

I. LETTER TO CITIZENS OF ROOSEVELT COUNTY

To the Citizens of Roosevelt County:

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

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 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, community organizations and citizens. All meetings of the study commission were open to the public. Commission members appeared before various community organizations to explain the work of the commission and also to hear the viewpoints, ideas, and concerns of those present. Public hearings were held; 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 provide a form of government that will be responsive to local citizens and provide the opportunity for devising solutions to local problems. We feel the citizens of Roosevelt County can achieve these goals by adopting the proposed Commission form.

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

We solicit your support for its adoption.

Respectfully submitted,

Aldon Lee

Carsten Beck

Robert Bell

Dwight Vannatta

~~Calmer Ernsness~~

County Study Commissioners

CERTIFICATE
ESTABLISHING THE EXISTING PLAN OF GOVERNMENT
FOR ROOSEVELT COUNTY

If retained by the voters, the government of Roosevelt 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; | (g) 7-3-416(2); | (m) 7-3-435(1); | (s) 7-3-441(1) |
| (b) 7-3-402; | (h) 7-3-417(2); | (n) 7-3-436(1); | (t) 7-3-442(1) if the county has |
| (c) 7-3-412(3); | (i) 7-3-418; | (o) 7-3-437(1); | elected an auditor; |
| (d) 7-3-413(1); | (j) 7-3-432(1) | (p) 7-3-438(1) | (u) 7-3-442(6) if the county |
| (e) 7-3-414(1); | (k) 7-3-433(1); | (q) 7-3-439(1) | has not elected an auditor. |
| (f) 7-3-415(2) | (l) 7-3-434(1); | (r) 7-3-440(1); | |

(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 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 (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 (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.

SEAL

We, the Study Commissioners of Roosevelt 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 Wolf Point Montana
this 7th day of August 1986

ATTEST: /s/ Helen S. Eggbrecht
CLERK & RECORDER OF
Roosevelt COUNTY

/s/ Robert R. Bell
/s/ Dwight E. Vermatta
/s/ Carston Beck
/s/ Calmer A. ERSNESS
/s/ Alden E. Lee

Local Government Study Commissioners

CERTIFICATE
ESTABLISHING THE PROPOSED PLAN OF GOVERNMENT
FOR ROOSEVELT COUNTY

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

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.

7-3-403. Role of chairman of commission. The chairman of the commission, who may be referred to as the mayor, shall be the presiding officer of the commission. All members of the boards and committees shall be appointed by the chairman with the consent 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.

7-3-404 through 7-3-410 reserved.

7-3-411. General structural suboptions. The plan of government submitted to the qualified electors shall further define the structural characteristics of the form by including one item from each of the choices listed in 7-3-412 through 7-3-418.

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

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

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

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

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

7-3-417. 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:

7-3-418. Terms of elected officials. The term of office of elected officials may not exceed 4 years. *except the*

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

Term of office for County Commissioners which shall be 3 years

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

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

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

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

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

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

7-3-439. Assessor. An assessor: ^{(5) may at the discretion of the Commission be selected as} ~~(6)~~ shall not be included in this form as a separate office. *provided by ordinance*

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

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

SEAL

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

In testimony whereof, we set our hands.

