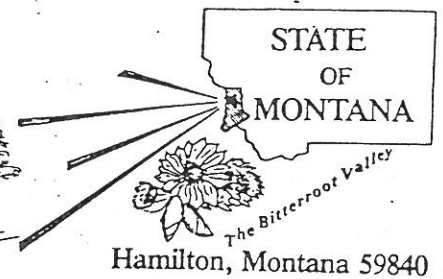
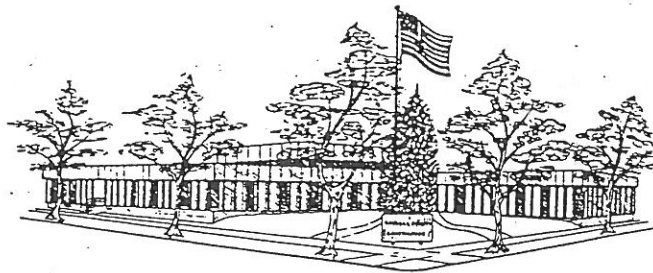


Ravalli County Local Government Review Commission



1994-1996

March 21, 1996

Fellow Citizens of Ravalli County:

In November of 1994 you elected us to review our county government. We have put in well over 1500 hours of volunteer work:

- Studying our current form of government;
- Evaluating the alternative forms available; and
- Assessing future needs.

Throughout this review we have sought advice and information from the citizens of the county. All of our meetings have been open to the public. A complete record of our proceedings is available for public review at the Ravalli County Clerk and Recorder's office.

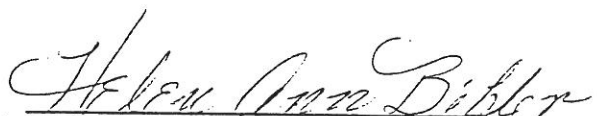
Based on this process of outreach and participation, we have prepared a Charter for Ravalli County. The Key features of this charter are

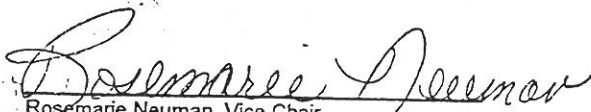
1. Adoption of Self Government powers for Ravalli County;
2. Providing the voters with the choice between Partisan or Non-Partisan elections for county offices; and, a Three (3) or Five (5) member County Commission. The three member Commission will have Six (6) year terms; the five member Commission will have Four (4) year terms.

We invite you to join us in preparing Ravalli County to meet the challenges of the 21st Century by reading our final report and casting your vote in the June 4th Primary election.

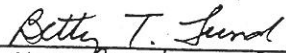
Respectfully submitted by the members of the Ravalli County Local Government Review Commission.


Robert Christ, Chairperson


Helen Ann Bibler, Member


Rosemarie Neuman, Vice Chair


Robert Johnson, Ex-Officio Member

Attest 
Betty T. Sund
Clerk & Recorder of Ravalli County

A. Comparison of Existing and Proposed Forms

Characteristic	Existing Form	Proposed Form
Form	Commission incorporates legislative, administrative, and executive functions in a single branch.	Same form with the addition of Self-Governing Charter.
Powers	<p style="text-align: center;">" General Government Powers "</p> <ul style="list-style-type: none"> * State law specifies what county can do and how it shall do it. * Limited power to pass ordinances. 	<p style="text-align: center;">" Self-Government Powers "</p> <ul style="list-style-type: none"> * County government may exercise any power which state and federal governments do not prohibit. * These powers are vested in the County Commission.
Governing Body * Size * Districts * Term	<ul style="list-style-type: none"> *3 Commissioners elected at large <li style="padding-left: 40px;">* 3 districts. <li style="padding-left: 40px;">*6 year overlapping 	<ul style="list-style-type: none"> * 3 or 5 members elected at large from <li style="padding-left: 40px;">* 3 or 5 districts <li style="padding-left: 40px;">* 6 year with 3 Commissioners <li style="padding-left: 40px;">* 4 year with 5 Commissioners
Presiding Officer	Chairman elected by members of Commission.	Same
Duties	Commission is responsible for legislative and executive functions. Administrative power is shared with other elected officials.	Same
Meetings	Perpetual open meeting	Regularly scheduled meetings with published agenda.
Chief Administrative Officer	None Administrative responsibilities distributed among Commissioners, elected officials and various boards.	Same Overall administrative and executive functions are vested in the Board of County Commissioners.
Appointment Powers	County Commission hires non-elected department heads, appoints members of boards, commissions, special districts.	Same
Budget Preparation	Commissioners prepare budget.	Standing budget committee consisting of Clerk & Recorder and at least four (4) other elected officials, department heads, administrative assistants or staff prepares budget for adoption, amendment, or rejection by County Commission.
Elections	Partisan	Partisan OR Non Partisan decided by voters on June 4, 1996 ballot.
Other Elected Officials	<p style="text-align: center;"><u>6 elected officials</u></p> <p style="text-align: center;">Sheriff/Coroner County Attorney/County Auditor Clerk & Recorder/Supt of Schools Clerk of District Court Treasurer/Surveyor/Assessor Public Administrator</p>	<p style="text-align: center;"><u>6 elected officials</u></p> <p style="text-align: center;">Sheriff County Attorney Clerk & Recorder Clerk of District Court Treasurer Public Administrator</p> <p>Supt. of Schools and Coroner to be appointed by County Commission. Other offices combined by resolution adopted by the County Commission.</p>

