

CERTIFICATE  
ESTABLISHING THE RATIFIED PLAN OF  
GOVERNMENT FOR NEIHART

As ratified by the voters on November 2, 1976 the government of Neihart shall be organized under the following provisions of Section 47A-3-203, R.C.M. 1947:

47A-2-203. Commission-executive form.

- (1) The commission-executive form (which may be called the "council-executive", the "council-mayor", or the "commission-mayor" form) consists of an elected commission (which may be referred to as the "council" and one elected executive (who may be referred to as the "mayor") who is elected at large.
  - (2) The executive shall:
    - (a) enforce laws, ordinances, and resolutions;
    - (b) perform duties required of him by law, ordinance, or resolution;
    - (c) administer affairs of the local government;
    - (d) carry out policies established by the commission;
    - (e) recommend measures to the commission;
    - (f) report to the commission on the affairs and financial condition of the local government;
    - (g) execute bonds, notes, contracts, and written obligations of the commission, subject to the approval of the commission;
    - (h) report to the commission as the commission may require;
    - (i) attend commission meetings and may take part in discussions;
    - (j) execute the budget adopted by the commission;
    - (k) appoint, with the consent of the commission, all members of boards; except, the executive may appoint without the consent of the commission temporary advisory committees established by the executive.
  - (3) The plan of government submitted to the qualified electors shall further define the structural characteristics of the form by including the following:
    - (a) The executive:
      - (ii) May appoint one or more administrative assistants to assist him in the supervision and operation of the local government. Such administrative assistants shall be answerable solely to the executive.

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(b) The executive may:

(ii) appoint and remove, with the consent of a majority of the commission, all employees of the local government;

(c) The executive may:

(ii) veto ordinances and resolutions, subject to override by a two-thirds vote of the commission;

(d) The executive may:

(ii) prepare the budget in consultation with the commission and department heads.

(e) The executive may:

(ii) exercise control and supervision of all departments and boards to the degree authorized by ordinance of the commission.

(f) A financial officer (who may be called the "treasurer"):

(ii) shall be appointed by the executive with the consent of the council;

(g) The commission shall be:

(i) elected at large;

(h) Local government elections shall be conducted on a :

(ii) nonpartisan basis as provided in this title.

(i) The commission shall have a chairman who shall be:

(ii) selected as provided by ordinance.

(j) The presiding officer of the commission shall be:

(iii) the executive who shall decide all tie votes of the commission, but shall have no other vote. The chairman of the commission shall preside if the executive is absent;

(k) Commission members shall be elected for:

(i) concurrent terms of office;

(ii) The size of the commission, which shall be a number not less than three (3), shall be established when the form is adopted by the voters and community councils; to advise commissioners may be authorized by ordinance.

(ii) The size of the commission shall be 3 members, 3 to be elected at large.

(m) The term of office of elected officials may not exceed four (4) years, and shall be established when the form is adopted by the voters.

The term of office of elected officials shall be 2 years.

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(4) The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing:

(b) self-government powers.

I, Caroline Olson  
Chairman of the Neihart  
Local Government Study Com-  
mission, do hereby certify  
that this is the Plan of  
Government as ratified by  
the voters.

In testimony whereof, I set  
my hand this 29<sup>th</sup> day of  
November, 1976, at  
Neihart, Montana.

Caroline Olson  
Chairman

ATTEST:

Bonnie W. McDaniel  
MUNICIPAL CLERK OF NEIHART