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FILED  
PAIGE TRAUTWEIN, CLERK

DEC 04 2017

DEPUTY

Attorney for Ravalli County

**MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT  
RAVALLI COUNTY**

In the Matter of the Equalization of  
Commissioner Districts:

Ravalli County,

Petitioner.

Cause No: 03-17-504

Dept. No. 2

JAMES A. HAYNES

**PETITION FOR REVIEW OF  
EQUALIZATION OF  
COMMISSIONER DISTRICTS**

Pursuant to Mont. Code Ann. § 7-4-2102(2), petitioner submits for review the action of the County Commissioners to equalize commissioner districts, as follows:

1. The Ravalli County Local Government Study Commission, elected November 4, 2014, pursuant to Mont. Code Ann. § 7-3-187, presented its *Final Report* March 10, 2016. The report recommended a change in the plan of local government such that the Board of County Commissioners be altered to consist of three commissioners (down from five), serving six year terms, elected at large. See Exhibit A, *Final Report*, Section III, pg. 7.

2. The Study Commission adopted a *Proposed Commissioner Districts* map dividing the county into three commissioner districts. See Exhibit A, *Final Report*,

pg. 15. In drafting the map, the Study Commission looked to the County's GIS department to divide the County into three nearly equal population districts based upon population data from the last census. The Study Commission then adjusted the map to reflect the recommendations of Regina Plettenberg, County Clerk and Recorder/Election Administrator. Plettenberg recommended adjustments to avoid splitting precincts or school district boundaries. Precincts and school district boundaries reflect natural communities within the County. See Exhibit B, *Transition Plan Certificate*, and Exhibit C, excerpts from Study Commission minutes, March 10, 2015 and June 8, 2016.

3. This proposed map promulgated by the Study Commission was published by the Study Commission and made available to the electorate prior to the June 7, 2016, special election. The Proposed Commissioner Districts map was included in the *Final Report* and posted in the County's Administration Building outside the office of the Clerk and Recorder.

4. On June 7, 2016, the electorate of Ravalli County approved the recommendation of the Study Commission.

5. On July 25, 2017, the Board of County Commissioners approved the Study Commission's recommended *Commissioner District Map* without alternation. See Exhibit D, *Commissioner Minutes*, ps. 3, 4. In adopting the proposed map, the Commissioners found: (1) the population in each district are as even as could be calculated; (2) the areas are distributed as equal as possible; (3) the areas/proposed districts are as compact as possible; (4) Ravalli County is unique as the south end of

the valley is sparsely populated; (5) the proposed map was created by GIS Department Head Ken Miller, who was not influenced by any Ravalli County elected officials in any manner; (6) the precinct and school boundaries were also considered in the creation of this map; (7) the Ravalli County Study Commission had this map during their deliberations and was available to the public for review; (8) the Proposed map was hung on the Clerk & Recorder entry door facing the public for review; (9) this proposed re-districting will not affect the term of any office of an elected official who has been elected to office; and (10) this proposed re-districting map will be adopted within 'more than 6 months before a primary election and the date of the general election' per MCA." Exhibit D, ps. 3, 4.

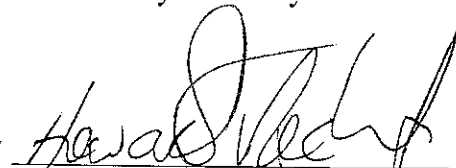
Wherefore, petitioner requests the District Court review the adopted *Proposed Commissioner Districts* map for compliance with Mont. Code Ann. § 7-4-2102(1), which requires districts to be "as compact and equal in population and area as possible." Should the Court require additional information concerning the creation of the *Commissioner District Map*, petitioner recommends that information be solicited from the Study Commission.

Dated this 4 day of December, 2017.

Respectfully submitted,

Ravalli County Attorney

By



Howard F. Recht, Deputy County Attorney  
Attorney for Ravalli County

March 10, 2016

## FINAL REPORT

### TABLE OF CONTENTS

#### I. LETTER TO THE CITIZENS OF RAVALLI COUNTY

#### II. SUMMARY OF RECOMMENDATIONS

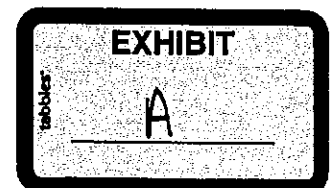
- A. Findings of the Study Commission
- B. Key Provisions of the Proposed Form – Comparison of Existing and Proposed Form of Government
  - 1. Number of Commissioners
  - 2. Terms of Office
  - 3. Representation (At Large versus By District)
  - 4. Type of Election (Partisan versus Non-Partisan)

#### III RECOMMENDATIONS AND REASONS

#### IV APPENDIX

- Exhibit A: Certificate for Establishing the Existing Plan of Government
- Exhibit B: Certificate for Establishing the Proposed Plan of Government
- Exhibit C: Certificate for the Apportionment of Commissioner Districts
- Exhibit D: Certificate for Establishing the Election Date of Government
- Exhibit E: Certificate for Establishing the Form of the Ballot
- Exhibit F: Certificate for Establishing the Dates of the First Primary and General Elections for Officers of the New Government
- Exhibit G: Certificate for Supplemental Report – County Commissioner Availability
- Exhibit H: Certificate for Supplemental Report – County Manager
- Exhibit I: Certificate for Supplemental Report – Purchasing Procedures & Department Head Meetings
- Exhibit J: Certificate for Minority Report

*Ret: Karryse Murphy, Ex Officio*



## I. LETTER TO THE CITIZENS OF RAVALLI COUNTY

*To the Citizens of Ravalli County:*

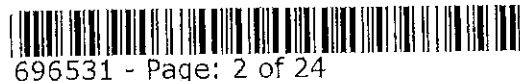
The Ravalli County Local Government Study Commission elected on November 4, 2014, present this final report to the citizens of Ravalli County.

The purpose of the Study Commission, as defined by state law, is "to study the existing form and powers of our county government and procedures for delivery of local government services and 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. If some change is deemed necessary the Study Commission may submit such proposed change to the qualified electors.

In every phase of this review, this study commission widely publicized its purpose and meetings and invited the public to attend; and also 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 were open to the public. Public hearings were held the spring and fall of 2015 in Darby, Hamilton, Corvallis, Victor, Stevensville, and Florence for a total of 12 formal public hearings.

In this final report we present our recommendations for amendments to the current form of government. We feel this will provide the governmental services expected by the people both today and in the future. Our goal has been to provide the citizens of the county the opportunity to choose amendments to government that they feel will be responsive to local county problems.

The Ravalli County Local Government Study Commission found that Ravalli County functions well under the Commission form of government as provided under Montana Code 7-3-401. We believe issues relating to the number of commissioners, term length of commissioners, type of election (partisan versus non-partisan), and representation by district versus at-large should be placed on the June 7, 2016 ballot.