D. Key Provisions of the Proposed Charter Form of Government

1. SELF-GOVERNING POWERS:

The adoption of Self-Governing powers will alter the traditional relationship between the state and the county. Traditionally, the state legislature has decided what county government could do and how it should do it.

Self-Government powers will bring greater flexibility for shaping our governmental structure to solve our own problems. Along with this opportunity comes an increased responsibility to recognize our own problems. The foundation for Self-Government powers rests upon citizen participation.

2. BOARD OF COMMISSIONERS CALENDAR and AGENDA:

The County Commissioners will provide the citizens with a weekly calendar and agenda. All items requiring final action will be decided at a weekly public meeting of the Board of Commissioners.

3. EMPLOYEE COMPENSATION PLAN:

The County Commissioners will develop a compensation plan for all county employees. The plan will include: position descriptions, regular evaluations, merit compensation, and a grade-step plan.

4. STANDING BUDGET COMMITTEE:

The County Commissioners will form a standing budget committee to prepare an annual budget for the county to adopt, amend, or reject with recommendations.

5. LONG-RANGE ASSESSMENT GOALS:

The County Commissioners will develop a long-range (7 year) operational plan. The purpose of this plan is to minimize the long-term governmental costs of managing growth and providing services. The charter prescribes a set of categories to be addressed by this plan, and provides for adoption of additional categories as conditions change.

6. PARTISAN or NON-PARTISAN ELECTIONS:

Voters will decide by sub-option whether future elections for Ravalli County Officials will be conducted on a Partisan or Non-partisan basis.

7. THREE or FIVE MEMBER BOARD OF COMMISSIONERS:

Voters will decide by sub-option whether Ravalli County should be governed by a Three (3) or Five (5) member Legislative/Executive Board of Commissioners.

8. TERMS of OFFICE

If voters choose the Five member Board of Commissioners, the term of office for County Commissioners will be reduced to Four (4) years.

B. Summary Of Findings:

Our study of Ravalli County's present form of government concluded that although the present form is performing adequately, changes are necessary to increase Ravalli County's capability to manage growth and maintain the quality of life in our county.

- **Local Control:** Elected officials and citizens alike expressed frustrations about the limitations imposed by the existing General Purpose Form of Local Government.
- **Citizen Participation:** Currently, the Ravalli County Commission maintains a perpetual open meeting policy for making decisions. Citizens expressed frustration about not knowing what or when the Commissioners were deciding on items requiring final action. Others felt six year terms were too long to keep the Commissioners in touch with the electorate. Many felt partisan labels do not have a role in local affairs and may keep some people from running for office.
- **Lack of Uniformity and Common Direction:** Ravalli County government currently consists of a three member County Commission, plus six elected officials, and seven semi-autonomous departments. Occasionally this results in disparities or a lack of coordination. Personnel policy and budgeting are two areas where lack of uniformity appears to be most problematic.
- **Rapid Growth and Changing Roles:** For the past two years, Ravalli County has been the fastest growing county in Montana. For county government, population growth translates directly into increased demand for services. State and federal government initiatives promise to shift responsibilities to other levels of government, creating new roles for county government.
- **Accountability of County Commission & Elected Officials:** Repeatedly, many citizens voiced their desire to maintain control over county government through the election process. Many stated the overlapping six year terms of the Commissioners were too long to make this realistic. Others expressed concerns about concentrating too much authority in a three member County Commission.

