

MAYOR
Joe Purcell

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

406 North Cheyenne
Hardin MT 59034

**Government Review Study Commission Meeting
AGENDA**

**November 26, 2024
5:15 p.m.**

Council Chambers
401 N. Cheyenne
and by virtual meeting

Join Zoom Meeting
<https://us02web.zoom.us/j/9897104479>

Meeting ID: 989 710 4479
One tap mobile
+13462487799,,9897104479# US (Houston)
+16694449171,,9897104479# US

AUDIO RECORDING BEGINS

PUBLIC COMMENT:

- Elect Temporary Presiding Officer
- Electing Bylaws
- Electing Permanent Officers
- Adopting a Budget
- Adopting a timetable to be published
- Trainings
- Public Comment

Meeting adjourned at _____ P.M.

**Meetings are Audio Recorded ONLY
Montana Legislature House Bill 890**

Scope of Montana's Local Government Review

Power

In Montana (Shared Powers):

General (default): Able to exercise the power and authority explicitly granted by the legislature.

MT Constitution, Article XI, Section 4. General-governing powers. An incorporated city or town has the powers of a municipal corporation and legislative, administrative, and other powers provided or implied by law.

Self: Able to exercise any power and authority not explicitly denied by the legislature.

MT Constitution, Article XI, Section 6. Self-government powers. A local government unit adopting a self-government charter may exercise any power not prohibited by this constitution, law, or charter.

Examples of authority available under self-governing powers, but not general-governing powers:

- Provide additional services not permitted by the legislature, such as an electric or natural gas utility
- Lawfully acquire and operate utilities (gas, electric) within and outside the boundaries of its jurisdiction
- Greater authority to dispose of public lands
- Mandatory Seatbelt Ordinance
- Local Development Code to Regulate Sale of Alcoholic Beverages
- Require All Residents to Connect to City Water Supply
- Finance Future Expansion of City Water and Sewer System through System Development Fees
- Power to Prohibit Door-to-Door Solicitation

Form

- (1) **the Commission-Executive form (council-mayor)** *Title 7, Chapter 3, Part 2*
 - a. Council/commission elected directly by the citizens
 - b. Executive (mayor) elected directly by the citizens
 - c. Co-equal branches of government
- (2) **the Commission-Manager form** *Title 7, Chapter 3, Part 3*
 - a. Council/commission elected directly by the citizens
 - b. Council/commission hires professional manager based on knowledge, skills, and experience to serve as the chief executive of the local government
 - c. Council supervises manager
- (3) **the Commission form/ Elected County officials Form** *Title 7, Chapter 3, Part 4/ 7-3-111, MCA*
 - a. Commission elected directly by the citizens
 - b. Commission serves in both legislative and executive roles

- (4) **the Commission-Presiding Officer form** *Title 7, Chapter 3, Part 5*
 - a. Commission elected directly by the citizens
 - b. Commission elects presiding officer from its own number
 - c. Presiding officer retains all legislative duties during meetings, also operates as executive outside of meetings
- (5) **the Town Meeting form** *Title 7, Chapter 3, Part 6*
 - a. Electorate is the legislative branch, 10% of population constitutes a quorum
 - b. Citizens elect a town presiding officer who serves as the chief executive officer
 - c. Only available to incorporated cities and towns of less than 2,000 people
- (6) **the Charter form** *Title 7, Chapter 3, Part 7*
 - a. Written document establishing executive, legislative, and administrative structure and organization of the local government and are superior to statutory provisions
 - b. Can look like any of the other forms or be a structure unique to the local government
 - c. Must adopt self-governing powers with Charter form

Plan

There are several areas of consideration that can be customized to meet the local needs of a community under the plan of government. The plan allows choice of sub-options depending on the form of government.