696531 - Page: 2 of 24



## II. REPORT SUMMARY

The Ravalli County Local Government Study Commission has thoroughly studied our present form of county government and the alternative forms of government available to counties under state law. We have also studied the future governmental needs of this county.

Ravalli County was one of the three fastest growing counties in MT from 1990 to 2008. That rate of growth has significantly slowed. In 2006 voters felt that more commissioners with shorter terms would better meet the county's growing needs. After two election cycles, voters realized the revised form of government was not meeting their expectations and elected a study commission to conduct another review. After extensive public meetings and community forums as well as individual comments to elected study commissioners, the study commission found the following recommendations based on our findings:

The study commission has determined that three commissioners can manage the county business effectively. There will be savings to the county budget in administrative costs.

Six-year terms will provide more continuity and stability with staggered terms and a stronger base of knowledge for continuing government leadership.

Partisan (ie party affiliation) elections give the voters an idea of the candidate's political philosophies.

Since commissioners make decisions that affect all residents of the county, the Study Commission believes candidates should be elected at-large.

Minority opinions:

1. Four year terms provide for equally effective government and provide for quicker change.
2. Non-partisan elections may require voters to study a candidate's qualifications as opposed to selecting their party affiliation.
3. Commissioners elected from districts make them more responsive to constituents in their district.

It is the decision of the study commission to recommend amendments to the current form of county government.

In summary we recommend:

1. Ravalli County should continue with the Commission form of government. If voters adopt the amendments, they would vote for new commissioners in the 2018 election cycle. The Study Commission recommends to the voters:

- a. A board of county commissioners of three (3) members.
  - b. Terms of office of the elected board of commissioners shall be six (6) years to allow for a smooth transition of elected commissioners, with one (1) commissioner be elected every two (2) years. (Majority recommendation)
  - c. Commissioners should be elected At-Large. (Majority recommendation)
  - d. Voters should decide whether offices are partisan or non-partisan. Majority recommends commissioners should remain partisan while other offices could be partisan or non-partisan.
2. The vote on our recommendation will take place in the primary election on June 7<sup>th</sup>, 2016. Changes approved by the voters would be effective in the 2018 election cycle.

If voters decide to reduce to 3 commissioners, the two commissioners that run for office in 2016 would hold two-year terms. In this way three commissioners would stand for office in the 2018 election cycle. If there is no change in the number of commissioners, and voters decide not to switch to three commissioners then they would serve full terms as determined by the voters. In either option, the length of term would be determined by drawing lots as per Montana Code Annotated.

## **A. Findings of the Study Commission**

The voters in Ravalli County chose to study the form of county government at the November 4, 2014 election. The Montana State Constitution allows voters the choice to review the existing form of government once every ten (10) years.

Nineteen (19) citizens interested in serving on the commission filed for the positions and the five (5) receiving the greatest number of votes were selected to serve for a two (2) year period. Following the election, the Study Commission developed a procedure for orderly review of the existing form of government. The commission studied the options available under Montana Code and developed a timetable for completing the process.

The Local Government Center at Montana State University in Bozeman provided training to define the mission and give direction in the review process. The Ravalli County Study Commission commenced regular weekly meetings in January 2015.

Interviews were held with all elected officials and selected department heads that responded to the same set of questions. The interviews provided the Study Commission with an understanding of the duties, responsibilities and interdependency of the departments.

At the time of the preliminary finding report and public meetings, the Study Commission found Ravalli County functions under the Commission form of government as provided under the Montana Code 7-3-401. The Commission form of government as approved in 1976 allows it to function with adopted powers, as opposed to only those powers allowed in the Montana Constitution. This allows voters the ability to choose the number of commissioners, term



lengths, type of elections (partisan or non-partisan), and representation by district or at-large. The Study Commission found that 53 of Montana's 56 counties operate under the Commission Form of government.

After taking input from citizens at public forums, extensive interviews, emails, discussions at regular scheduled meetings, and public comment to individual study commissioners, the Ravalli County Local Government Study Commission recommends retaining the Commission form of Government but with amendments.

## **B. Key Provisions of the Proposal**

### **1) Number of County Commissioners:**

The Commission studied five commissioners versus three commissioners. Ravalli County ranked among the top three (3) growth counties in the state on a percentage basis prior to 2008. Ravalli County growth has slowed significantly and the impact of departments directly involved with growth has slowed. There have been personnel reductions throughout county departments. The Growth Policy was repealed, and the Board of Adjustment and the Streamside Setback Committees were dissolved. The Study Commission found that a board of 5 commissioners was no more effective than a board of 3 commissioners.

*All Study Commissioners favor returning to three County Commissioners.*

### **2) Term of Office for County Commissioners:**

Voters decided to change to 4-year terms in 2006. The Study Commission studied 4-year terms of office versus 6-year terms of office. Our findings are:

Four-year terms cause a majority of commissioners to be elected. Whether there are 3 or 5 commissioners, a majority may be elected every 4 years.

a) With 5 commissioners - Year 2 - 2 commissioners; Year 4 - 3 commissioners.

b) Or with 3 commissioners - Year 2 - 1 commissioner; Year 4 - 2 commissioners.

This can conceivably set up a scenario where a new majority is elected, with less working knowledge of county government. On the other hand, four-year terms allow for quicker replacement of a commissioner in the event voters are unhappy with their performance.

Six-year terms elect a minority at each election maintaining more stability.

a) With 5 commissioners - Year 2 - 2 commissioners; Year 4 - 2 commissioners; Year 6 - 1 commissioner

b) OR with 3 commissioners - Year 2 - 1 commissioner; Year 4 - 1 commissioner; Year 6 - 1 commissioner.

This allows for continuity in government management with no possibility of a majority being elected in any single election.

*Three Study Commissioners favor returning to 6-year terms. Two Study Commissioners favor 4-year terms.*

**3) County Commissioner Representation - By District or At-Large:**

Ravalli County is divided into voting districts based on population. With 5 commissioners we have 5 districts; with 3 commissioners we would have 3 districts. Citizens expressed that some communities have different needs and they would like to elect the Commissioner from their district who better understands and represents the needs of that particular district. Others expressed that since commissioners make decisions that affect the entire county, all voters should choose who represents them. Commissioners are currently elected at-large.

*Four Study Commissioners favor election of County Commissioners at-large, while one commissioner favors election by district.*

**4) Type of Election - Partisan versus Non-Partisan:**

The commission heard from many citizens that all elected officials should be non-partisan. However, many thought only offices such as the Sheriff, Clerk of the Court or Treasurer should be elected without party affiliation. If a candidate were not labeled with a party designation, voters would be responsible to research candidates and choose the candidate they feel most qualified to do the job. There are certain positions that complete their tasks as mandated by law and do not set policy. Those positions could be non-partisan. The commission heard that some voters choose their candidate based on the basic beliefs of the affiliated party and do not choose to research the candidate's ability. The Board of County Commissioners do set policy and it is believed those positions should remain Partisan.