C. Summary Of Recommendations:

Having thoroughly studied our present form of county government, evaluated the alternative forms of government available to counties under state law, and assessed the future governmental needs of Ravalli County, the Ravalli County Local Government Study Commission recommends:

1. Ravalli County adopt the Charter Form of government with self-governing powers, effective January 6, 1997;
2. Legislative/Executive powers of this government will continue to be vested in a Board of County Commissioners. Voters will decide by selecting from these sub-options:
 - A. whether this Commission will consist of **Three** or **Five** members;
 - B. whether County Officials will be elected on a **Partisan** or **Non-Partisan** basis.
3. The County Commission will be required to
 - Publish a weekly calendar and agenda for a public meeting on items requiring final action;
 - Form a standing budget committee;
 - Adopt a uniform county personnel policy; and,
 - Develop and annually update a long-range assessment.

Supplementary Report to Ravalli County Board of Commissioners and Citizens

The Ravalli Local Government Study Commission has spent fifteen months studying county government. Elected officials and department heads were interviewed. The county budget was analyzed. Citizens were surveyed. The operations of county government were examined. The form of government was studied and compared to others allowed by Montana statute.

Through this process, the Study Commission found much that we can all be proud of about our county government. One of the things that stands out is how much we do get out of every local government tax dollar expended. Dedicated employees, volunteerism, and community service add substantial value to the limited resources available to Ravalli County. The example of the unflinching service of our Volunteer Fire Departments cooperating with one another in responding to emergencies was an inspiration to each of us throughout the study process.

Though there is much that is right about county government, there is still room to improve. Several recommendations for change that were repeatedly brought to the attention of the Ravalli County Study Local Government Study Commission include:

1. 911 should be moved out of the jail, and the dispatcher position reclassified to allow for more training and pay.
2. Separate offices for the County Commissioners would benefit the administration of the county and would allow better communication with citizens.
3. Department heads should meet regularly. The County Commissioners should attend these meetings at their own discretion.
4. The Public Health Officer position should be increased as needed with a commensurate increase in pay.
5. All county departments should continue to upgrade their capability to utilize electronic information processing technologies.
6. The Treasurer should employ someone to collect delinquent taxes.
7. Appropriate county offices, such as Clerk and Recorder, Treasurer, Clerk of District Court, should adopt a policy of accepting credit card payments.

Many additional concerns expressed to the Study Commission by Ravalli County citizens could not be addressed within the framework of a review of county government. Therefore, whether or not the charter passes, the Ravalli Local Government Study Commission recommends the Ravalli County Commissioners use their existing powers to appoint citizen commissions to address specific issues of public interest between now and the year 2005, the next review of local government.

The duties of these commissions would be to study and make recommendations about Ravalli County's relationships to state government, federal government, and other local governments.

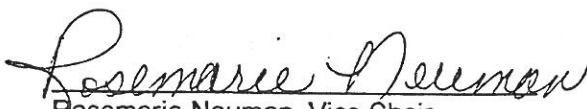
Provisions of the Ravalli County Charter that should be set in motion if the Charter fails to pass are:

- A. A weekly calendar and an agenda for each weekly public meeting at which final action requiring a vote of the Ravalli County Commissioners should be published.
- B. A standing budget committee established by resolution of the Ravalli County Commissioners should be appointed to prepare the county budget. The budget committee should consist of the Clerk and Recorder and at least four other elected officials, department heads, administrative assistants or staff.
- C. The Ravalli County Commissioners should prepare a seven (7) year assessment goals statement for the county and update it annually.
- D. The Ravalli County Commissioners should set by resolution the compensation of all non-elected department heads and other county employees by adoption of positions descriptions, a personnel evaluation system, a merit and grade step compensation plan.
- E. The District Court Judge and the Ravalli County Commissioners should enter into an agreement concerning the administration of the Office of the Clerk of District Court.
- F. It is recommended that if the sub-option for Non-Partisan gains a majority of the vote of the people, the County Commissioners consider instituting non-partisan elections.
- G. It is recommended that if the sub-option for Five (5) Board of Commissioners gains a majority of the vote of the people, the County Commissioners consider expanding the board.

