

FINAL REPORT

TOOLE COUNTY GOVERNMENT REVIEW COMMISSION

SUMMARY OF CHANGES

1994 - 1996

The Toole County Government Review Commission has studied Toole County Government for nearly two years and strongly recommends the following changes be made in our county government structure.

*** SELF GOVERNMENT CHARTER** This charter will provide its citizens and its elected, hired and appointed officials the tools to govern public affairs efficiently and effectively.

The commission in fulfilling its work on your behalf, submits this final report. We encourage you to give these issues your attention and exercise your responsibility as citizens, by voting on the proposed recommendations. In this way, the process of citizen review of government is completed.



**REMEMBER TO VOTE
ON NOVEMBER 5TH**



COMPARISON OF SPECIFIC CHARACTERISTICS

Toole County comparison of specific characteristics of the Commission form and Charter with a Manager form of government

CHARACTERISTIC	PRESENT FORM OF GOVERNMENT	PROPOSED FORM OF GOVERNMENT	EVALUATIVE COMMENTS
FORM OF GOVERNMENT	COMMISSION FORM Merges legislative, administrative and executive functions in commission.	CHARTER WITH MANAGER Elected commission determines policy. Manager hired to administer policy.	Separation of legislative and administrative responsibilities. Manager hired on basis of qualifications.
POWERS	GENERAL GOVERNMENT POWERS State law defines what government may do and specifically how it shall do it. Little power to pass ordinances.	SELF-GOVERNMENT POWERS County government shall exercise any power which the state does not deny. Legislative power is vested in the commission.	Self-government powers bring to the county the power to act in its own best interest, and flexibility in shaping government structure. A charter would allow Toole County to govern itself more independently of the state government.
GOVERNING BODY Size Election Term Presiding Officer Duties	3 commissioners nominated by district, elected at-large. Partisan 6-year overlapping terms. Chairman - Elected from own members. Commission is responsible for executive and many administrative functions. Administrative powers are shared with other elected officials.	5 part time commissioners, 3 elected from districts in which each must reside, and 2 elected at large. Non-partisan 4-year overlapping terms. Chairman - Elected from own members. Commission is the legislative policy making body. Hires a full time manager to administer those departments not having an elected head.	District representation assures the commission viewpoints from all sections of the county. Local government issues are usually non-partisan. Commission can concentrate on efficient delivery of services. Shorter terms of office increase responsiveness to voters. No change. Frees part time commission from administrative responsibilities to concentrate on their policy making role and future goals.
OTHER ELECTED OFFICIALS	8 elected officials: Clerk & Recorder, County Attorney, Sheriff, Coroner, Treasurer, Superintendent of Schools, Clerk of District Court and Public Administrator.	2 elected officials: County Attorney and Sheriff	Independent offices except for County Attorney and Sheriff are brought under the supervision of the manager. Qualifications for office can be established.
CHIEF ADMINISTRATIVE OFFICER	None. Administrative responsibility shared by commissioners, elected officials and various boards.	COUNTY MANAGER Directs and supervises the administration of all departments other than County Attorney and Sheriff.	Better overall coordination is possible. Clearer lines of authority and responsibility. Provides for administration of county government by a skilled and experienced specialist on a day-to-day basis. Administrator is accountable to elected commissioners.
APPOINTMENT POWERS	Commission appoints non elected department heads, members of boards, special districts.	COMMISSION: Appoints and removes County Manager and members of boards. COUNTY MANAGER: Appoints and removes all non elected department heads and employees and temporary advisory committees.	Non-elected department heads responsible to County Manager. Members of boards continue to be appointed by the county commission. Provides uniform hiring and removal practices in compliance with state and federal laws.
BUDGET PREPARATION	Clerk & Recorder prepares budget with officials and departments. Modified and/or approved by commission.	Manager prepares budget. Commission modifies and/or approves.	Manager can balance priorities set by commission with available county-wide resources, also balance needs of individual departments with overall needs and resources of county. The final budget is approved by the commission.
SERVICE DELIVERY STRUCTURE	Performed by elected offices and appointed boards, commissions and special districts.	County activities could be grouped into a few departments on basis of function. Services performed by departments under supervision of county manager.	Most functions will be brought under supervision of a professional manager and commission control.