*Four Study Commissioners favor retaining Partisan elections for County Commissioners. All Study Commissioners favor all elected officials other than commissioners to be elected on a non-partisan basis.*

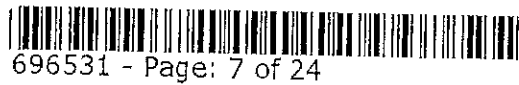


696531 - Page: 6 of 24

### III. RECOMMENDATIONS

#### Majority Recommendations:

1. A Board of County Commissioners of three members.
2. Terms of office shall be six years for elected County Commissioners.
3. County Commissioners should be elected at-large.
4. County Commissioners remain partisan while other offices could be partisan or non-partisan.



**EXHIBIT A**  
**CERTIFICATE**  
**ESTABLISHING THE EXISTING PLAN OF GOVERNMENT**  
**FOR**  
**RAVALLI COUNTY, MONTANA**

If retained by the voters, the government of Ravalli 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) 7-3-402;
- (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(5);           Authorized by 7-4-2301 (1) M.C.A.
- (p) 7-3-438(5);           Authorized by 7-4-2301 (1) M.C.A.
- (q) 7-3-439(6);
- (r) 7-3-440(5);           Authorized by 7-4-2301 (1) M.C.A.
- (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 ELECTED COUNTY OFFICIAL 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 nominated 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 the 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 shall be three, 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 shall be elected.

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

7-3-437 (5). Surveyor. A surveyor may at the discretion of the commission be selected as provided by ordinance.

7-3-438 (5). Superintendent of schools. A superintendent of schools may at the discretion of the commission be selected as provided by ordinance.

7-3-439 (6). Assessor. An assessor shall not be included in this form as a separate office.

7-3-440 (5). Coroner. A coroner may at the discretion of the commission be selected as provided by ordinance.

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

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



**EXHIBIT B**  
**CERTIFICATE**  
**ESTABLISHING THE PROPOSED PLAN OF GOVERNMENT**  
**FOR**  
**RAVALLI COUNTY, MONTANA**

Upon approval by a majority of electors, the government of Ravalli County, Montana shall retain its designation of Commission Form organized under the following provisions of 7-3-401 M.C.A., as set forth in exhibit A, but adopt certain amendments to the current form in MCA 7-3-401 through 7-3-442:

**7-3-412(4). Selection of commission members.** The commission shall be elected by any combinations of districts, in which candidates must reside and which are apportioned by population, and at large.

**7-3-413(1) Type of Election.** Local government elections for the Board of County Commissioners shall be conducted on a partisan basis.

**7-3-413 (2) Type of Election.** Local government elections for positions other than the Board of County Commissioners shall be conducted on a non-partisan basis.

**7-3-417. The size of commission.** The size of the commission number shall be three.

**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 six years.



696531 - Page: 11 of 24

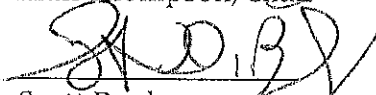
We, the Study Commissioners of Ravalli County do hereby certify that this is the proposed Plan of Government.

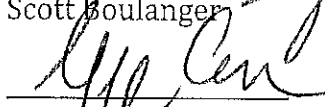
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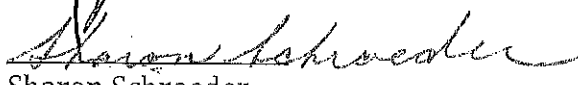
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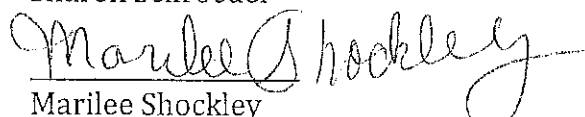
Done at Hamilton, Montana this 10<sup>th</sup> day of March, 2016

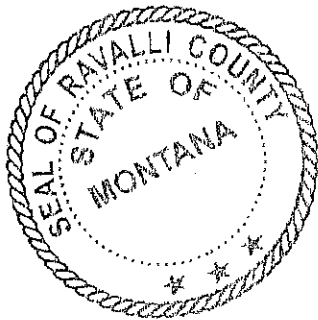
  
Alan Thompson, Chair

  
Scott Boulanger


  
George Cern

  
Sharon Schroeder

  
Marilee Shockley



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ATTEST:   
CLERK AND RECORDER OF RAVALLI COUNTY



**EXHIBIT C**  
**CERTIFICATE**  
**FOR THE PLAN OF APPORTIONMENT**  
**OF BOARD OF COUNTY COMMISSIONER DISTRICTS**  
**OF**  
**RAVALLI COUNTY, MONTANA**

**If approved by electors in the Special Election**, Ravalli County shall be reapportioned into three County Commissioner Districts for the purpose of apportioning seats to the Ravalli County Board of County Commissioners. These three separate districts shall reflect equal representation and authority on the Ravalli County Board of Commissioners. The area of each District shall be as contiguous, compact and equal in population as possible. If voters retain five County Commissioner Districts then the current districts, as reflected in Commissioner Resolution 2005 and if verified as accurate, will remain unchanged.

The following descriptions shall describe the three districts utilizing the current precinct boundaries known to exist September 2015 and the US Census 2010 Block Data provided by Ravalli County GIS Department:

**District 1** – The boundaries of the current precincts 17, 19, 20, 21, 22, 23, 24 and that part of Precinct 18 that lies North of North Burnt Fork Road and North of South Burnt Fork Road and West of Middle Burnt Fork.

**District 2** – The boundaries of the current precincts of 10, 11, 12, 13, 14, 15, 16 and that part of Precinct 18 that lies South of North Burnt Fork Road and South of South Burnt Fork Road and part of Precinct 5 that lies North of West Bridge Road and that part of Precinct 7 that lies North of Golf Course Road.

**District 3** – The boundaries of the current precincts 1, 2, 3, 4, 6, 8, 9 and that part of Precinct 5 that lies South of West Bridge Road and that part of Precinct 7 that lies South of Golf Course Road.

The final adopted version of the Plan of Apportionment complete with maps and population numbers will be available for voter examination no later than 30 days before the special election. We are making every effort to produce these materials as soon as possible.




696531 - Page: 13 of 24

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

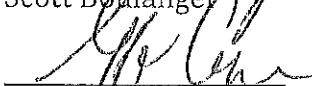
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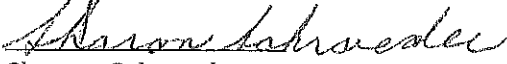
In testimony whereof, we set our hands.

