

VOTER REVIEW

OF LOCAL GOVERNMENT

FINAL REPORT
OF
LOCAL GOVERNMENT STUDY COMMISSION
BELT, MONTANA - MARCH 6, 1986

LETTER TO THE CITIZENS OF BELT, MONTANA

To the Citizens of Belt:

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

The purpose of the study commission, as defined in state law is "to study the existing form and powers of a local government and procedures for the delivery of local government services and to compare them with other forms available under the laws of the state." After completing these two phases of the study, it is the responsibility of the study commission to submit a final report recommending no change, or propose amendments to the existing form of government, or offer an alternative form of government to the qualified voters.

In every phase of this review, this study commission sought advice and information from as many people as possible. Opinions and recommendations were solicited from local government officials, county and state officials, community organizations, and citizens. All meetings of the study commission were open to the public. Public hearings were held, and a survey of citizen attitudes was made.

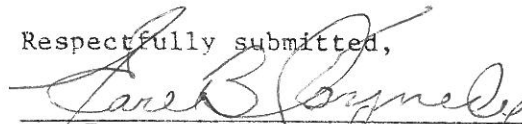
Our recommendations reflect the thoughts and opinions of those who participated in public hearings, and those who responded to the survey, as well as to the efforts of this study commission.

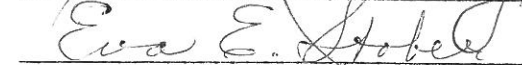
In this final report we present our recommendations to amend the existing form of local government. Our concern has been to provide a form of government that will conform to the Montana State Code, and to the procedures now practiced by the local government.

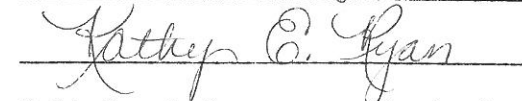
The question of adopting the modified form of local government, as well as the amendments or suboptions, will be placed on the ballot November 4, 1986. Electors must understand that the amendments or suboptions will only go into effect if the amended form of government is approved.

We solicit your support for its adoption.

Respectfully submitted,







Belt Local Government Study Commissioners

SUMMARY OF RECOMMENDATIONS

The Belt Local Government Study Commission, having thoroughly studied the local government, recommends the following:

1. that the Town of Belt should adopt the amended form of commission-executive (also called mayor-council) form of government;
2. that the mayor may appoint and remove, with the consent of a majority of the council, all employees of the local government, and that this question shall be submitted to the voters of Belt as a suboption (amendment) as authorized in MCA 7-3-213;
3. that the Treasurer shall be appointed by the mayor with the consent of the council, and that this question be submitted to the voters as a suboption (amendment) as authorized in MCA 7-3-217.
4. that the local government elections shall be conducted on a nonpartisan basis and that this question be submitted to the voters as a suboption (amendment) as authorized by MCA 7-3-219.

FINDINGS OF THE STUDY COMMISSION

After a study of almost two years, it is the decision of the Belt Local Government Study Commission that the commission-executive (also called the mayor-council) form of government is the one that best meets the needs of this town.

The Study Commission recommends the approval of the amendments listed in the SUMMARY OF RECOMMENDATIONS to provide statutes that give a legal basis for the procedures that are currently practiced.

COMPARISON OF EXISTING AND PROPOSED GOVERNMENT

	Existing Form	Proposed Form	Comments
Form of Government	7-3-201 Mayor-Council	Mayor-Council with Amendments	Proposed form aligns current practices with state statutes.
Nature of Government Powers	7-3-202 General Government Powers. State law defines services	No change	
STRUCTURAL OPTIONS:			
Administrative Assistants	7-3-212 Executive may appoint one or more	No change	
Supervision of Personnel	7-3-213 Executive may appoint dept. heads with approval of council, but may remove them, and may appoint & remove all other employees	Executive may appoint and remove all employees only with the approval of the council	Proposed form provides checks and balances between executive and legislative branches
Veto Power	7-3-214 Executive may veto subject to override by council	No change	
Preparation of Budget	7-3-215 Executive may prepare with input from council and dept. heads	No change	

	Existing Form	Proposed Form	Comments
Administrative Supervision	7-3-216 Executive may supervise as authorized by ordinance	No change	
Finance Officer (Treasurer)	7-3-217 Elected	Treasurer shall be appointed by the executive with the approval of council	More economical & more efficient. At present all other dept. heads are appointed
Selection of Council Members	7-3-218 Elected from 3 wards and apportioned according to pop.	No change	
Type of Election	7-3-219 Partisan	Nonpartisan	Partisan elections in a small community would limit the number of candidates who would file
Selection of Chairman	7-3-220 Elected from council for term determined by ordinance	No change	
Presiding Officer	7-3-221 The executive shall decide tie vote, but shall have no other vote	No change	
Terms of Councilmen	7-3-222 Overlapping	No change	
Size of Group	7-3-223 Six with two from each ward. Community councils authorized by ordinance	No change	
Terms	7-3-224 Not to exceed four years	No change	