SUMMARY OF RECOMMENDATIONS

The Toole County Government Review Commission created by the voters of Toole County at the November 1994 general election, has been empowered to review the form of county government and make recommendations to the voters of Toole County based on their findings.

The Review Commission, finds the following findings and recommendations as a result of their two-year study which included interviews with county department heads and commissioners, the county auditor, county boards, Anaconda/Deer Lodge and Butte/Silverbow managers and commissioners, communication with other study commissions from adjacent counties and participating in MSU government center workshops.

A. FINDINGS OF THE STUDY COMMISSION

After an intense study of almost two years, it is the decision of the Review Commission to recommend changes in the structure and power of county government. The Commission's goal was to stimulate improvement and long term planning in county government. To achieve this goal our changes will provide a governmental framework that will meet the changing needs of this county. Problem areas that were identified in this course of study were: 1) dropping to a Class 3 county, 2) loss of taxable valuation (fell \$30 million due to restrictions of I-105), 3) lack of communication (each department runs independent of each other with little continuity or centralized accountability), 4) our county lacks the authority it needs to make effective and efficient changes while meeting the challenges of the 21st Century.

The "traditional" form of county government has existed in Toole County since its creation in 1914 and is basically the same government as was originally described in the 1889 Constitution. The form still reflects its "traditional" role as an administrative arm of the state government in its organizational structure. Its duties are detailed in state law and its authority to deal with local problems is limited.

The needs of the County, however, have changed since 1914. Population has decreased over the past 30 years and has shifted to different areas of the county. This shift in population has placed an increased demand for services from the county government. County government has also suffered from the mandates and requirements from federal and state governments. To effectively respond to these changing needs, county government must modify its structure and authority. The review commission also believes that a separation of legislative and administrative functions is needed to provide "checks and balances" in county government.

Other areas of concern also emerged during the course of the study which affected the Review Commission's choice of an alternative form. These concerns include: a) local decisions not being made at the local level, b) the county is required by state and federal law to provide services with limited funds due to I-105, c) the need for more effective leadership and citizen participation in county government, d) qualifications for people seeking office, and e) better utilization of computer technology.

In an attempt to achieve these goals which was to stimulate improvement and long term planning in county government, the Review Commission has recommended a charter form of government with self-government powers and a larger elected commission.

B. KEY PROVISIONS OF THE PROPOSED FORM

1. Self- Government Powers

Under the 1972 State Constitution, the potential power and authority of local government has been changed. Traditionally, the power over governmental concerns of the county has been the prerogative of the State Legislature. The legislature decides what county government should do and how it should do it.

The new constitution provides that "self-government powers" can be adopted by counties. The adoption of self-government powers would alter the traditional relationship between the state and the county. State-wide uniformity, while still mandated in certain areas, could be replaced in other areas with procedures tailored to the particular needs of our county. Self-government powers would mean greater flexibility in shaping our governmental structure, greater power to solve our own problems, and more responsibility to recognize and deal with these problems.

2. Separation of Legislative and Administrative Functions

In its traditional role as an administrative arm of state government, the organizational structure of the county may have been adequate. The current structure of separate elective offices and three commissioners does not allow county government to effectively respond to the changing needs of the county. State statutes affecting the existing form of government do not grant the county commissioners the authority to determine county-wide needs, priorities and policies. The existing government lacks an administra-

tive head, a person responsible for supervising and coordinating the functions and services provided by county government to see that the goals of the county are carried out as efficiently as possible. No one in county government has the authority to coordinate all the offices and boards or to supervise their programs. Many are substantially independent of direct control. In the proposed form of government, a commission of five members will act as a legislative body with the power to formulate county policy. The commissioners will have the authority to enact ordinances to carry out that policy. The responsibility of administering and implementing these ordinances lies with the manager.

3. County Manager

The county manager, a professional hired by the commissioners "on the basis of merit only," is responsible for the administration of the programs and policies determined by the commissioners. Subject to the commissioners' general direction, the manager oversees with the assistance of various department heads, the hiring and firing policies of the county, helps direct and supervise the administration of all departments other than county attorney and sheriff, prepares the budget, and reviews the day-to-day business affairs of county government. This provides for clear lines of authority and responsibility of county government by a skilled and experienced specialist on a day-to-day basis. The manager is accountable to the elected commissioners.