Examples of areas of consideration with the plan of government (*this is not an exhaustive list*):

- Elections are held
 - By wards
 - At large
- Elections are
 - Partisan
 - Non-partisan
- The terms of office are
 - Concurrent
 - Overlapping
- The executive:
 - May veto an ordinance or resolution, subject to override by the council
 - Shall sign all ordinances and resolutions passed by the council with no veto power
- The executive may appoint and remove employees:
 - Without consent of the council
 - With consent of the council when hiring department heads
 - Only with consent of the council

Example topics **NOT** included in the scope of the local government review

- Removing or disciplining staff members or individuals serving in elected office
- Adding, changing, or removing services, programs, policies, or ordinances
- Changing the elections process
- Fees, assessments, taxes, or other service funding mechanisms

Study Commission's First Meeting

Presented by the MSU Local Government Center
November 2024



Study Commissioner Term of Office

The term starts on either:

- The day that the election is certified (7-3-178(1), MCA)

OR

- The day they are appointed by the governing body to fill a vacant seat, which needs to happen within 20 days of the election (7-3-176(5), MCA)

Study Commissioners need to complete the oath of office and file it prior to taking any official action.

Calling the First Meeting

- The first meeting must be held within 10 days of beginning of term of office (7-3-179, MCA)
- The meeting shall be set by the presiding officer of the governing body the study commission will examine (7-3-179, MCA)
- The meeting must have an agenda and be properly noticed to comply with Montana's open meeting laws (7-3-182, MCA)
- Minutes of all meetings must be taken and submitted after approval

First Meeting Agenda

- The first meeting should include discussion and potential action on the following topics:
 - Elect temporary presiding officer
 - Adopting bylaws
 - Electing permanent officers
 - Adopting a draft budget for approval by the governing body
 - Adopting a timetable to be published in the newspaper within 90 days (7-3-186, MCA)

Resources Available



MSU Local Government Center's online course and resource library – November 12th



In-person Study Commission orientations – December 5, 10, 11, 12



Phone or Teams virtual technical assistance



In-person training



Visit www.msulocalgov.org for more details

*****LINK to video from LGC Dan Clark, Ashley Kent, and Lydia Maunz about training

<https://youtu.be/TCOT15JS4-k>

filing review – where they need to be submitted etc.

6 Week Course

Montana's Local Government Voter Review



A unique provision in Montana’s Constitution is the decennial Local Government Review. This voter-initiated review of municipal and county governments is an opportunity for locally elected study commission to evaluate the existing structure of government and compare it to alternatives structures available under the state law and proposes changes, if warranted, to the local electorate for adoption.



[Study Commission](#)
[Information](#)



[Public and Media](#)
[Resources](#)

Useful Information

[FAQ](#)

[2024 - 2026 Voter Review Timeline](#)

[Sample Budget](#)

[Sample Local Government Voter Review Budget \(PDF\)](#)

[Power, Form, & Plan](#)

[Structural Options Quick Reference Guide \(PDF\)](#)

[Drafting a Resolution](#)

According to [7-3-173, MCA](#), **ALL** county and municipal governments must pass a resolution every ten years that calls for an election on the question of conducting a local government review and establishing a study commission. This resolution must be passed and submitted to the County Elections Administrator by **March 11, 2024**, and the question will subsequently appear on the ballot at the primary election held on June 4, 2024. The ballot language is mandated by [7-3-175, MCA](#) .

If the voters decide in favor of conducting a local government review, the study commissioners will be elected during the general election on November 5, 2024 pursuant to [7-3-176, MCA](#). After the study commission completes its work, their proposed changes will be placed on the ballot for the voters to decide in the general election in November 2026.