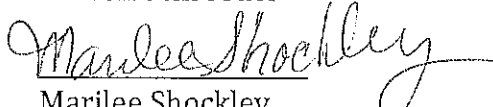
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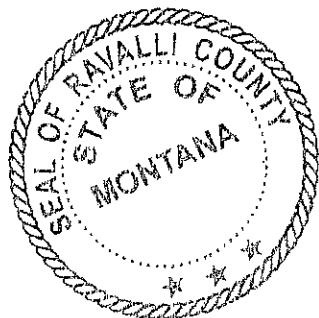
  
Alan Thompson, Chair

  
Scott Boulanger


  
George Corn

  
Sharon Schroeder

  
Marilee Shockley

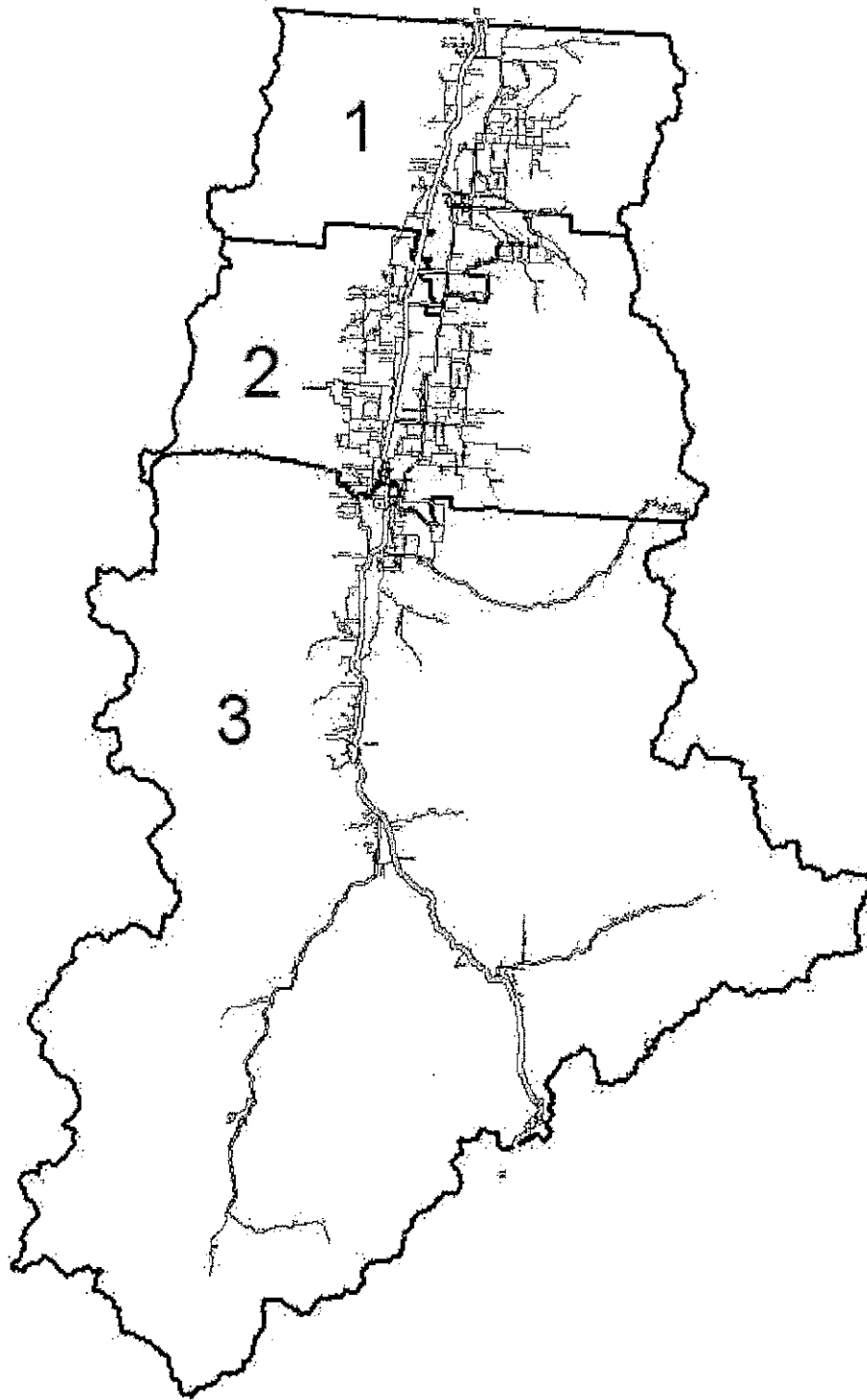


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ATTEST:   
CLERK AND RECORDER OF RAVALLI COUNTY



# Proposed Commissioner Districts



696531 - Page: 15 of 24

EXHIBIT D

CERTIFICATE  
ESTABLISHING THE DATE OF THE SPECIAL ELECTION  
AT WHICH THE AMENDED FORM OF GOVERNMENT  
SHALL BE PRESENTED TO THE ELECTORS  
OF  
RAVALLI COUNTY, MONTANA

The amended form of government proposed by the Local Government Study Commission shall be submitted to the voters of Ravalli County at a special election to be held with the primary election of June 7, 2016.

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

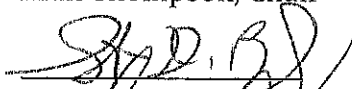
SEAL

In testimony whereof, we set our hands.

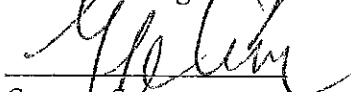
Done at Hamilton, Montana this 10<sup>th</sup> day of March, 2016



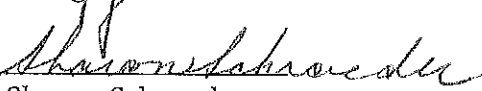
Alan Thompson, Chair



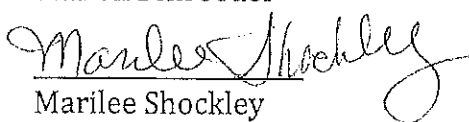
Scott Boulanger



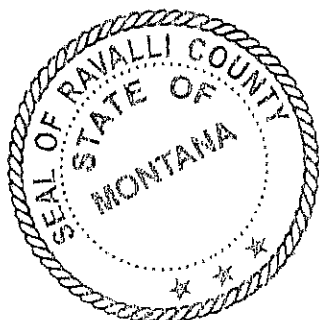
George Corn



Sharon Schroeder



Marilee Shockley



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ATTEST:   
CLERK AND RECORDER OF RAVALLI COUNTY



696531 - Page: 16 of 24

**EXHIBIT E**  
**CERTIFICATE**  
**ESTABLISHING THE FORM OF THE BALLOT**  
**FOR**  
**RAVALLI COUNTY, MONTANA**

For the June 7, 2016 Special Election

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

OFFICIAL BALLOT ON AMENDMENTS TO CURRENT FORM OF GOVERNMENT

PLEASE VOTE ON ALL ISSUES

**QUESTION # ONE - The NUMBER OF SEATS on the Ravalli County Board of Commissioners shall be:**

Vote for one

For the adoption of three (3) total seats on the Ravalli County Board of Commissioners, *as recommended by the Ravalli County Study Commission.*

Retain the existing five (5) total seats on the Ravalli County Board of Commissioners

**QUESTION # TWO - The TERMS OF OFFICE on the Ravalli County Board of Commissioners shall be:**

Vote for one

For the adoption of six (6) year terms of office for the Board of County Commissioners, *as recommended by the Ravalli County Study Commission.*

Retain the existing four (4) year terms of office.