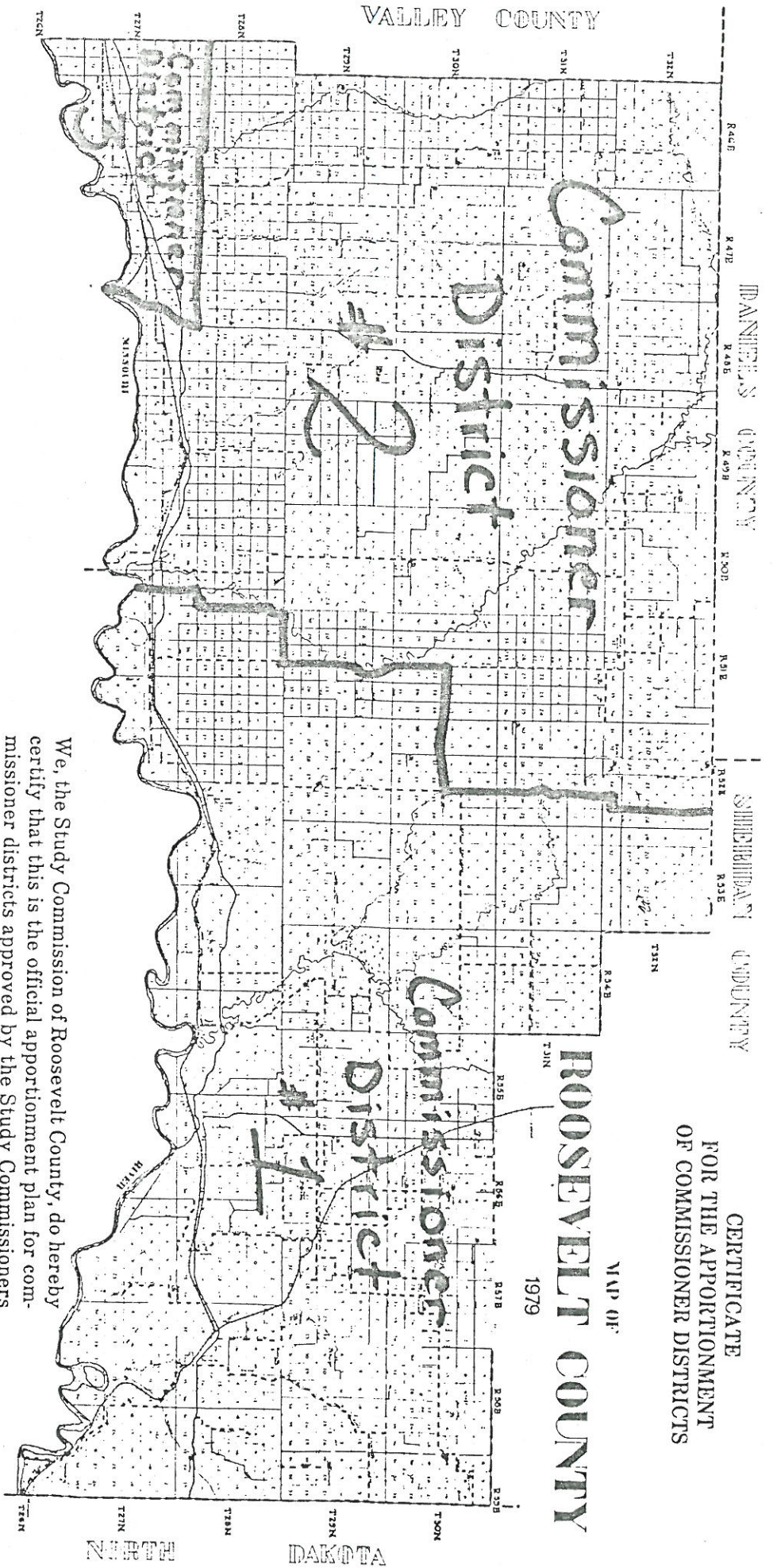
Done at Wolf Point, Montana

this 7 day of August 1986

ATTEST: /s/ Nelson S. Eggbrecht
CLERK & RECORDER OF
Roosevelt COUNTY

/s/ Robert R. Bell
/s/ Dwight E. Vannatta
/s/ Carsten Beck
/s/ Alden E. Lee

Local Government Study Commissioners



CERTIFICATE
FOR THE APPORTIONMENT
OF COMMISSIONER DISTRICTS

MAP OF
ROOSEVELT COUNTY
1979

SEAL

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

In testimony whereof, we set our hands.

Done at Stuy Raick Malone

this 7th day of August 1986

1/1 Robert R. Boel

1/1 Duanelet E. Vanmatta

1/1 Carolee A. Roeb

1/1 Calmer A. Swanson

1/1 Aldon E. Joe

Local Government Study Commissioners

ATTEST: 1/1 Helen J. Engelbrecht
CLERK & RECORDER OF
Roosevelt COUNTY

CERTIFICATE
ESTABLISHING THE DATE OF THE
SPECIAL ELECTION AT WHICH THE
ALTERNATIVE FORM OF GOVERNMENT
SHALL BE PRESENTED TO THE ELECTORS
OF ROOSEVELT COUNTY

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

We, the Study Commission of Roosevelt County, do hereby certify that this is the date of the special election approved by the Study Commissioners of Roosevelt County.

SEAL

In testimony whereof, we set our hands.