The resolution calling for the election **must specify the number of members** to be elected and **must include the dollar amount OR number of mills that will be permissively levied to fund the activities of the Study Commission**. Statute used to specify that 2-mills would be levied but that provision was amended in 1999 to make the levy "*subject to [15-10-420](#)*", which meant that the study commission had to be funded out of existing sources. That provision was repealed in 2007 and language was added to say: "**the local government may levy mills in excess of all other mill levies authorized by law to fund the appropriation for the support of the study commission**". *The amount to be included in the Resolution and Ballot language may be locally determined and is outside of your 15-10-420 levy limit. Any money remaining in the Study Commission Fund at the end of the two year cycle reverts to the municipality's general fund.*

[Sample Resolution](#)

[Developing a Budget](#)

To assist you in developing a budget, here are some thoughts on how to determine the dollar amount to include in the resolution:

- When deciding the dollar amount to include in the ballot, the statute says "OR" . So **choose either a dollar amount or a mill value but NOT both**.
- **Number of study commissioners** - In 2004, the typical study commission size was 3-5 members. Missoula County and City of Missoula both had 7 and the largest commission was Butte/Silverbow at 9. Several smaller communities elected 5 commissioners (i.e. Walkerville, Virginia City and Sunburst) while some larger communities had only 3 commissioners (i.e. Dillon, Whitefish, Livingston). Five commissioners is a good size. It could become overwhelming for 3 volunteers to meet the demands and expectations of the review process and 7-9 could become unwieldy and a challenge to manage. See [7-3-177, MCA](#) for more information on the composition of the study commission.
- **Annual budget** - when the commissioners take office 10 days after they have been elected/appointed, [7-3-179, MCA](#), they will need to prepare an annual budget to support

their deliberations. **Make sure you have appropriated sufficient funds for Study Commission expenses in the FY24/25 budget for the duration of the voter review cycle (2024 - 2026).**

- When calculating the expenses, we highly recommend that you budget for the cost of sending the Study Commission to a Local Government Review Study Commission Regional Workshop in December 2024, which will provide training on the role and scope of the study commission. More information on the training will be available in the coming weeks. **The cost of the training, travel, lodging and per diem is the responsibility of each local government.**
- In addition to the number of Study Commissioners, you will need to **appoint an ex-officio member to represent the city/town** and to liaise with the commission. This person is encouraged to participate in all trainings and should be included in the calculations when determining the dollar/mill value.
- Include a budget for 2 separate elections: 1) the election of study commissioners; 2) the adoption by the voters of the alternative form or plan of government recommended by the study commission.
- Include printing costs for reports, clerical support, community open houses, community surveys, etc.

In summary, if you have **5 commissioners + 1 ex-officio member** you will need to budget for the following:

- 1.** Roundtrip mileage from your city/town to regional training location, meals (state rate), registration, hotel (\$120/ea/night 1-3 nights depending on distance) for each study commissioner;
- 2.** The cost for additional training/consultants (current half-day LGC rate + travel for LGC staff);
- 3.** The cost of 2 general elections;
- 4.** Printing cost for reports, community open houses, community surveys, administrative support, etc.

Any money remaining in the Study Commission Fund at the end of the two-year cycle reverts to the county or municipality's general fund.

[Alternate Forms of Government](#)

[Montana Charters](#)

[Study Commission Training](#)

[Historical Documents](#)

MONTANA LOCAL GOVERNMENT REVIEW



Local Government Center

EDUCATION AND TRAINING PACKAGES

Gold Starter Bundle \$2,000 *	Blue Starter Bundle \$1,750 *	White Starter Bundle \$1,500 *	A La Carte
Online 6-Week Course for Study Commission members	Online 6-Week Course for Study Commission members	Online 6-Week Course for Study Commission members	Online 6-Week Course for Study Commission members (\$1,450)
Digital resources library including but not limited to (templates, examples, and tools)	Digital resources library including but not limited to (templates, examples, and tools)	Digital resources library including but not limited to (templates, examples, and tools)	-Includes resource library -Includes webinar
Exclusive Webinars & Office Hours for General Q&A	Exclusive Webinars & Office Hours for General Q&A	Exclusive Webinars & Office Hours for General Q&A	X
2 Credits for 1-hour Live Online Teams Training/Consultation (day/evening)	1 Credit for 1-hour Live Online Teams Training/Consultation (day/evening)	X	1 hour Live Online Teams Training/Consultation (Day/evening) \$250
8 Credits for Customized Teams/Phone Calls with a Subject Matter Expert (15 Minutes/Meeting)	5 Credits for Customized Teams/Phone Calls with a Subject Matter Expert (15 Minutes/Meeting)	3 Credit for Customized Teams/Phone Calls with a Subject Matter Expert (15 Minutes/Meeting)	1 Credit for Customized Teams/Phone Call with a Subject Matter Expert (\$25/ 15 Minute Coaching)