4. Representation

The five part time commissioners will be elected from the existing 3 districts. Three commissioners will be elected from the district they reside in and 2 commissioners will be elected at large. This will provide a legislative body that will insure adequate representation of local problems within the county. By electing part time commissioners it will allow for a broader mix of citizens who could not make a full time commitment to county employment. Direct representation assures the commission view points from all sections of the county.

5. Financial Aspects

Toole County needs a full time manager to prepare the budget, administer policy, assist department heads in evaluating their office's operations, and keep the commissioners advised. Toole County is nearly a \$12 million business and needs a trained professional overseeing the day-to-day operation. A county manager is estimated to cost between \$45,000 - \$55,000 per year. A one percent savings in the budget would pay his costs almost twice. The manager's salary would come from the existing commissioner's budget which is approximately \$100,000. In addition to the manager's salary the part time commissioners' would receive a minimal stipend which also comes from this budget. The cost of local government can be relatively low with part time commissioners because of volunteerism. The role of volunteers in Montana has a long and admirable history. Volunteer services are an important cost reducing contribution to local government.

6. Commissioners

Part time commissioners will allow for a broader base of representation. Members of the working public can now contribute, thus we can draw on more local resources. The number of commissioners would also be extended to five with three elected from their individual districts and two at large, allowing the voters to have a stronger voice in the policies and future of Toole County government.

7. Department Heads

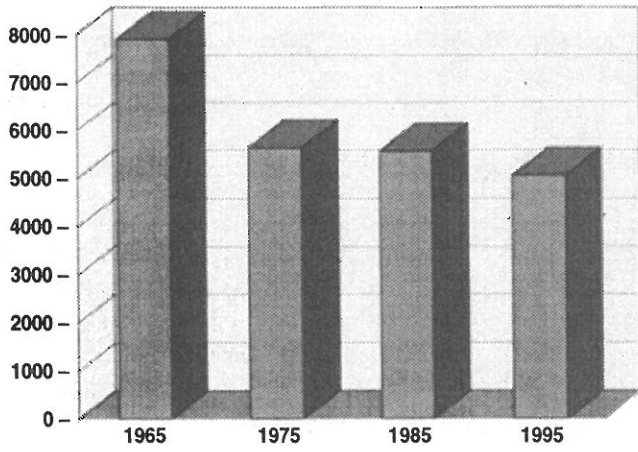
Six department heads would be appointed rather than elected. The county attorney and sheriff would remain elected officials. We believe this will create a smoother line of authority.

8. Elections

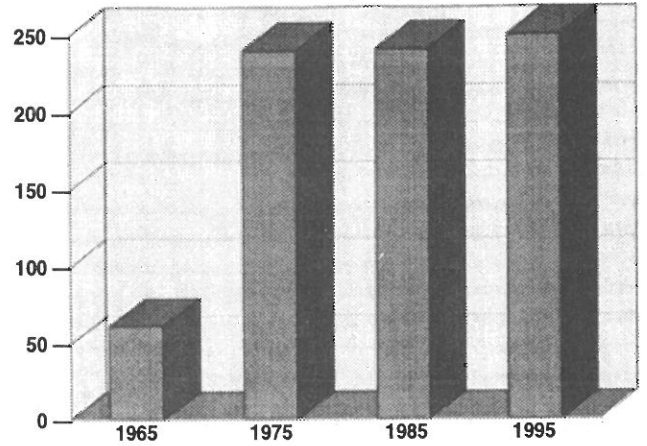
Elected county officials will run on a non partisan ticket. Local government issues are usually non partisan, therefore, the commission can concentrate on efficient delivery of services rather than politics.

The Review Commission feels that these adjustments will allow Toole County to better serve the taxpayers. The charter will allow for flexibility. A hired manager would create a smoother line of authority and a change of structure would allow the county commissioners to effectively oversee the performance of the county functions which they currently cannot do. We feel that businesses this size should not operate without trained management and neither should Toole County.