Done at May Field, Montana
this 7th day of August 1986

ATTEST: 1/s/ Nelson S. Eggelbrecht
CLERK & RECORDER OF
Roosevelt COUNTY

1/s/ Robert R. Bell
1/s/ Castley T Beck
1/s/ Calma A. Evers
1/s/ Aldon E. Lee
1/s/ Dwight E. Vannatta
Local Government Study Commissioners

ROOSEVELT COUNTY STUDY COMMISSION MINORITY REPORT

I, CALMER A. ERSNESS, the undersigned member of the ROOSEVELT COUNTY STUDY COMMISSION, together with the other members of the said study commission, met to study the existing form and powers of the county government and the procedures for delivery of local government services and compared them with other forms available under the laws of the State of Montana. Though the said study commissioners, OTHER THEN MYSELF, agreed to some changes in the existing form of county government, I am unable to agree with those changes with the exception of that change recommended to the election of a county surveyor. For that reason, I am submitting this Minority Report as set forth below:

REGARDING THE PROPOSED CHANGE IN THE OFFICE OF THE COUNTY SURVEYOR:

Inasmuch as the County of Roosevelt has not for several decades, elected a County Surveyor, and have instead appointed a surveyor when the need arose from private industry or elsewhere, I am not opposed to this recommended change in our county government, and in that regard, I DO RECOMMEND the abolishment of that elected office.

REGARDING THE PROPOSED CHANGE IN THE OFFICE OF THE COUNTY ASSESSOR:

I am opposed to this change for the following reasons:

(1) The office of Assessor is one of the most important offices in the county due to the fact it pertains to the values of personal and real property of the citizens of this county, and from those values, taxes are levied for the proper function of schools, roads, administration and all other services provided by the county for the benefit of all the residents of this county.

(2) The abolishment of this elected office could well mean that the Montana State Department of Revenue would send to the County of Roosevelt one of its own agents to act in the capacity of County Assessor, and by doing so, this would eliminate for the people of Roosevelt County one of the last avenues of communication between the residents of Roosevelt County and that of the assessor. I feel that it would be better for our taxpayers to have in that office, someone that is elected by us as taxpayers, instead of someone sent in by the Dept. of Revenue of the State of Montana.

(3) I further believe that this change would not be an authorized change for this study commission to recommend in the proposed plan of government.

REGARDING THE PROPOSED CHANGE IN THE OFFICE OF COUNTY COMMISSIONER(S):

I agree in part and disagree in part to the proposed changes in the office of County Commissioner, as follows:

I.

I AGREE AS FOLLOWS:

1. I agree that the Chairman of the Commission shall be elected by the members of the commission from their own number for a term established by ordinance;
2. I agree that the commission may appoint one or more administrative assistants to assist them in the supervision and operation of the local government; and
3. That 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, I agree.

I DISAGREE AS FOLLOWS:

1. I disagree that the type of election of the local government elections shall be conducted on a NONPARTISAN BASIS.

REASON OF DISAGREEMENT: I feel that any person seeking any county elected office should have the right to "hang his hat" in the campaign office of his choice. This change for him or her, would eliminate what I feel is an avenue of communication that presently exists between the candidate and the voter. The candidate is presumably from some political party, known to the voters, and the candidate has a right to retain this identity in seeking this office.

2. I disagree that the terms of commission members shall be elected for a set number of terms.

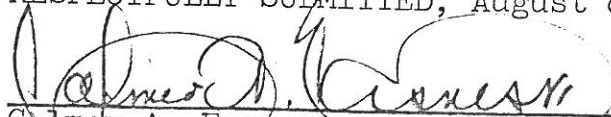
REASON FOR DISAGREEMENT: I am not fully certain that the report as submitted by the other members of this study commission was correctly done on this point. If they intended, as discussed to have a certain number of terms only, such as 2 or 3, then I would disagree. If they truly intended not to make this proposed change and leave it as it presently exists, then I would agree.

3. I disagree that the term of office of the County Commissioner shall be limited to only three years.

REASON FOR DISAGREEMENT: I feel that this is not fair to recommend that in county government, only the office of county commissioner is limited to three years, whereas all other elected county officers are elected for a four year term. I feel this is totally and completely unfair for the person running for this office. SECONDLY, this would result in the necessity of having a general election each and every year whereby on the even years, other elected officials would be on the ballot, and on the uneven years, ONLY THE OFFICE OF COUNTY COMMISSIONER would be on the ballot.

LASTLY, insofar as the proposed change to have a county commissioner elected BY DISTRICT instead of by AT LARGE, seems to have many pros and cons. I feel that the federal court will eventually force counties to have the office of county commissioner elected by district. I realize that to be elected BY DISTRICT results in the candidate or elected commissioner would perhaps be more attentive to the problems of that district, and on the other hand, I am leaning towards the election AT LARGE, because each of the commissioners have a lot of responsibilities not only to their own respective district but to the county as a whole. Therefore, to this proposed change, I neither fully agree nor do I fully disagree.


RESPECTFULLY SUBMITTED, August 8, 1986



Calmer A. Ersness
Member of the Roosevelt County Study
Commission.

SEAL

ATTEST:



Helen L. Eggbrecht
CLERK AND RECORDER OF
ROOSEVELT COUNTY, MONTANA