CERTIFICATE

ESTABLISHING THE EXISTING PLAN OF GOVERNMENT

FOR THE TOWN OF BELT

1. If retained by the voters, the government of the town of Belt shall be organized under the following provisions of Section 7-3-113, MCA, 1985, commission-executive form:

- | | |
|------------------|------------------|
| (a) 7-3-201; | (i) 7-3-217 (1); |
| (b) 7-3-202 (1); | (j) 7-3-218 (2); |
| (c) 7-3-203; | (k) 7-3-219 (1); |
| (d) 7-3-212 (2); | (l) 7-3-220 (1); |
| (e) 7-3-213 (3); | (m) 7-3-221 (3); |
| (f) 7-3-214 (2); | (n) 7-3-222 (2); |
| (g) 7-3-215 (2); | (o) 7-3-223; |
| (h) 7-3-216 (2); | (p) 7-3-224. |

2. This form has terms of 4 years for all elected officials. The size of the commission shall be established by ordinance, but it may not exceed 20 members.

COMMISSION-EXECUTIVE GOVERNMENT

7-3-201. Commission-executive form. 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.

7-3-202. Nature of government. The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing

- (1) general government powers.

7-3-203. Duties of executive. The executive shall

- (1) enforce laws, ordinances, and resolutions;
- (2) perform duties required of him by law, ordinance, or resolution;
- (3) administer affairs of the local government;
- (4) carry out policies established by the commission;
- (5) recommend measures to the commission;
- (6) report to the commission on the affairs and financial condition of the local government;
- (7) execute bonds, notes, contracts and written obligations of the commission, subject to the approval of the commission;
- (8) report to the commission as the commission may require;

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- (9) attend commission meetings and may take part in the discussions;
- (10) execute the budget adopted by the commission;
- (11) 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.

7-3-211. Structural suboptions. The plan of government submitted to the qualified electors shall further define the structural characteristics of the form by including one item from each of the choices listed in 7-3-212 through 7-3-224, MCA, 1985.

7-3-212. Administrative assistants. The executive

- (2) may appoint one or more administrative assistants to assist him in the supervision and operation of the local government, and such administrative assistants shall be answerable solely to the executive.

7-3-213. Supervision of personnel. The executive may

- (3) appoint, with the consent of the majority of the commission, all department heads and remove department heads and may appoint and remove all other department employees.

7-3-214. Veto power. The executive may

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

7-3-215. Preparation of budget. The executive may

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

7-3-216. Administrative supervision and control. The executive may

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

7-3-217. Financial officer. A financial officer (who may be called the treasurer)

- (1) shall be elected.

7-3-218. Selection of commission members. The commission shall be

- (2) elected by districts in which candidates must reside and which are apportioned by population.

7-3-219. Type of election. Local government elections shall be conducted on a

- (1) partisan basis.

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7-3-220. Chairman of commission. The commission shall have a chairman who shall be

- (1) elected by the members of the commission from their own number for a term established by ordinance.

7-3-221. Presiding officer of commission. The presiding officer of the commission shall be

- (3) 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.

7-3-222. Terms of commission members. Commission members shall be elected for

- (2) overlapping terms of office.

7-3-223. Size of commission and community councils. The size of the commission shall be six members, two to be elected from each of three wards. Community councils to advise the executive and the commissioners may be authorized by ordinance.

7-3-224. Terms of elected officers. The term of office of elected officials shall be four years, and shall be established when the form of government is adopted by the voters.

We, the Study Commission of Belt, do hereby certify that this is the existing plan of government as established by Section 7-3-113, MCA, 1985.

In testimony we set our hands

Done at BELT this 7th

day of July, 1986

James B. Kennedy

Eva E. Stoller

Kathleen C. Ryan

Local Government Study Commissioners

ATTEST: Jean Fontana
MUNICIPAL CLERK OF BELT,
MONTANA

CERTIFICATE

ESTABLISHING THE PROPOSED PLAN OF GOVERNMENT

FOR THE TOWN OF BELT

1. If adopted by the voters, the government of the town of Belt shall be organized under the following provisions of Section 7-3-113, MCA, 1985, commission- executive form:

- | | |
|-----------------|-----------------|
| (a) 7-3-201; | (i) 7-3-217(2); |
| (b) 7-3-202(1); | (j) 7-3-218(2); |
| (c) 7-3-203; | (k) 7-3-219(2); |
| (d) 7-3-212(2); | (l) 7-3-220(1); |
| (e) 7-3-213(2); | (m) 7-3-221(3); |
| (f) 7-3-214(2); | (n) 7-3-222(2); |
| (g) 7-3-215(2); | (o) 7-3-223; |
| (h) 7-3-216(2); | (p) 7-3-224. |

2. This form has terms of 4 years for all elected officials. The size of the commission shall be established by ordinance, but it may not exceed 20 members.

COMMISSION-EXECUTIVE GOVERNMENT

7-3-201. Commission-executive form. 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.