*Scholarships may be available

X

X

X

One In-Person Training for Study Commission or Community Forum Facilitation from LGC Team Subject Matter Expert **(\$2,000 + travel expenses)**



Sign up for a package

<https://forms.office.com/r/N360ghzDnF>

MT Voter Review Study Commissioners



So, you've been appointed or elected to serve as a study commissioner... What Now?
Check out this video for an introduction to your new role and what to expect.

[In-Person Study Commission Trainings](#)

[Online Study Commissioner Training](#)

Training and Resource Packages

Each Package includes access for all study commission members in a jurisdiction.

Gold Starter Bundle \$2,000 *	Blue Starter Bundle \$1,750 *	White Starter Bundle \$1,500 *	À La Carte
Online 6-Week Course for Study Commission members	Online 6-Week Course for Study Commission members	Online 6-Week Course for Study Commission members	Online 6-Week Course for Study Commission members (\$1450) Includes resource library and webinars
Digital resources library including but not limited to (templates, examples, and tools)	Digital resources library including but not limited to (templates, examples, and tools)	Digital resources library including but not limited to (templates, examples, and tools)	X
Exclusive Webinars & Office Hours for General Q&A	Exclusive Webinars & Office Hours for General Q&A	Exclusive Webinars & Office Hours for General Q&A	X
2 Credits for 1-hour Live Online Teams Training/Consultation (day/evening)	1 Credit for 1-hour Live Online Teams Training/Consultation (day/evening)	X	1 hour Live Online Teams Training/Consultation (Day/evening) \$250
8 Credits for Customized Teams/Phone Calls with a Subject Matter Expert (15 Minutes/Meeting)	5 Credits for Customized Teams/Phone Calls with a Subject Matter Expert (15 Minutes/Meeting)	3 Credit for Customized Teams/Phone Calls with a Subject Matter Expert (15 Minutes/Meeting)	1 Credit for Customized Teams/Phone Call with a Subject Matter Expert (\$25/ 15 Minute Coaching)
X	X	X	One In-Person Training for Study Commission or Community Forum Facilitation from LGC Team Subject Matter Expert (\$2,000 + travel expenses)

* Scholarships may be available, Contact the msulocalgov@montana.edu

Download a [Quick Reference Guide](#) with this package and pricing information.

[Who are the study commissioners?](#)

[Who is the ex-officio member?](#)

[Can study commissioners be paid?](#)

[What if there is a vacancy on the study commission?](#)

[What is the minimum required of the study commission?](#)

[What is the scope of the local government review?](#)

[What are General and Self-Governing Powers?](#)

[What is the statutory default plan for the Commission-Executive form of government](#)

[What is the statutory default plan for the Commission- City Manager form of government](#)

[What is the statutory default plan for the Commission form of government*](#)

[What is the statutory default plan for the Commission-County Manager form of government](#)

[What is the statutory default plan for the Commission-Presiding Office form of government](#)

[What is the statutory default plan for the Town Meeting form of government](#)

[What is the statutory default plan for the Charter form of government](#)

[Which powers are denied or require delegation to all local governments?](#)

[Historical Documents](#)

Study Commission In-Person Trainings



Regional Study Commissioner Workshops hosted by the MSU Local Government Center. The trainings will be held at locations around the state and will include a full-day training agenda.