**QUESTION # THREE - The REPRESENTATION of the election of the Ravalli County Board of Commissioners shall be:**

Vote for one:

Retain the existing voting of all candidates at-large, *as recommended by the Ravalli County Study Commission.*

For the adoption of voting only for the candidates within your voting District.

**QUESTION # FOUR - The TYPE of ELECTION of the Ravalli County Board of Commissioners shall be:**

Vote for one:

Retain the existing partisan elections, *as recommended by the Ravalli County Study Commission.*

For the adoption of non-partisan elections.

**QUESTION # FIVE - The TYPE of ELECTION of the Offices OTHER than the Board of Commissioners shall be:**

Vote for each:

**SHERIFF/CORONER:**

For the adoption of non-partisan elections, *as recommended by the Ravalli County Study Commission.*

Retain the existing partisan elections.

**COUNTY ATTORNEY:**

For the adoption of non-partisan elections, *as recommended by the Ravalli County Study Commission.*

Retain the existing partisan elections.

**TREASURER:**

For the adoption of non-partisan elections, *as recommended by the Ravalli County Study Commission.*

Retain the existing partisan elections.

**CLERK OF THE COURT:**

For the adoption of non-partisan elections, *as recommended by the Ravalli County Study Commission.*

Retain the existing partisan elections.



696531 - Page: 18 of 24

**CLERK & RECORDER:**

For the adoption of non-partisan elections, *as recommended by the Ravalli County Study Commission.*

    Retain the existing partisan elections.

**PUBLIC ADMINISTRATOR:**

    For the adoption of non-partisan elections, *as recommended by the Ravalli County Study Commission.*

    Retain the existing partisan elections.

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

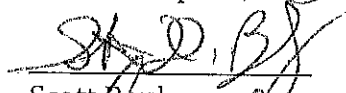
SEAL

In testimony whereof, we set our hands.

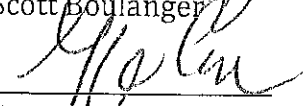
Done at Hamilton, Montana this 10<sup>th</sup> day of March, 2016



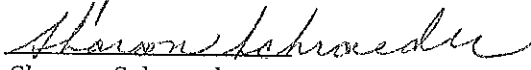
Alan Thompson, Chair



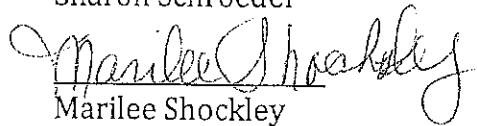
Scott Boulanger



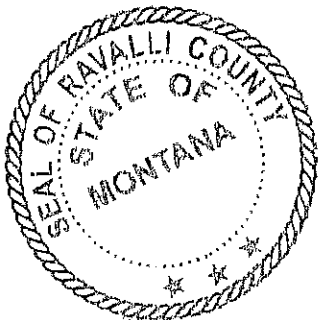
George Corn



Sharon Schroeder



Marilee Shockley



Seal

ATTEST:   
CLERK AND RECORDER OF RAVALLI COUNTY



696531 - Page: 19 of 24

**EXHIBIT F**

**CERTIFICATE  
ESTABLISHING THE DATES OF THE FIRST PRIMARY AND GENERAL  
ELECTIONS FOR OFFICERS OF THE NEW GOVERNMENT OF  
RAVALLI COUNTY, MONTANA  
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 Ravalli County shall be held at a special election on June 5, 2018.

The date of the General Election for officers of the new government of Ravalli County shall be held at a special election on November 6, 2018.

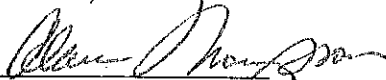
The effective date of the alternative plan of local government of Ravalli County takes effect when the officers take office at 10 a.m. January 2, 2019.

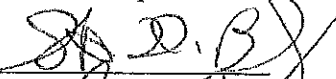
We, the Study Commissioners of Ravalli County do hereby certify that these are the dates of the special primary and general elections and the effective date of the alternative plan of local government of Ravalli County approved by the Study Commission of Ravalli County.

SEAL


In testimony whereof, we set our hands.

Done at Hamilton, Montana this 10<sup>th</sup> day of March, 2016

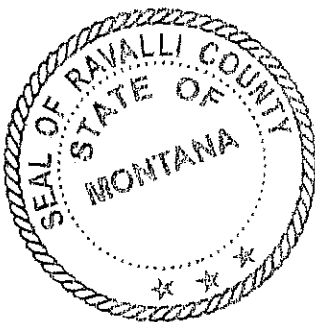
  
Alan Thompson, Chair

  
Scott Boulanger


  
George Corn

  
Sharon Schroeder

  
Marilee Shockley



Seal

ATTEST   
CLERK AND RECORDER OF RAVALLI COUNTY



696531 - Page: 20 of 24

**EXHIBIT G**

**CERTIFICATE  
SUPPLEMENTAL REPORT  
RAVALLI COUNTY, MONTANA  
COUNTY COMMISSIONER AVAILABILITY**

Beginning in January 2015 the Ravalli County Local Government Study Commission conducted public meetings in Hamilton at the Ravalli County Administrative Building, and public hearings in Darby, Hamilton, Corvallis, Victor, Stevensville and Florence.

Citizens expressed concern that it was often difficult to find a Commissioner in the Commissioner offices when they wanted to discuss county business with a Commissioner.

The Ravalli County Local Government Study Commission recommends that the County Commissioners establish a schedule whereby at least one Commissioner is always present for informal citizen discussions during hours when the Administrative Building is open.


Based on comments in community meetings, we suggest individual Commissioners hold town meetings periodically within their district to enable citizens a chance to discuss issues important to them.

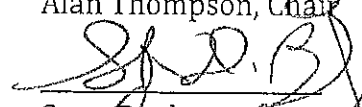
We, the Study Commissioners of Ravalli County do hereby certify that this is a Supplemental Report approved by the Study Commission of Ravalli County.

SEAL

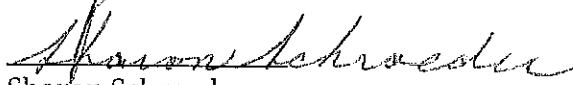
In testimony whereof, we set our hands.