The Ravalli Local Government Study Commission recommends that the Ravalli County Commissioners review these suggestions and respond within one year; (Mont. Code Ann. 7-3-190).


Robert Christ, Chairperson


Helen Ann Bibler, Member


Rosemarie Neuman, Vice Chair


Robert Johnson, Ex-Officio Member

Attest: 
Clerk & Recorder of Ravalli County

Signed this _____ Day of March, 1996,

Ravalli County Charter

PREAMBLE

We, the people of Ravalli County, trusting in God and in our own abilities, and seeking to empower ourselves and future generations with the ability to provide, protect and preserve a high quality of life, diversity and good character in a community of goodwill, love, liberty and equal opportunity for all, now therefore ordain and establish this Charter.

ARTICLE I POWERS OF THE COUNTY

Section 1.01 Self-Governmental Powers of Ravalli County

Ravalli County has all possible powers that a self-government powers county may have under the Constitution and laws of the United States and the State of Montana as fully and completely as though they were specifically enumerated in this Charter. This Charter shall not exercise any self-governmental power which is denied by state or federal law.

Section 1.02 Interpretation of Powers

The powers and authority granted through this charter shall be construed as defined in Article XI, Section 6 of the Montana Constitution. Every reasonable doubt as to the existence of a county power or authority shall be resolved in favor of the existence of that power or authority.

Section 1.03 Restriction on Powers

(1) The mill levy shall be limited to that of Montana county governments with general government powers, except with the prior approval of a majority of the electors voting on the question in a general or special election.

(2) All county license, user permit, or other types of fees shall not be established, except by ordinance, after the required public hearings.

Section 1.04 Charter Supremacy

As provided by Article XI, Section 5 of the Constitution of the State of Montana, provisions herein establishing executive, legislative and administrative structure and organization are superior to statutory provisions.

ARTICLE II LEGISLATIVE BODY

Section 2.01 Legislative Body

The elected legislative body of Ravalli County shall be the Board of County Commissioners which shall have the power to set policy by adoption of lawful ordinances and resolutions.

Section 2.02 Composition

The Board of County Commissioners shall be composed of three (3) or five (5) Commissioners, the number to be determined by the electorate at the time this Charter is adopted. Each Commissioner shall be elected at large, one elected from each election district.

Section 2.03 Qualifications for Office

(1) Every resident of Ravalli County who is 18 years of age or older, a citizen of Montana and a qualified elector pursuant to Article IV, Section 2 of the Montana Constitution, is eligible to hold the office of Commissioner for the district in which the individual resides.

(2) No one shall be elected as a Commissioner who has not resided in the county for at least four (4) consecutive years immediately preceding the time when the individual becomes an officially filed candidate for said office.

Section 2.04 Term of Office

If a three-member board of County Commissioners is chosen by the electorate, members of the commission shall be elected for six (6) year overlapping terms of office. One Commissioner shall be elected every two (2) years.

If a five-member board of County Commissioners is chosen by the electorate, the members of the commission shall be elected for four (4) year terms of office. The Commissioners representing even-numbered districts, and the Commissioners representing odd-numbered districts, shall be elected alternately every two years.

Section 2.05 Vacancies and Removal

(1) The office of a County Commissioner shall become vacant upon death, resignation, or removal from office in any manner authorized by state law or this Charter.

(2) A County Commissioner shall be removed from office for any of the following reasons:

- (a) the Commissioner is ineligible or unqualified for the office;
- (b) the Commissioner is declared totally and permanently incapable of continuing to perform the duties of the office by a panel of three (3) physicians. The procedure for convening such a panel of physicians shall be established by ordinance;
- (c) absence from the county for thirty (30) consecutive days without the approval of the County Commission;
- (d) conviction of a felony, or an adjudication that the Commissioner violated the Montana Code of Ethics;
- (e) failure to remain resident and domiciled within the district which the Commissioner represents;
- (f) recall by the electorate; or

(g) Commissioner's persistent and continuing failure or refusal to perform the duties of office, including but not limited to, attendance at regular meetings.

(3) Should a vacancy occur in a County Commissioner position, the County Commission shall, by a majority vote of all remaining members, within sixty (60) days after the vacancy occurs, appoint a person eligible to hold such office, to fill the vacancy until the next regular election. This vacancy shall be filled by an individual meeting the qualifications for office set forth in section 2.03.

