be more representative.

The "traditional" form of county government has existed in Glacier County since the creation of the county, and is basically the same government as described in the 1889 Constitution.

The needs of the county, however, have changed since then. Population patterns are shifting, and citizen demands for services are rising.

Other areas of concern also emerged during the course of the study which affected the study commissions' choice of an alternative form. Citizen response to the survey, and testimony at the public hearings, indicated that citizens are concerned about local decisions not being made at the local level, about the level of taxes, and about the lack of leadership and citizen participation in county government. These led the study commission to identify the following goals:

1. Government that is responsive to citizens
2. Government that is efficient
3. A government structure that allows equal participation by all citizens

In an attempt to achieve these goals, the study commission has recommended some changes in our present form of government.

### B. Key Provisions of the Proposed Form

1. The commission form consists of an elected commission and other elected officers. All legislative, executive, and administrative powers and duties of the local government not specifically reserved by law or ordinance to

other elected officers shall reside in the commission. The commission shall appoint the heads of departments and other employees except those appointed by other elected officials.

2. Local governments that adopt this form shall have general government powers.

3. The chairman of the commission, shall be the presiding officer of the commission. The chairman shall be recognized as the head of the local government unit and may vote as other members of the commission.

4. The commission shall be elected by districts in which candidates must reside and which are apportioned by population.

5. Local government elections shall be conducted on either a partisan basis or a non-partisan basis.

6. The chairman of the commission shall be elected by the members of the commission from their own number for a term established by ordinance.

7. Commission members shall be elected for overlapping terms of office.

8. Community councils to advise commissioners may be authorized by ordinance.

9. The term of office of elected officials may not exceed four (4) years.

10. All other county officers shall be elected.

11. The offices of surveyor and administrator shall not be included in this form as a separate office.

12. The number of elected county commissioners shall be either three (3) or five (5).

13. County commissioners shall hire an administrative assistant.

# Certificate establishing the Existing Plan of Government for Glacier County

If retained by voters, the government of Glacier County shall be organized under the following provisions of MCA 7-3-111 which authorizes the elected county official form of government:

7-3-111: Statutory basis for elected county official government.

(1) For the purpose of determining the statutory basis of existing units of local government after May 2, 1977, each unit of local government organized under the general statutes authorizing the elected county official form of government shall be governed by the following sections:

- (a) 7-3-401;
- (b) 7-3-401;
- (c) 7-3-412 (3);
- (d) 7-3-413 (1);
- (e) 7-3-414 (1);
- (f) 7-3-415 (2);
- (g) 7-3-416 (2);
- (h) 7-3-417 (2);
- (i) 7-3-418;
- (j) 7-3-432 (1);
- (k) 7-3-433 (1);
- (l) 7-3-434 (1);
- (m) 7-3-435 (1);
- (n) 7-3-436 (1);
- (o) 7-3-437 (1);
- (p) 7-3-438 (1);
- (q) 7-3-439 (1);
- (r) 7-3-440 (1);
- (s) 7-3-441 (1);
- (t) 7-3-442 (1) if the county has elected an auditor;
- (u) 7-3-442 (6) if the county has not elected an auditor.

(2) This form has terms of 4 years for all elected officials except commissioners who are elected to 6-year terms. The commission consists of three members.

These sections establish the following form of government which shall be called the COMMISSION FORM.  
7-3-401. Commission form. The commission form consists of an elected commission (which may also be called the council) and other elected officers as provided in this

part. All legislative, executive, and administrative powers and duties of the local government not specifically reserved by law or ordinance to the elected officers shall reside in the commission. The commission shall appoint the heads of departments and other employees, except for those appointed by other elected officials. Cities and towns which adopt this form may distribute by ordinance the executive and administrative powers and duties into departments headed by individual commissioners.

7-3-402. Nature of government. Local governments that adopt this form shall have general government powers.

7-3-412 (3). Selection of commission members. The commission shall be elected at large and nominated by a plan of nomination that may not preclude the possibility of the majority of the electors nominating candidates for the majority of the seats on the commission from persons residing in the district or districts where the majority of the electors reside.

7-3-413 (1). Type of election. Local government elections shall be conducted on a partisan basis.

7-3-414 (1). Chairman of commission. The chairman of the commission shall be elected by the members of the commission from their own number for a term established by ordinance.

7-3-415 (2). Administrative assistants. The commission may appoint one or more administrative assistants to assist them in the supervision and operation of the local government.