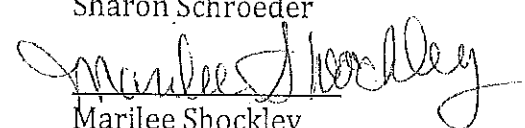
Done at Hamilton, Montana this 10<sup>th</sup> day of March, 2016

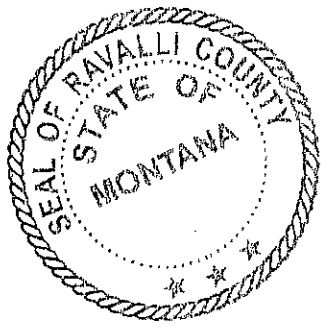
  
Alan Thompson, Chair


  
Scott Boulanger

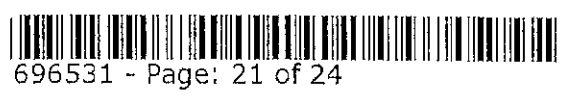
  
George Corn

  
Sharon Schroeder

  
Marilee Shockley



Seal  
ATTEST:   
CLERK AND RECORDER OF RAVALLI COUNTY



**EXHIBIT H**

**CERTIFICATE  
SUPPLEMENTAL REPORT  
RAVALLI COUNTY, MONTANA**

**COUNTY MANAGER**

Beginning in January 2015 the Ravalli County Local Government Study Commission conducted public meetings in Hamilton at the Ravalli County Administrative Building, and public hearings in Darby, Hamilton, Corvallis, Victor, Stevensville and Florence.

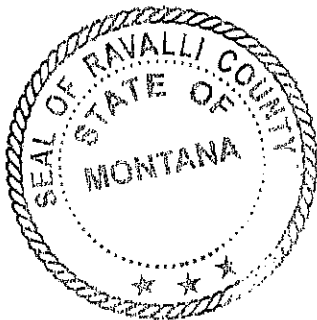
As different types of government available to the county were discussed, a number of citizens expressed an interest in the Commission-Executive or Commission Manager form of government. When the Study Commission explained that an Executive Officer would appoint department heads that are currently elected, interest changed. Citizens want to continue to elect those positions. However, citizens felt the county would benefit if the Commissioners hired a qualified manager trained in public administration to assist them. This person would make the Commissioners more efficient by performing research and making recommendations to them. While this would be an expensive position to fund, it was suggested that this person could end up saving the county more money in terms of settlements than the position would cost.

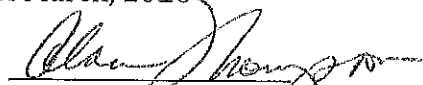
We, the Study Commissioners of Ravalli County do hereby certify that this is a Supplemental Report approved by the Study Commission of Ravalli County.


SEAL

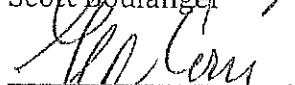
In testimony whereof, we set our hands.


Done at Hamilton, Montana this 10<sup>th</sup> day of March, 2016

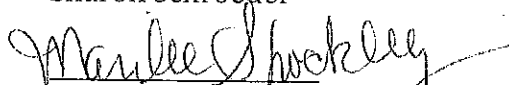


  
Alan Thompson, Chair


  
Scott Boulanger

  
George Corn

  
Sharon Schroeder

  
Marilee Shockley

Seal

ATTEST   
CLERK AND RECORDER OF RAVALLI COUNTY



**EXHIBIT I**

**CERTIFICATE  
SUPPLEMENTAL REPORT  
RAVALLI COUNTY, MONTANA**

**PURCHASING PROCEDURES AND DEPARTMENT HEAD MEETINGS**

Beginning in January 2015 the Ravalli County Local Government Study Commission conducted public meetings in Hamilton at the Ravalli County Administrative Building, and public hearings in Darby, Hamilton, Corvallis, Victor, Stevensville and Florence.

During these public meetings, Ravalli County department heads were interviewed and a recurring comment was how difficult it is for departments to function smoothly when they need to obtain permission from the Commissioners to make purchases already approved during the budgeting process. It is suggested the Commissioners simplify the purchasing operation to allow for budgeted acquisitions without redundant approval of the Commissioners.

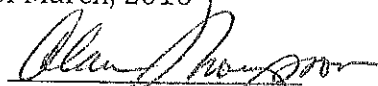
Department Heads and elected officials did not feel there was enough interaction with the Board of County Commissioners and other department heads and advocated that quarterly meetings be held to see what other departments are doing, discuss problems, and possibly share resources.

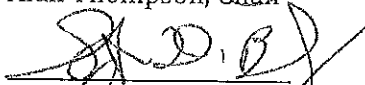
We, the Study Commissioners of Ravalli County do hereby certify that this is a Supplemental Report approved by the Study Commission of Ravalli County.

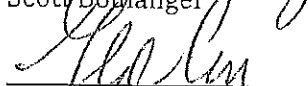
SEAL

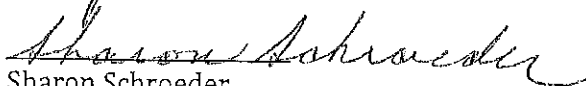
In testimony whereof, we set our hands.

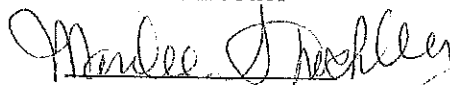
Done at Hamilton, Montana this 10<sup>th</sup> day of March, 2016

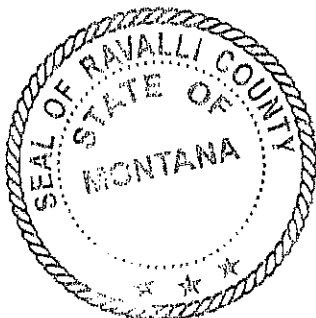
  
Alan Thompson, Chair

  
Scott Boulanger

  
George Corn

  
Sharon Schroeder

  
Marilee Shockley



Seal

ATTEST   
CLERK AND RECORDER OF RAVALLI COUNTY



EXHIBIT J

CERTIFICATE  
RAVALLI COUNTY, MONTANA  
MINORITY REPORT

TERM LENGTH FOR COUNTY COMMISSIONERS

Voters have the choice of changing from our current 4 year term of office to a 6 year term of office for County Commissioners. We believe a 4 year term works best and is consistent with good government. A 4 year term of office, or less, works for all other county offices and all branches of state government except the judiciary. This includes the Office of Governor, Attorney General, Secretary of State, Commissioner of Insurance and Office of Public Instruction. There is nothing mysterious or more complicated in the job of County Commissioner that makes it harder to master than any of these offices. In fact many of them have quite a few more moving parts. 4 year terms make elected officials more responsive to the voters and gives maximum power to the voters consistent with good government. In years in which 2 commissioners are elected it gives voters the power to totally correct the course of government if voters feel that is necessary. In years when only 1 is elected it allows voters to send a powerful message.

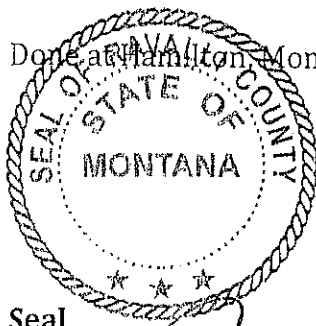
We do not believe that County Commissioners need a 6 year term based on the rationale that it takes a few years to "learn the job." The public shouldn't have to pay to educate a County Commissioner on the duties of the office. Finally, it might be argued that a 6 year term for commissioners brings a certain stability to county government. There's a fine line between stability and stagnation and the right of the voters to make frequent determinations as to how their commissioners are serving them outweighs any such dubious claim.