(a) If the Commissioner was elected or appointed on a partisan basis, the replacement shall be selected from a list of at least three (3) names supplied, by the county central committee that represents the party in office immediately prior to the vacancy, within thirty (30) days of the vacancy; or

(b) If the Commissioner was elected or appointed on a non-partisan basis, the replacement shall be selected from a list of at least three (3) names supplied by each central committee representing that district in which the vacancy occurred, within thirty (30) days of the vacancy.

Section 2.06 Commission Chair

At the first Monday meeting of each calendar year, the County Commission shall elect from its membership a chair and a vice-chair, who shall act in the absence of the chair. The chair shall be the presiding officer at County Commission meetings and shall be responsible for setting and publishing the agenda for each meeting. At the request of any two Commissioners, additional items may be added to the agenda prior to its publication.

Section 2.07 Powers and Duties

The legislative power of the county government shall be vested in the County Commission and may be exercised only by ordinance or by resolution. The County Commission is the policy determining body of the county and has all the legislative powers and duties of the county that are not otherwise reserved to the people or to the state by

law. The County Commission shall have such other powers and duties as delegated to it by this charter.

Section 2.08 Procedure, Meeting Time, and Place

(1) The County Commission shall hold at least one public meeting each week; all final action requiring a vote of the County Commissioners shall be conducted at that public meeting, or tabled for a later public meeting. The County Commission shall establish by resolution, consistent with the requirements of the law and this Charter, rules of procedure, and time and place, of this and all other meetings. An agenda for all regularly scheduled County Commission meetings shall be prepared in writing in advance, and made available to the public.

(2) The County Commission shall produce, in writing and in advance, a weekly calendar and an agenda for each weekly public meeting at which final action requiring a vote of the County Commission shall be conducted, and shall:

(a) publish open meeting agenda no later than three (3) days in advance in a newspaper of general circulation published in the county;

(b) provide agenda and calendar to all newspapers published in the county;

(c) provide agenda and calendar to all local radio and television stations broadcasting in the county; and,

(d) mail agenda and calendar at least three (3) days in advance to anyone requesting regular dissemination of such information in writing.

(3) In an emergency or exigent circumstance, the County Commissioners may meet and act and shall only be required to give such public notice thereof, if any, as is reasonably warranted under the circumstances. However, as soon as is practical thereafter, the County Commissioners shall notify the public of any action taken.

Section 2.09 Advisory Boards, Commissions and Committees

The County Commission may, by ordinance create or abolish such advisory county boards, commissions, and committees as required to serve the best interests of the county. Members of the boards, commissions, and committees shall be appointed by the commission chair with an affirmative vote of a majority of the County Commission unless otherwise provided by ordinance or interlocal agreement.

Section 2.10 Compensation

The County Commission shall establish by resolution the annual compensation of its members, the commission chair, and other elected county officials in accordance with state law; and shall establish by resolution the annual compensation of appointed department heads, advisory boards, commissions and committees.

Section 2.11 Quorum

A majority of the Commissioners shall constitute a quorum.

Section 2.12 Method of enacting Ordinances and Resolutions

County ordinances and resolutions shall be enacted in accordance with State law. The County Commission shall, by ordinance, establish the procedure whereby resolutions shall be adopted.

**ARTICLE III
EXECUTIVE BODY**

Section 3.01 Executive & Administrative Functions

The chief executive and administrative functions of Ravalli County government shall be vested in the Board of County Commissioners, who collectively shall act as the chief executive officer of the county, and whose terms of office and method of selection are set forth in Article II of this Charter.

Section 3.02 Powers and Duties

The County Commissioners shall have the authority to:

- (1) enforce laws, ordinances, and resolutions and carry out policies established by the commission;
- (2) perform the duties required by law, ordinance, or resolution;
- (3) administer the affairs of Ravalli County government;
- (4) prepare and publish a commission meeting agenda;
- (5) execute bonds, notes, contracts, and written obligations of the county;
- (6) approve, adopt and administer the county budget as proposed in this charter;
- (7) appoint and remove all members of boards, commissions and committees;
- (8) appoint, supervise, administer, suspend and remove by due process all department heads who are not elected;
- (9) exercise direct control and supervision of department in the absence of a non-elected department head;
- (10) prepare, approve, adopt and administer general county personnel policy;
- (11) consolidate two or more Ravalli County offices as provided in Mont. Code Ann. § 7-4-2301;
- (12) exercise any other power or duty pertaining to the executive office under State law or under this Charter.