The agenda will include the following topics:

- Issues Confronting Montana's Local Governments
- Local Government Forms and Powers
- Break-out sessions to discuss the Structures, Powers, Strengths and Challenges of Alternative Forms of Local Government
 - County Commission Form
 - Commission-Executive Form
 - Commission-Manager Form
- An overview of Study Commission Procedures and Study Techniques
- Why and How to Write a Charter
- Service Consolidation Issues and Supplementary Reports
- Report Writing
- Voter Review: Lessons Learned from 2014

Upcoming Trainings

Shelby

Dates: December 5, 2024

Time: 10:00 am - 4:00 pm

Location: Comfort Inn & Suites

[Register Now](#)

Registration deadline: Monday, December 2

[Payment Portal](#)

Whitefish

Dates: December 10, 2024

Time: 10:00 am - 4:00 pm

Location: Whitefish Council Chambers

[Register Now](#)

Registration deadline: Wednesday, December 4

[Payment Portal](#)

Sidney

Dates: December 10, 2024

Time: 10:00 am - 4:00 pm

Location: Sidney City Hall

[Register Now](#)

Registration deadline: Wednesday, December 4

[Payment Portal](#)

Billings

Dates: December 11, 2024

Time: 10:00 am - 4:00 pm

Location: DoubleTree by Hilton

[Register Now](#)

Registration deadline: Wednesday, December 4

[Payment Portal](#)

Bozeman

Dates: December 12, 2024

Time: 10:00 am - 4:00 pm

Location: Homewood Suites

[Register Now](#)

Registration deadline: Wednesday, December 4

[Payment Portal](#)

Who should participate?

Newly elected and/or appointed study commission members are encouraged to participate in these in-person trainings. They are geared to help each study commission start off on the right foot and determine a plan to move ahead with the next 2 years of planning and work that is to be done.

What will participants gain?

Participants will have the opportunity to connect with other study commission members and nearby jurisdiction while also developing crucial skills and awareness for the experience to come as a study commissioner.

Participants can expect to cover the following topics:

- Issues Confronting Montana's Local Governments
- Local Government Forms and Powers
- Break-out sessions to discuss the Structures, Powers, Strengths and Challenges of Alternative Forms of Local Government
- An overview of Study Commission Procedures and Study Techniques
- Why and How to Write a Charter
- Service Consolidation Issues and Supplementary Reports
- Report Writing
- Voter Review: Lessons Learned from 2014

What is the time commitment?

The program is a single-day event, typically 10:00 am - 4:00 pm dependent on meeting space availability. The registration fee includes access to the training, all applicable materials, lunch, usable swag, and light refreshments.

What is the cost and how many people will participate?

The cost is \$275/person and all study commissioners for participating jurisdictions are invited to attend. Based on the five locations, these trainings will be held, we invite you to attend the training that is nearest to you on the date that aligns with your schedule.

Participant Information

Training Information and Pre-Work

- 1) Complete the registration form (coming soon)
- 2) Submit payment for registration through the provided online payment portal (coming soon)

Cancellation Policy

All participant cancellation requests must be received in writing (email is acceptable) by the MSU Local Government Center at least 24 hours prior to the advertised start time of the event. Requests received after the deadline will not be refunded the registration fee.

Questions

Reach out to Schuyler Germann (schuyler.germann@montana.edu) with any questions about the in-person trainings.

MT Local Government Review Online Study Commissioner Training



This 6-unit online course was created specifically for study commissioners to help them navigate the Local Government Review process. The course is a supplement to the regional in-person trainings. It begins Friday, December 13, 2024 and ends Friday, January 31, 2025.