We, the undersigned members of the Study Commission of Ravalli County do hereby certify that this is a Minority Report.

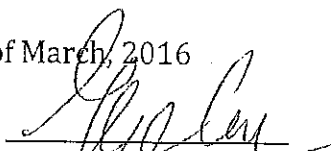
SEAL

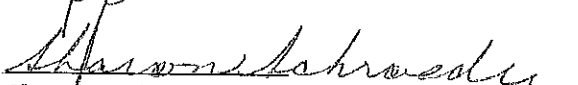
In testimony whereof, we set our hands.

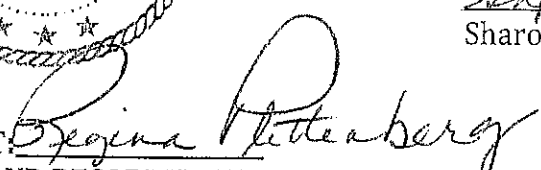
Done at Hamilton, Montana this 10<sup>th</sup> day of March, 2016



Seal

  
George Corn

  
Sharon Schroeder

ATTEST:   
CLERK AND RECORDER OF RAVALLI COUNTY



696531 - Page: 24 of 24



*Carianna M Newton*

## RAVALLI COUNTY LOCAL GOVERNMENT STUDY COMMISSION

### TRANSITION PLAN CERTIFICATE

#### Plan for the Number of Seats on the Ravalli County Board of Commissioners

At the primary election of June 7<sup>th</sup>, 2016, the voters of Ravalli County voted to reduce the number of Commissioners from five to three. In order to transition from five to three, the transition plan shall be as follows.

- A. Montana Code 7-1-358 (4) states that a change in a form of government or a plan of government may provide that existing elected officers of an office that is abolished may continue in office until the end of the term for which they were elected or may provide that the existing elected officers be retained as local government employees until the end of the term for which they were elected, and their salaries may not be reduced.

Therefore, the three current elected Commissioners shall serve their full terms of office which expire December 31, 2018. The two Commissioners who are elected in the November 2016 election shall serve two year terms which expire December 31, 2018.

- B. The three Commissioners elected in the November general election of 2018 will take office on January 1, 2019. Terms of office will be determined by Montana Code 7-3-161 (2) by the drawing of lots on their first day in office. One term shall be for two years and two terms shall be for four years.

- C. Ravalli County shall be reapportioned into three County Commissioner Districts for the purpose of apportioning seats to the Ravalli County Board of County Commissioners. These three separate districts shall reflect equal representation and authority on the Ravalli County Board of Commissioners. The area of each District shall be as contiguous, compact and equal in population as possible according to Montana Law.

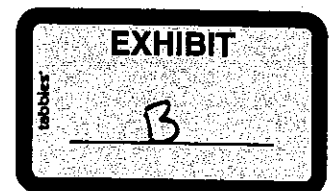
We, the Study Commissioners of Ravalli County do hereby certify that this is a Transition Plan for the Board of County Commissioners, approved by the Study Commission of Ravalli County.

SEAL

In testimony whereof, we set our hands.

Done at Hamilton, Montana this 29<sup>th</sup> day of June, 2016.

*Ret: Klarryse Murphy*





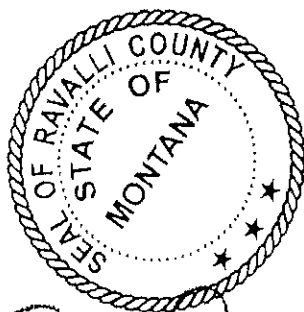
Alan Thompson  
Alan Thompson

Scott Boulanger  
Scott Boulanger

George Corn  
George Corn

Sharon Schroeder  
Sharon Schroeder

Marilee Shockley  
Marilee Shockley



Seal

Regina Pettenberg

ATTEST: \_\_\_\_\_

CLERK AND REORDER OF RAVALLI COUNTY

by S. Montgomery  
Deputy

3/10/15

written opinions for those who do not want to speak out. Alan suggested putting the survey decision off until after we have had a couple of public forums.

Alan had Glenda leave the April 21<sup>st</sup> meeting on the agenda. We can decide later if we want to keep that meeting or not.

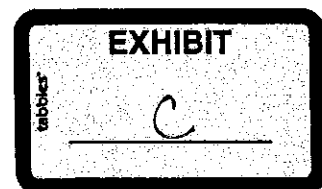
**Discuss if any upcoming LGSC Commissioner Absences:** Sharon will be back on the 14<sup>th</sup> at the end of this week. We have the public hearing in Corvallis on Monday evening at 7:00 p.m. in the lunch room of the Corvallis school. Granicus will not be available, but Jonell will be there to take written minutes. March 24<sup>th</sup> we will be in Victor. George might miss some of the meeting on the 24<sup>th</sup>. He will be there but may be late.

**Other Business:** None.

**Public Comment:** Regina pointed out precinct boundaries might need changed. If it gets changed to 3 commissioners then district boundary lines will need to be changed. Alan said GIS has already looked at district boundaries for each option just based on previous census. Regina suggested doing an internal survey that we do ourselves rather than paying MSU to do it. Alan says what MSU puts together is a survey that does not have leading questions.

Alan asked about the amount of money that is available to us. It is not to exceed \$36,500 which is levied.

**Adjournment:** Scott made a motion to adjourn. Seconded by George. All approved. Adjourned at 3:31pm.



Local Government Study Commission

June 8, 2016

**Roll Call:** Marilee Shockley, Alan Thompson, Sharon Schroeder, George Corn, Scott Boulanger

**Minutes:** George moved to approve the minutes from April 6<sup>th</sup> as written. Marilee seconded. All approved.

**Election Discussion:** 71% voted for three commissioners. Four year terms and partisan elections stayed the same. Perry called Alan today, so Alan expects we'll see an article in the newspaper in the next day or two. Alan thanked Sharon for taking the lead in getting the voter pamphlet put together and mailed. Sharon heard an inquiry over questioned if we had the summary of our finding printed in the newspaper. Yes, a short summary was published.

**Transition Plan:** Alan referred to the Montana Code 7-3-157 which states that we are responsible for making the transition plan. All commissioners running were informed that they may be running for a two year term of office. In 2018, all commissioners will run for office. On the first day of office they will draw lots for one 2 year term and two 4 year terms. Discussed the steps needed and what format to use to make the transition plan legal. We have 90 days to finalize the transition plan. George stated that he feels it is important to have our meetings published and invite public comment. Sharon felt it important to be sure to express the reason why the transition plan won't take place until 2018. The reason for this is so the current commissioners can all serve the term they were elected for. Regina already has the redistricting map completed for three districts. Sharon felt we probably need to make a certificate that explains the transition plan and also include the redistricted map as an exhibit. George asked if the last study commission had a transition plan and suggested that we could look back at that for a format. George said we should also add an introductory paragraph that states what the voters chose. Turned on the white board and wrote the transition plan.