Section 3.03 Supervision of Elected Officials

The County Commissioners shall have the authority to supervise the official conduct of all elected officers, to see that they faithfully perform their duties, to prosecute them in accordance with the law if they are delinquent in their duties, and, when necessary to require them to renew their official bonds, make reports, and present their books and accounts for inspection.

(a) The Chief District Judge of the twenty-First Judicial District shall have authority to supervise the official conduct of the Clerk of District Court with respect to records management, case management, and the progress and implementation of automation technology. The exercise of this authority shall not infringe upon the County Commissioners' general powers, including budget authority.

Section 3.04 Administrative Assistants

The Commission may employ one or more administrative assistants to assist in the operation of county government.

Section 3.05 Budget

(1) The County Commissioners shall approve, adopt and administer the County budget in compliance with the requirements of this Charter and state law. The County shall budget to meet the needs of the county and the county's Long-Range Assessment Goals.

(a) A standing budget committee consisting of the Clerk and Recorder and at least four (4) other elected officials, department heads, administrative assistants, or staff as determined by resolution of the County Commissioners, shall prepare the county budget. The budget committee shall solicit and obtain requested budgets from each elected official and department head, and shall recommend funding by department. The committee's budget shall be signed by the Clerk and Recorder and submitted to the County Commissioners for adoption, amendment, or rejection with recommendations.

(b) Each elected officer and department head shall administer the funds budgeted for his or her department.

Section 3.06 Long-Range Assessment Goals

The County Commissioners shall cause a Long-Range Assessment of at least seven (7) years duration to be prepared for the county, and shall update it annually. The county's Long-Range Assessment shall consider, in addition to any other matters of public concern:

- (1) growth: schools, services, public safety;
- (2) economy and commerce;
- (3) land use: agriculture, natural resources;
- (4) water use: irrigation, quantity, quality, development;
- (5) environmental quality and waste disposal;
- (6) welfare and human services;
- (7) roads and public transportation;
- (8) governmental facility needs and use;
- (9) telecommunications; and
- (10) cultural and historic resources.

ARTICLE IV JUDICIARY

Section 4.01 Creation of Justice Court

There must be at least one Justice Court located at the county seat. The County Commissioners may, by resolution, constitute such additional Justice Courts as permitted by law, which Courts may be located in such places as provided by law.

Section 4.02 Operation of Justice Court

The creation, operation, funding, and jurisdiction of each Justice Court shall be in accordance with state law.

Section 4.03 Justice of the Peace

The qualifications, election, certification, training, term of office, compensation, and duties of each Justice of the Peace shall be in accordance with state law.

ARTICLE V ELECTED OFFICIALS AND DEPARTMENTS

Section 5.01 Elected Officials

The following department heads shall be elected, and shall have the powers and duties prescribed by law, except as expressly modified by this Charter:

- (1) Sheriff
- (2) County Attorney
- (3) Clerk and Recorder
- (4) Clerk of District Court
- (5) Treasurer
- (6) Public Administrator

Section 5.02 Term of Office

The elected officials designated in section 5.01 shall serve for a term of four (4) years.

Section 5.03 Qualifications for Elected Office

Any citizen residing in Ravalli County, Montana, who is at least 18 years of age, and a registered elector in the county, shall be eligible to hold any elected office designated in section 5.01, except the office of County Attorney. The qualifications for the office of County Attorney shall be those prescribed by state law.

Section 5.04 Election, Removal, Vacancy

The election procedure, the grounds and procedure for removal, and the procedure for filling any vacancy pertaining to those elected offices designated in section 5.01 shall be as prescribed by state law.

Section 5.05 Deputy Officers

Each elected officer designated in section 5.01 shall have the authority to employ, with the consent of the County Commissioners, as many deputies or assistants as may be necessary for the faithful and prompt discharge of the duties of the office.

Section 5.06 Non-Elected Departments

The County Commissioners shall, by ordinance, establish the functions, duties, powers and structure of all other departments. The County Commissioners shall establish the qualifications for appointment, and shall employ department heads, upon such terms and conditions as the Commissioners establish by resolution.

(a) A County Superintendent of Schools shall be appointed and shall have the qualifications specified in state law.