7-3-416 (2). Terms of commission members. Commission members shall be elected for overlapping terms of office.

7-3-417 (2). 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.

7-3-418. Terms of elected officials. The term of office of elected officials may not exceed 4 years, except the term of office for commissioners in counties adopting the form authorized by Article XI, section 3(2), of the Montana constitution may not exceed 6 years. Terms of office shall be

established when the form is adopted by the voters.  
7-3-432 (1). Legal officer. A legal officer (who may be called the county attorney) shall be elected.

7-3-433 (1). Law enforcement officer. A law enforcement officer (who may be called the sheriff) shall be elected.

7-3-434 (1). Clerk and recorder. A clerk and recorder shall be elected.

7-3-435 (1). Clerk of district court. A clerk of district court shall be elected.

7-3-436 (1). Treasurer. A treasurer shall be elected.

7-3-437 (1). Surveyor. A surveyor shall be elected.

7-3-438 (1). Superintendent of schools. A superintendent of schools shall be elected.

7-3-439 (1). Assessor. An assessor shall be elected.

7-3-440 (1). Coroner. A coroner shall be elected.

7-3-441 (1). Public administrator. A public administrator shall be elected.

7-3-442 (1). Auditor. An auditor shall be elected if the county has elected an auditor.

7-3-442 (6). Auditor. An auditor shall not be included in this form as a separate office if the county has not elected an auditor.

(2). This form has terms of 4 years for all elected officials except commissioners who are elected to 6-year terms. The commission consists of three members.

We the Study Commissioners of Glacier County do hereby certify that this is the existing Plan of Government as established by Section 7-3-111 MCA.

In testimony whereof we set our hands.

Done at Cut Bank this 8th day of September, 1986.

ATTEST: Donna LaSorte  
Clerk and Recorder of Glacier County

Mark Haemig  
Carol Juneau  
Billie Wallace

s/s Darryl Omsberg, Ex-officio  
Local Government Study Commissioners

# Certificate establishing the Proposed Plan of Government for Glacier County

Upon approval of the majority of voters, the government of Glacier County shall be organized under the following provisions of Section 7-3-111 MCA.

7-3-111. Statutory basis for elected county official government.

(1) For the purpose of determining the statutory basis of existing units of local government after May 2, 1977, each unit of local government organized under the general statutes authorizing the elected county official form of government shall be governed by the following sections:

- (a) 7-3-401;
- (b) 7-3-402;
- (c) 7-3-412 (2);
- (d) 7-3-413 (1) or 7-3-413 (2);
- (e) 7-3-414 (1)
- (f) 7-3-415 (1)
- (g) 7-3-416 (2)
- (h) 7-3-417 (2) number of commissioners to be sub-optained-3 or 5 to be determined by the voters
- (i) 7-3-418;
- (j) 7-3-432 (1);
- (k) 7-3-433 (1);
- (l) 7-3-434 (1);
- (m) 7-3-435 (1);
- (n) 7-3-436 (1);
- (o) 7-3-437 (6);
- (p) 7-3-438 (1);
- (q) 7-3-439 (1);
- (r) 7-3-440 (2);
- (s) 7-3-441 (6);
- (t) 7-3-442 (5);

(2) This form has terms of 4 years for all elected officials, including the commissioners.

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

7-3-401. Commission form. The commission form consists of an elected commission (which may also be called the council) and other elected officers as provided in this part. All legislative, executive, and administrative powers and duties of the local government not specifically reserved by law or ordinance to other elected officers shall reside in the commission. The commission shall appoint the heads of departments and other employees, except for those appointed by other elected officials. Cities and towns which adopt this form may distribute by ordinance the executive and administrative powers and duties into departments headed by individual commissioners.

7-3-402. Nature of government. Local governments that adopt this form shall have general government powers.

7-3-412 (2). Selection of commission members. The commission shall be elected by districts in which candidates must reside and which are apportioned by population.

7-3-413 (1) or (2). Type of election. Local government elections shall be conducted on a:

- (a) partisan basis or
- (b) non-partisan basis

Choice to be determined by the voters.

7-3-414 (1). Chairman of commission. The chairman of the commission shall be elected by the members of the commission from their own number for a term established by ordinance.

7-3-415 (1). Administrative assistants. The commission shall appoint one or more administrative assistants to assist them in the supervision and operation of the local government.

7-3-416 (2). Terms of commission members. Commission members shall be elected for overlapping terms of office.