**General Business:** Be sure to fill out mileage in a timely manner so our expenses will be final when we are ready to return our budget to the county. Sharon asked if when we are finished with the transition plan is that the end of our duties and if so, how do we dissolve. Alan read Montana Code. All committee members showed appreciation for the time each other has put into the study committee and the enjoyment felt in working together with mutual respect.

**Upcoming Meeting:** June 29<sup>th</sup> at 1:00pm

**Adjournment:** Marilee moved to adjourn at 2:55pm. Sharon seconded. All approved.

SPECIAL AND REGULAR MEETINGS  
OF THE  
RAVALLI COUNTY BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING 9:00 AM

Tuesday, July 25, 2017

Commissioners' Meeting Room  
County Administration Building,  
215 S. 4<sup>th</sup> St, Hamilton, MT 59840.

G  
JAH  
PS,  
JB RT

1. Roll Call

Commissioner Jeff Burrows, Commissioner Ray Hawk, Commissioner Chris Hoffman and Commissioner Doug Schallenberger.

Commissioner Greg Chilcott is attending NACO.

STAFF PRESENT:

Chris Taggart, minutes

2. Pledge of Allegiance

3. Public comment

None.

4. Review with approval of Ravalli County Claims (Bills/Payments) for July 25, 2017

Claims

Present:

Jana Exner, Comptroller

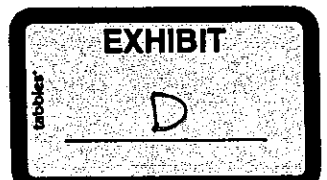
Commissioner Schallenberger moved to approve the July 25, 2017 as amended. Seconded by Commissioner Hawk. Public comment on motion: none. Discussion: none. All voted "aye" (4-0).

6. Review with Decision HOME 2nd quarter report

HOME 2nd Quarter Report

Present:

Glenda Wiles, BCC AA



Commissioner Hawk moved to approve the HOME 2<sup>nd</sup> Quarter Report as presented. **Seconded by Commissioner Schallenberger.** Public comment on motion: none. Discussion: none. **All voted "aye" (4-0).**

**7. Review with Approval Justice Court #2 (Jim Bailey) Credit Card**

Present:  
Glenda Wiles, BCC AA

Commissioner Hawk moved to approve issuing a credit card for Judge Jim Bailey with a **\$1,500.00 credit limit. Seconded by Commissioner Hoffman.** Public comment on motion: none. Discussion: none. **All voted "aye" (4-0).**

**8. Approval of June Minutes with corrections**

Commissioner Hawk moved to approve the June 2017 BCC minutes as amended. **Seconded by Commissioner Schallenberger.** Public comment on motion: none. Discussion: none. **All voted "aye" (4-0).**

**9. Review with Decision to extend contract with RBC Gravel (purchases)**

RBC Gravel

Present:  
Glenda Wiles, BCC AA

Commissioner Schallenberger moved to approve the extended contract with RBC gravel as presented. **Seconded by Commissioner Hoffman.** Public comment on motion: none. Discussion: none. **All voted "aye" (4-0).**

**10. Review with Approval Airport Lease Renewal hangar #256**

Present:  
Glenda Wiles, BCC AA

Commissioner Schallenberger moved to approve Hangar Lease 256 with Janet Turney from July 2017 thru June 2027 as presented. **Seconded by Commissioner Hawk.** Public comment on motion: none. Discussion: none. **All voted "aye" (4-0).**

**11. Commissioner Reports**

Commissioner Hawk  
Commissioner Schallenberger  
Commissioner Hoffman  
Commissioner Burrows

**5. Review with Decision Contracts for Services and insurance Requirements for Fair**

Present:  
Cryss Anderson, Fair Manager

Sax Concrete:

**Commissioner Schallenberger moved to approve the Sax Concrete contract as presented and to waive the waiver of subrogation requirement. Seconded by Commissioner Hoffman. Public comment on motion: none. Discussion: Commissioner Schallenberger, Commissioner Burrows and Cryss Anderson. All voted "aye" (4-0).**

Shadow Mountain:

**Commissioner Schallenberger moved to approve the Shadow Mountain contract as presented, to waive the waiver of subrogation requirement, approve a 35% of total contract pre-pay amount of \$2,633.75 be paid to Shadow Mountain and include a work completion date of August 20, 2017. Seconded by Commissioner Hawk. Public comment on motion: none. Discussion: Commissioner Schallenberger, Commissioner Burrows and Cryss Anderson. All voted "aye" (4-0).**

**12. Update with Human Resource Director Robert Jenni**

Present:

Robert Jenni, HR

**Commissioner Hoffman moved to approve the excess vacation time payout for the IT Director in the amount of 83 hours from account 2075-10-410000-117 with a cash code of 2075-102123. Seconded by Commissioner Schallenberger. Public comment on motion: none. Discussion: Commissioner Burrows, Commissioner Schallenberger and Robert Jenni. All voted "aye" (4-0).**

**13. Commissioners review with possible approval the re-districting map of the three new Commission Districts for 2018 filing and 2019 service, prior to being sent to District Court judge for approval**

3 Commission District Map

Commissioner Hoffman was absent/excused (for a memorial service).

Present:

Howard Recht, Civil Counsel

Kelly Christopherson, GIS

Findings of Fact:

FOF 1:

The population in each district are as even as could be calculated.

FOF 2:

The areas are distributed as equal as possible.

FOF 3:

The areas/proposed districts are as compact as possible.

FOF 4:

Ravalli County is unique as the south end of the valley is sparsely populated.

FOF 5:

The proposed map was created by GIS Department Head Ken Miller, who was not influenced by any Ravalli County elected officials in any manner.

FOF 6:

The precinct and school district boundaries were also considered in the creation of this map.

FOF 7:

The Ravalli County Study Commission had this map during their deliberations and was available to the public for review.

FOF 8:

This Proposed map was hung on the C&R entry door facing the public for review.

FOF 9:

This proposed re-districting will not affect the term of any office of an elected official who has been elected to office.

FOF 10:

This proposed re-districting map will be adopted within "more than 6 months before a primary election and the date of the general election", per MCA.

**BCC: All concurred with Findings of Fact 1-10 as proposed.**

**Commissioner Schallenberger moved to approve the proposed Commissioner District Map as presented, to include the 10 Findings of Fact as discussed here today. Seconded by Commissioner Hawk. Public comment on motion: none. Discussion: none. All voted "aye" (3-0).**

**14. Public Comment Not Otherwise on the Agenda**

None.

**15. Adjournment**

**Commissioner Hawk moved to adjourn the meeting. Seconded by Commissioner Schallenberger. All voted "aye" (3-0).**

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Glenda Wiles, Administrative Assistant