(b) A Coroner shall be appointed and shall have the qualifications specified in state law.

Section 5.07 Consolidation of Offices

The County Commissioners shall have the authority to consolidate any two or more offices as provided in Mont. Code Ann. § 7-4-2301.

Section 5.08 Authority to Employ; Compensation

(1) The County Commissioners shall have the authority, by resolution, and on behalf of the county, to employ all county employees, to contract for services, and to arrange with volunteers; and shall have the authority to establish by resolution, and in compliance with this Charter, all terms and conditions of such employment, contracts and arrangements. Notwithstanding the foregoing:

(a) the County Commissioners shall delegate to each elected officer the authority to employ

all employees and volunteers within that officer's department;

(b) the County Commissioners may delegate to each non-elected department head the authority to employ all employees and volunteers within that department.

(2) The County Commissioners shall have the authority to:

(a) set by resolution the compensation of all elected officials designated in section 5.01, which compensation shall, at a minimum, be that required by state law;

(b) set by resolution the compensation of all non-elected department heads and other county employees. The County Commissioners shall adopt position descriptions, personnel evaluations, merit compensation and a grade-step compensation plan.

ARTICLE VI

DISTRICTS AND APPORTIONMENT

Section 6.01 County Name; Boundaries

(1) The corporate name of this county shall be Ravalli County, Montana. The county boundaries and seat, Hamilton, Montana, shall remain unaffected by this charter.

(2) If a three-member board of County Commissioners is chosen by the electorate, the boundaries of each of the three (3) districts shall be as currently instituted, and shall thereafter be reapportioned in accordance with state law and this Charter.

(3) If a five-member board of County Commissioners is chosen by the electorate, the boundaries for five districts shall be determined and thereafter reapportioned in accordance with state law and this Charter.

(4) Upon reapportionment, the boundaries of each district shall correspond as nearly as possible with boundaries of election precincts or school districts and shall be drawn to produce districts with compact and contiguous territory, composed of geographic units and natural communities which are approximately equal in population.

Section 6.02 Apportionment

The county shall reapportion itself every ten years. Within sixty (60) days after the publication of the federal decennial census and the effective date of the final plan for redistricting and reapportionment of the state into legislative districts, the election administrator shall prepare a reapportionment plan in accordance with state law and this Charter.

Section 6.03 Approval

The county election administrator shall submit its reapportionment plan to the County Commission at a regularly scheduled meeting with ninety (90) days. With thirty (30) days after submission, the County Commission shall return the plan to the election administrator with its recommendations. Within thirty (30) days thereafter, the election administrator shall file its plan with the Chief District Judge and it shall become law upon approval by the District Judge.

ARTICLE VII

GENERAL PROVISIONS

Section 7.01 Amendment of Charter

(1) An amendment to a self-government charter or an adopted alternative form of government may only be made by submitting the question of amendment to the electors of the local government. To be effective, a proposed amendment must receive an affirmative vote of a majority of the electors voting on the question. An amendment approved by the electors becomes effective on the first day of the local government fiscal year following the fiscal year of approval unless the question submitted to the electors provides otherwise.

(2) An amendment to a self-government charter or an adopted alternative form of government may be proposed:

(a) by initiative by petition of 15% of the electors registered at the last general election of the local government or,

(b) by ordinance enacted by the governing body.

The question on amendment of a charter or an

adopted alternative form of government must be submitted to the electors at the next regular or primary election.

Section 7.02 Effective Date

This Charter shall become effective January 6, 1997.

Section 7.03 Oath of Office

Before assuming the duties of office, all elected county officials shall take and subscribe to the oath of office as prescribed in Article III, Section 3 of the Constitution of the State of Montana.

Section 7.04 Recall

The people of Ravalli County may exercise initiative, referendum, and recall as provided by state law.

Section 7.05 Removal of Elected Officials

Any elected official who does or suffers an act which, by the provisions of this Charter or other law, creates a forfeiture of his or her office, or which constitutes grounds for removal from office, may be removed from office by the issuance of a Quo Warranto Writ, obtained pursuant to state law.

Section 7.06 Open Government

All meetings and records of Ravalli County shall be open to the public as provided by state law.

Section 7.07 Severability

The provisions of this Charter are severable. If any provision of this Charter is held invalid, the other provisions of the charter shall not be affected thereby.