7-3-417 (2). 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. Community councils to advise commissioners may be authorized by ordinance.

The number of commissioners, 3 or 5, to be determined by the sub-optional choice of the voters.

7-3-418. Terms of elected officials. The term of office of elected officials may not exceed 4 years. (This includes the term of office for commissioners).

7-3-432 (1). Legal officer. A legal officer (who may be called the county attorney) shall be elected.

7-3-433 (1). Law enforcement officer. A law enforcement officer (who may be called the sheriff) shall be elected.

7-3-434 (1). Clerk and recorder. A clerk and recorder shall be elected.

7-3-435 (1). Clerk of district court. A clerk of district court shall be elected.

7-3-436 (1). Treasurer. A treasurer shall be elected.

7-3-437 (6). Surveyor. A surveyor shall not be included in this form as a separate office.

7-3-438 (1). Superintendent of schools. A superintendent of schools shall be elected.

7-3-439 (1). Assessor. An assessor shall be elected.

7-3-440 (2). Coroner. A coroner shall be appointed by the local government commission.

7-3-441 (6). Public administrator. A public administrator shall not be included in this form as separate office.

7-3-442 (5). Auditor. An auditor may, at the discretion of the commission, be selected as provided by ordinance.

We the Study Commission of Glacier County, do hereby certify that this is the Proposed Plan of Government approved by the Study Commissioners of Glacier County.

In testimony whereof, we set our hands.

Done at Cut Bank this 8th day of September, 1986.

ATTEST: Donna LaSorte  
Clerk and Recorder of Glacier County

Mark Haemig  
Carol Juneau  
Billie Wallace

Local Government Study Commissioners

# Certificate for the Apportionment of Commissioner Districts

Districts described by enumeration district (E.D.), with population and deviation from ideal are shown. For that portion of Glacier County not within the Blackfeet Indian Reservation the data used was from the 1980 Census of the United States. The data used for the reservation is that found in the 1983 special census which restricted its count to the reservation. Because the special census considered some designated unincorporated places as entities without boundaries their subdivision is impractical. In order to accommodate this special situation none of these places are considered as anything other than an integral portion of the enumeration district within which they lie.

For the purpose of this plan, the following population figures were used.

Blackfeet Indian Reservation Glacier County	8220
Glacier County, exclusive of the Reservation	4589
<b>GLACIER COUNTY TOTAL</b>	<b>12,809</b>

A plan for three districts drawn with the understanding that the prime consideration is equivalent populations between districts. The ideal district population is 12,809 divided by 3 equalling 4,270. Variations are from the ideal.

<b>District 1</b>	<b>Population</b>
Place	
Cut Bank City	3688
E.D. 276A	603
<b>TOTAL</b>	<b>4291</b>
	Deviation +21

<b>District 2</b>	<b>Population</b>
Place	
Browning City and vicinity includes:	
E.D.s 22-24	3259
14-15	1068
<b>TOTAL</b>	<b>4327</b>
	Deviation +57

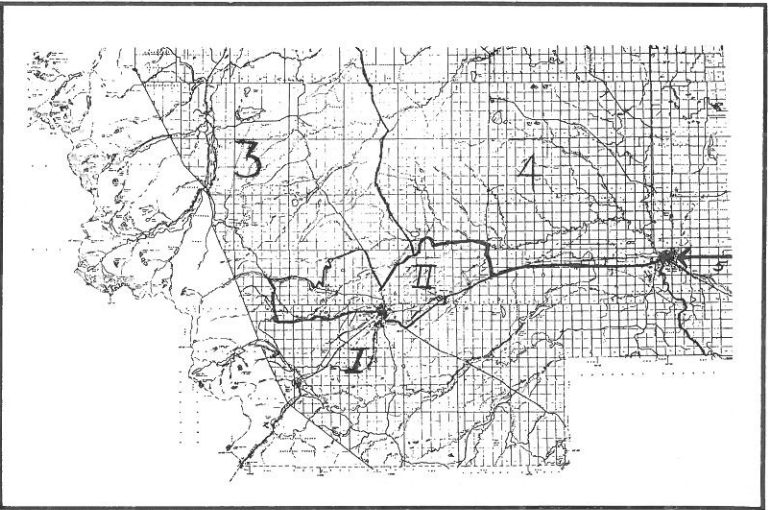
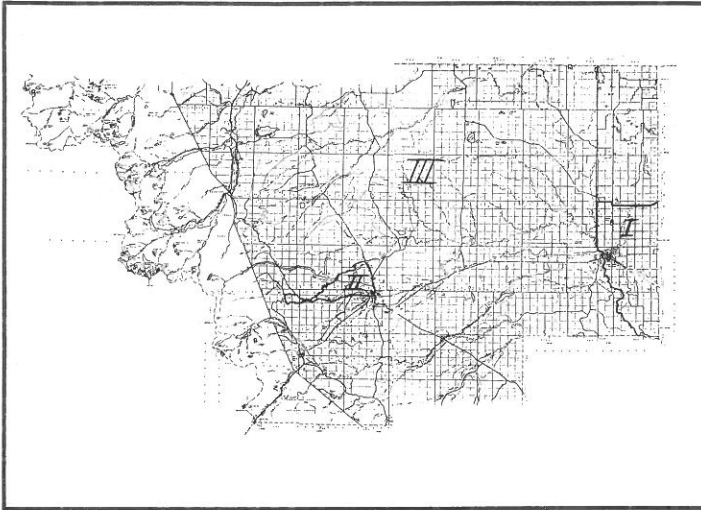
<b>District 3</b>	<b>Population</b>
Place	
E.D.s 1-21,	3357
25-28,	536
275	249
300-301	49
<b>TOTAL</b>	<b>4191</b>
	Deviation -79