The six units cover the following topics and more:

- Basic purpose and role of the study commission
 - Statutory requirements, deadlines, creating the timetable, adopting bylaws, budgeting
- History of the Voter Review
- Building blocks of the Voter Review: Power, Form, & Plan
 - General and self-governing powers
- Suggestions for evaluating the current form of government
- Suggestions for comparing forms of government
- Suggestions for questions to ask and information to collect
- Educating and engaging with the public
- Facilitation strategies and tips
- Meetings
 - Montana's open meeting laws
 - Agendas, minutes, parliamentary procedure

- Six alternative forms of government
- The statutory basis of each form
- Statutory suboptions for each form
- What makes the Charter form unique and different from the other forms
- Required elements of the Charter form
- The tentative and final reports
 - Requirements, certificates, minority and supplemental reports, ballot language, elections

Registration:

Each individual course participant **must** complete the first two steps to register for the course.

The course fee, either à la carte or by bundle, is per study commission, **not** per person. It includes registration for each study commissioner, the ex officio, and any support personnel who will be working with and helping the study commission.

Payment can be made through the link below or via the payment links on the in-person training page: [Study Commission In-Person Trainings - Local Government Center | Montana State University](#).

Online Course Registration

Registration Deadline: Thursday, December 12, 2024 by 4:00 pm

[Register Here](#)

eXtension Campus Account

Create an account to access the online course.

[Create Account Here](#)

Payment Portal

[Pay Here](#)

Once you're registered, we'll enroll you in the course and send you a course access link.

Course registration also provides access to an extensive Resource Library that includes:

Templates

- Bylaws Template
- Meeting Minutes Template
- Meeting Agenda Template
- Timetable Template
- Budget Template

Guides

- The Study Commissioner’s Guide to Meeting Minutes
- Standards of Conduct: A Guide for Local Governments to Montana’s Code of Ethics
- Study Commission Community Engagement Facilitation Guide
- Guide for Simplified Parliamentary Procedure

Handouts & Short Articles

- Public Meetings & Public Hearings
- Red Light, Green Light: Are These Issues Within the Scope of the Voter Review?
- Local Government Review statutes, Study Commission statutes, & other relevant statutes

- Statutes, Organization Charts, & Decision Trees for each of the 6 alternative forms of government
- 4-part “Misconceptions About the Voter Review” article series

Samples & Examples

- County & Municipal Study Commission Timetable Examples
- County & Municipal Study Commission Deadlines Examples
- Citizen Input Form Example/Template
- Sample Reports & Final Report Components & Certificates Examples

Short Videos

- The Study Commission’s Roles and Responsibilities
- Altering the Plan of Government: Structural Suboptions & the Statutory Basis
- What’s Unique About the Charter Form?
- Commission Form vs. ECOF—How They’re Different and Why it Matters

And more!

Who should participate?

Newly elected and appointed study commissioners are encouraged to participate in the online course. The course is intended to accompany the in-person training and provide greater depth and detail on each aspect of the process.

What will participants gain?

In addition to the course guide, which covers every aspect of the review process, participants will have access to the Resource Library stocked with handouts, templates, guides, and in-depth explanation videos created specifically to help study commissions navigate each part of the review process.

Participants will also have access to a Study Commissioner Working Group discussion forum where they can easily connect with other study commissions throughout the state, ask questions, share information, and benefit from participants' collected knowledge as they work through the process beyond the timeframe of the online course.

What is the time commitment?

The course is a six-week, semi-asynchronous format. Participants will complete one unit per week following posted deadlines and can expect to spend about 2 hours each week reading, taking a short quiz, and participating in the online discussion forums with one original post and one response post each of at least 50 words.

What is the cost and how many people will participate?

The cost is \$1450/study commission and all study commissioners for participating jurisdictions are invited to attend.

Participant Information

Training Information and Pre-Work

- 1) Complete the registration form
- 2) Create an eXtension Foundation Campus account
- 3) Submit payment for registration through the provided online payment portal

Cancellation Policy

All participant cancellation requests must be received in writing (email is acceptable) by the MSU Local Government Center and must be received by Friday, December 20, 2024. Requests received after the deadline will not be refunded the registration fee.

Questions

Reach out to Lydia Maunz (lydia.maunz@montana.edu) with any questions about the online course.