Section 7.08 Initiative and Referendum

The legislature shall extend the initiative and referendum powers reserved to the people by the constitution to the qualified electors of each local government unit.

**ARTICLE VIII
TRANSITIONAL PROVISIONS**

Section 8.01 General Transition

The county study commission shall prepare an advisory plan for orderly transition to a new plan of local government. The County Commission shall provide for such transition by ordinance, rule or resolution not inconsistent with state law. The provisions of this transition article shall not be published as part of this charter after July 1, 1999.

Section 8.02 Effect of Change in Government

(1) All ordinances, resolutions and policies in effect at the time the new form of government becomes effective shall continue in effect until repealed or amended in the manner provided by law.

(2) The adoption of this charter shall not affect the validity of any bond, debt, contract, obligation, or cause of action accrued or established under the prior form of government.

Section 8.03 Continuation in Office

No county employee currently holding a county office will lose employment solely because of the adoption of this Charter. Except as provided herein, elected officials holding office at the time this Charter is adopted may continue in office until the end of the term for which they were elected, at which time the offices of elected department heads not enumerated in Section 5.01 shall be appointed by the County Commissioners, or vacated.

Notwithstanding the foregoing, if a five-member board of County Commissioners is chosen by the electorate, then a general election for all five Commissioners shall be conducted in 1998, and the terms of all serving Commissioners shall terminate upon the taking of office by those so elected. Those Commissioners elected to represent even-numbered districts shall serve for an initial term of two years, but shall thereafter serve for a term of four years; those Commissioners elected to represent odd-numbered districts shall serve for a term of four years.

We, the Local Government Review Commission of Ravalli County do hereby certify that this is the Final Proposed Plan.

In testimony whereof, we set our hands.

Done at Hamilton, Montana on this 25th day of March, 1996.

Betty T. Lund
Betty T. Lund, Ravalli County Clerk and Recorder

Attest:

March 25, 1996
Date

Robert Christ
Robert Christ, Chairman

Rosemarie Neuman
Rosemarie Neuman, Vice chair

Helen Ann Bibler
Helen Ann Bibler, member

Robert Johnson
Robert Johnson, ex-officio member

RAVALLI COUNTY STUDY COMMISSION MINORITY REPORT

I, the undersigned member of the RAVALLI COUNTY 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.

I ran for the position for local government review with an open mind and in good faith. We were to be a working group of THREE persons ELECTED to the Study Commission.

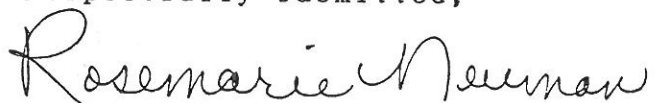
I felt that I was excluded in some of the decisions.

Many, many people contacted me that they felt three Commissioners could handle the job. Many were concerned of the cost of extra Commissions. I feel the sub-option of five Commissioners will weaken the chance of the Charters passing.

MY BELIEF IS THAT A GOVERNMENT THAT GOVERNS LEAST GOVERNS BEST.

There are some good things in the Charter and some I disagree with!

Respectfully submitted,



Rosemarie Neuman
Ravalli County Study Commission

**CERTIFICATE
ESTABLISHING THE OFFICIAL BALLOT FOR
THE JUNE 4, 1996 PRIMARY ELECTION**

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

BALLOT ON THE 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-options also fail.
If the proposed form is adopted, the sub-option requires only a plurality of votes cast on the sub-option for adoption.

PLEASE VOTE ON ALL THREE ISSUES

1.

vote for one

- For adoption of the Charter form of government proposed in the report of the Ravalli County Local Government Study Commission.
- For the existing form of government.

2.

vote for one

Sub-option to be included in the new form of government, if the Charter is adopted. Local government election:

- Shall be conducted on a partisan basis.
- Shall be conducted on a non-partisan basis.

3.

vote for one

Sub-option to determine the number of county commissioners, their terms of office, and the number of districts for the new form of government, if the Charter is adopted. The board of county commissioners shall:

- Consist of 3 members, elected at large, one elected from each of 3 districts, serving for 6 year overlapping terms of office.
- Consist of 5 members, elected at large, one elected from each of 5 districts, serving for 4 year terms of office. Commissioners representing even-numbered districts, and commissioners representing odd-numbered districts, to be elected alternately every 2 years.