We the Study Commission of Glacier County do hereby certify that this is the official apportionment plan for commissioner districts approved by the Study Commission of Glacier County.

In testimony whereof, we set our hands.

Mark Haemig  
Carol Juneau  
Billie Wallace

ATTEST: Donna LaSorte  
Clerk and Recorder of Glacier County



# Certificate for the Apportionment of Commissioner Districts

Districts described by enumeration district (E.D.), with population and deviation from ideal are shown. For that portion of Glacier County not within the Blackfeet Indian Reservation the data used was from the 1980 Census of the United States. The data used for the reservation is that found in the 1983 special census which restricted its count to the reservation. Because the special census considered some designated unincorporated places as entities without boundaries their subdivision is impractical. In order to accommodate this special situation none of these places are considered as anything other than an integral portion of the enumeration district within which they lie.

For the purpose of this plan, the following population figures were used.

Blackfeet Indian Reservation Glacier County	8220
Glacier County, exclusive of the Reservation	4589
<b>GLACIER COUNTY TOTAL</b>	<b>12,809</b>

A plan for five districts drawn with the understanding that the prime consideration is equivalent populations between districts. The ideal district population is 12,809 divided by 5 equalling 2,562. Variations are from the ideal.

<b>District 1</b>	<b>Population</b>
Place	
Browning	
E.D.	2033
E.D.	548
<b>TOTAL</b>	<b>2,581</b>
	Deviation +19

<b>District 2</b>	<b>Population</b>
Place	
Browning	
E.D. 23	278
Browning Vicinity	
E.D. 12-17	2267
<b>TOTAL</b>	<b>2,545</b>
	Deviation -17

<b>District 3</b>	<b>Population</b>
Place	
E.D. 3-8	756
E.D. 10-11	420
E.D. 18-21	729
E.D. 25-28	536
E.D. 300-301	49
<b>TOTAL</b>	<b>2,490</b>
	Deviation -72

<b>District 4</b>	<b>Population</b>
Place	
E.D. 1-2	329
E.D. 9	324
E.D. 275	249
E.D. 276A	603
Cut Bank	
B.G. 4	644
B.G. 8	537
<b>TOTAL</b>	<b>2,686</b>
	Deviation +124

<b>District 5</b>	<b>Population</b>
Place	
Cut Bank	
B.G. 1-3	1456
B.G. 5-7	1051
<b>TOTAL</b>	<b>2,507</b>
	Deviation -55

We the Study Commission of Glacier County do hereby certify that this is the official apportionment plan for commissioner districts approved by the Study Commission of Glacier County.

In testimony whereof, we set our hands.

Mark Haemig  
Carol Juneau  
Billie Wallace

ATTEST: Donna LaSorte  
Clerk and Recorder of Glacier County



**Certificate  
establishing the Official Ballot  
for the November 4, 1986  
Special Election**

Instructions to voters: Place an "X" in the boxes which express your preferences.

**OFFICIAL BALLOT  
BALLOT ON ALTERNATIVE FORM  
OF LOCAL GOVERNMENT**

If the proposed form of government fails to receive a majority of the votes cast on the question, the sub-option also fails. If the proposed form is adopted, the sub-option requires only a plurality of votes cast on the sub-option.