7-3-202. Nature of government. The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing

- (1) general government powers.

7-3-203. Duties of executive. The executive shall

- (1) enforce laws, ordinances, and resolutions;
- (2) perform duties required of him by law, ordinance, or resolution;
- (3) administer affairs of the local government;
- (4) carry out policies established by the commission;
- (5) recommend measures to the commission;
- (6) report to the commission on the affairs and financial condition of the local government;
- (7) execute bonds, notes, contracts, and written obligations of the commission, subject to the approval of the commission;
- (8) report to the commission as the commission may require;

Certificate of Proposed Plan of Government

- (9) attend commission meetings and may take part in discussions;
- (10) execute the budget adopted by the commission;
- (11) 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.

7-3-211. Structural suboptions. The plan of government submitted to the qualified electors shall further define the structural characteristics of the form by including one item from each of the choices listed in 7-3-212 through 7-3-224, MCA, 1985.

7-3-212. Administrative assistants. The executive
(2) may appoint one or more administrative assistants to assist him in the supervision and operation of the local government, and such administrative assistants shall be answerable solely to the executive.

7-3-213. Supervision of personnel. The executive may
(2) appoint and remove, with the consent of a majority of the commission, all employees of the local government.

7-3-214. Veto power. The executive may
(2) veto ordinances and resolutions, subject to override by a two-thirds vote of the commission.

7-3-215. Preparation of budget. The executive may
(2) prepare the budget in consultation with the commission and department heads.

7-3-216. Administrative supervision and control. The executive may
(2) exercise control and supervision of all departments and boards to the degree authorized by ordinance of the commission.

7-3-217. Financial officer. A financial officer (who may be called the treasurer)
(2) shall be appointed by the executive with the consent of the council.

7-3-218. Selection of commission members. The commission shall be
(2) elected by districts in which candidates must reside and which are apportioned by population.

7-3-219. Type of election. Local government elections shall be conducted on a
(2) nonpartisan basis.

7-3-220. Chairman of commission. The commission shall have a chairman who shall be
(1) elected by the members of the commission from their own number for a term established by ordinance.

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7-3-221. Presiding officer of commission. The presiding officer of the commission shall be

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

7-3-222. Terms of commission members. Commission members shall be elected for

(2) overlapping terms of office.

7-3-223. Size of commission and community councils. The size of the commission shall be six members, two to be elected from each of three wards. Community councils to advise the executive and commissioners may be authorized by ordinance.

7-3-224. Terms of elected officers. The term of office of elected officials shall be four years, and shall be established when the form of government is adopted by the voters.

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

In testimony whereof we set our hands.

Done at BELT this 7th

day of July 1986

James B. Dineen

Eva E. Stober

Kathy C. Ryan

Local Government Study Commissioners

ATTEST:

Jean Fontana

CLERK OF BELT, MONTANA

CERTIFICATE

ESTABLISHING THE DATE OF THE SPECIAL ELECTION AT WHICH THE
ALTERNATIVE FORM OF GOVERNMENT SHALL BE PRESENTED TO THE
ELECTORS OF BELT, MONTANA.

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

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

In testimony whereof, we set our hands.

Done at Belt, Montana this 7th day of July,
1986.



Jane B. Crumley
Eva E. Stober
Kathy C. Ryan

Local Government Study Commissioners

ATTEST:

Jean Fontana
MUNICIPAL CLERK OF BELT, MONTANA

CERTIFICATE

ESTABLISHING THE OFFICIAL BALLOT
FOR THE NOVEMBER 4, 1986 SPECIAL ELECTION

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

OFFICIAL BALLOT

BALLOT ON AMENDED FORM OF LOCAL GOVERNMENT

If the proposed form of government fails to receive a majority of the votes cast on the question, the suboption also fails. If the proposed form is adopted, the suboption requires only a plurality of votes cast on the suboption for adoption.

Vote for One.

For the existing form of mayor-council government.

For adoption of the mayor-council form of government as amended in the report of the Belt Local Government Study Commission.

PLEASE VOTE ON ALL THREE SUBOPTIONS

1.

Vote for One.

Amendment to be included in the amended form of local government, if it is adopted.

Local government elections shall be conducted on a

Partisan basis.

Nonpartisan basis.

2.
Vote for One.

Amendment to be included in the amended form of local government, if it is adopted.

The mayor may

Appoint with the approval of a majority of the council all department heads, and remove department heads, and may appoint and remove all other department employees.

Appoint and remove with the approval of a majority of the council, all employees of the local government.

3.
Vote for One.

Amendment to be included in the amended form of local government, if it is adopted.

The financial officer who may be called the treasurer

Shall be elected.

Shall be appointed by the mayor with the consent of the majority of the council.

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

In testimony whereof we set our hands.

Done at BELT this 7th
day of July 1986.

ATTEST: Jean Fontana
MUNICIPAL CLERK OF BELT,
MONTANA

James B. Crumley
Eugene E. Stober
Kathy C. Ryan
Belt Government Study Commissioners