**PLEASE VOTE ON ALL ISSUES**

**I.**

**VOTE FOR ONE**

For adoption of the proposed Commission Plan of Government.

For the existing Commission form of government.

**1.**

**VOTE FOR ONE**

Sub-option to be included in the new form of government, if it is adopted.

Local government elections:

Shall be conducted on a partisan basis.

Shall be conducted on a non-partisan basis.

**2.**

**VOTE FOR ONE**

Sub-option to be included in the new form of government, if it is adopted.

The number of County Commissioners:

Shall be three (3).

Shall be five (5).

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

In testimony whereof, we set our hands.

Done at Cut Bank this 8th day of September, 1986.

Mark Haemig  
Billie Wallace  
Carol Juneau

s/s Darryl Omsberg, Ex-officio

LOCAL GOVERNMENT STUDY COMMISSIONERS

ATTEST: Donna LaSorte

Clerk and Recorder of Glacier County

**Certificate establishing the date of the  
Special Election at which the  
Alternative Form of Government  
shall be presented to the Electors of  
Glacier County**

The alternative form of government proposed by the Local Government Study Commission shall be submitted to the voters of Glacier County at a special election to be held with the general election on November 4, 1986.

We the Study Commissioners of Glacier County do hereby certify that this is the date of the special election approved by the Study Commissioners of Glacier County. In testimony whereof, we set our hands.

Done at Cut Bank this 8th day of September, 1986.

Mark Haemig  
Billie Wallace  
Carol Juneau

s/s Darryl Omsberg, Ex-officio

LOCAL GOVERNMENT STUDY COMMISSIONERS

ATTEST: Donna LaSorte

Clerk and Recorder of Glacier County

**Certificate establishing the dates of the first  
Primary and General Elections for officers of the  
new government of Glacier County if the  
Alternative Proposal is approved and establishing  
the effective date of the proposal if approved**

The date of the primary election for officers of the new government of Glacier County shall be held at a special election on April 7, 1987.

The date of the general election for officers of the new government of Glacier County shall be held at a special election on June 5, 1987.

The effective date of the alternative plan of local government of Glacier County takes effect when the new officers take office at 10 a.m., on June 6, 1987.

We, the Study Commissioners of Glacier County, do hereby certify that these are the dates of the special primary and general elections and the effective date of

the alternative plan of local government of Glacier County approved by the Study Commissioners of Glacier County.

In testimony whereof, we set our hands.

Done at Cut Bank this 8th day of September, 1986.

Mark Haemig  
Billie Wallace  
Carol Juneau

s/s Darryl Omsberg, Ex-officio

LOCAL GOVERNMENT STUDY COMMISSIONERS

ATTEST: Donna LaSorte

Clerk and Recorder of Glacier County

**Plan of Transition**

Provided that the proposed plan of government passes, with the sub-option for five commissioners, the following plan of transition will take effect.

Two new commissioners shall be elected. The primary election will be conducted on April 7, 1987. The general election will be conducted on June 5, 1987.

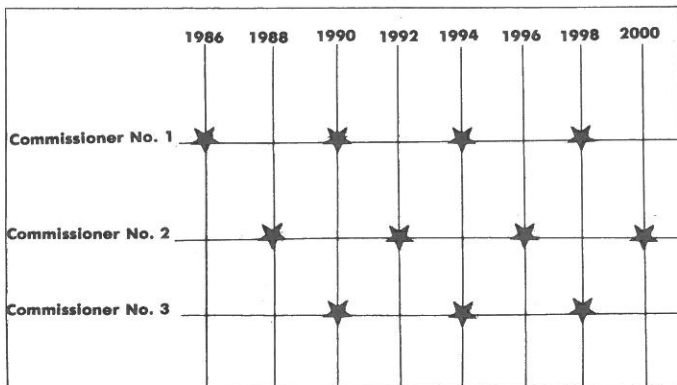
In order to have the plan of 4 year overlapping terms in-

itiated, one of the newly elected commissioners would only serve a two year term. He/she would be up for re-election again in 1988. All subsequent terms would be for four years.

To determine which of the newly elected commissioners will serve two years and which will serve four years, straws will be drawn.

Terms of office will take effect June 6, 1987 at 10 a.m.

**Commissioner Election Chart**



**Commissioner Election Chart**