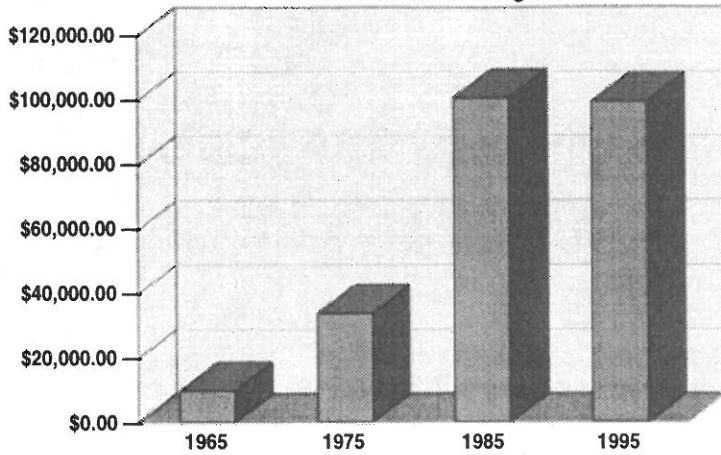
Toole County Population



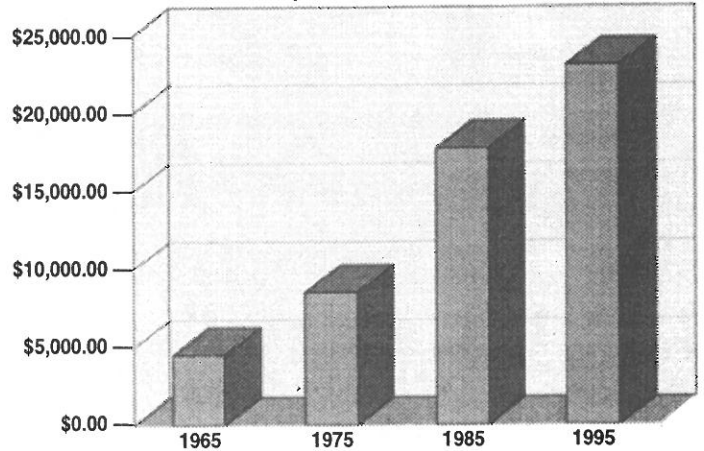
Toole County Employees



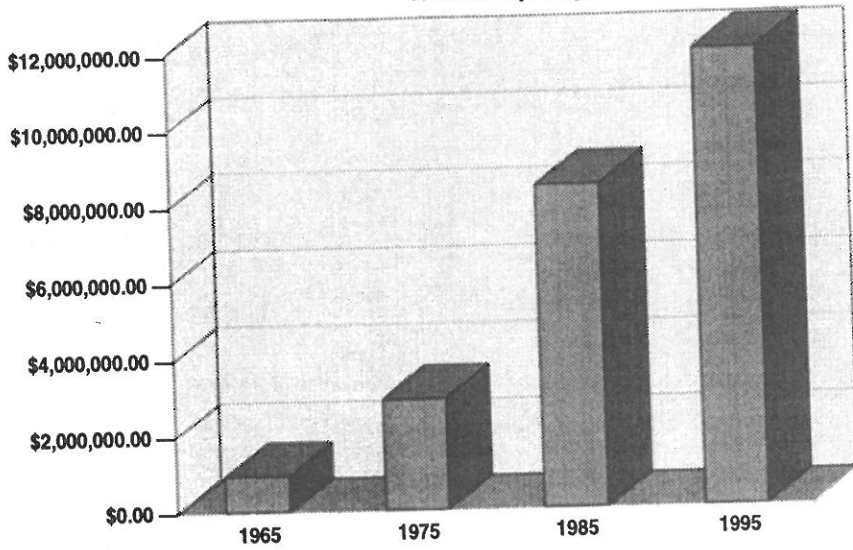
Commissioner's Budget



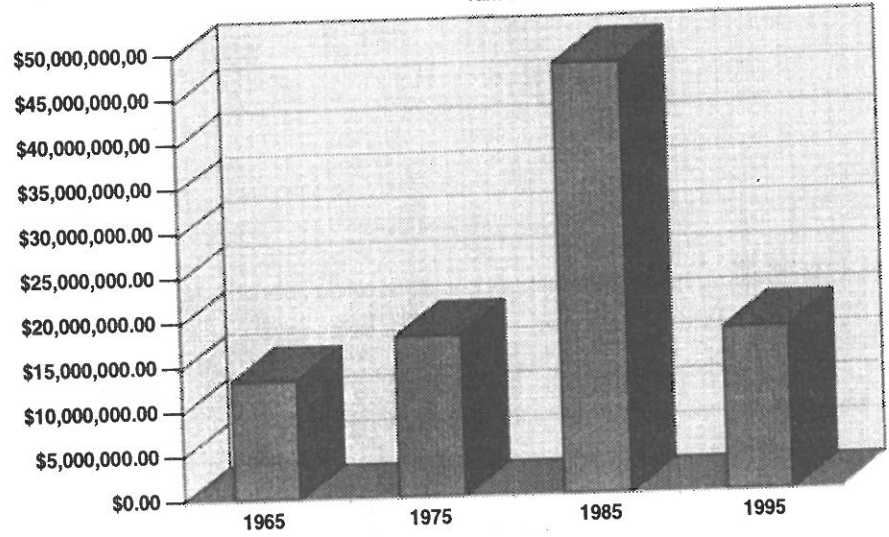
Department Head Statutory Salary



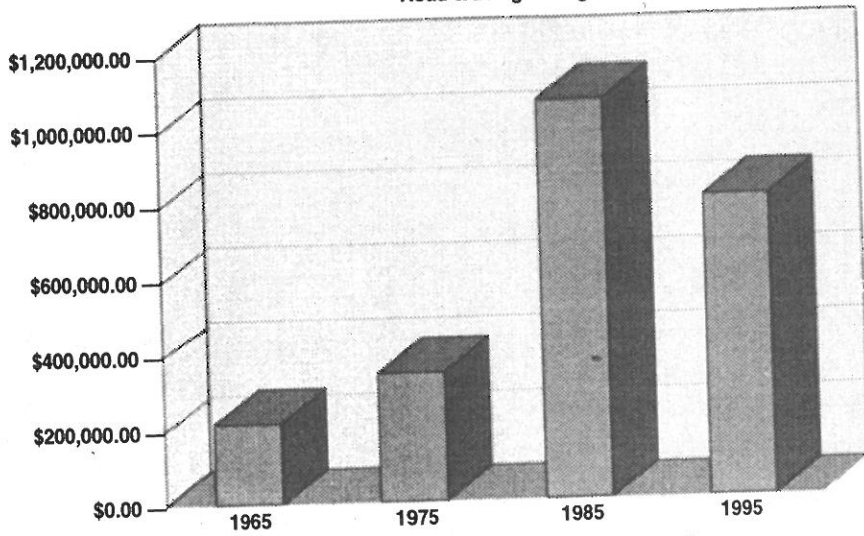
Toole County Budget



Taxable Value



Road & Bridge Budget



**CERTIFICATE OF THE PROPOSED
SELF-GOVERNMENT CHARTER
OF
THE COUNTY OF TOOLE**

PREAMBLE

WE, THE PEOPLE OF TOOLE COUNTY, STATE OF MONTANA, grateful to God for the vast beauty of our state, mindful of the contributions made by those who came before us, desiring to improve the quality of life, liberty and the pursuit of happiness, in accordance with Article XI, Section 5 of the Constitution of Montana, do hereby adopt this Charter.

**ARTICLE I
POWERS OF THE COUNTY**

Section 1.01 Powers of Toole County

Toole County shall have all powers not prohibited by the Constitution of Montana, the laws of Montana, or this Charter.

Section 1.02 Interpretation of Powers

The powers of this self-government unit shall be broadly construed. 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 Restrictions

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 county election.

Section 1.04 Charter Supremacy

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

**ARTICLE II
LEGISLATIVE BRANCH**

Section 2.01 County Commission

The elected legislative body of Toole County shall be the board of county commissioners.

Section 2.02 Governing Body

The governing body of Toole County shall be the board of county commissioners which may be called the county commission or the commission.

Section 2.03 Composition

Toole County shall have a county commission of five (5) members who shall serve on a part time basis.

Section 2.04 Qualifications for Office

Every resident of Toole County who is 18 years of age or older and a citizen of Montana is eligible to hold the office of commissioner.

Section 2.05 Term of Office

Members of the commission shall be elected for four (4) -year overlapping terms of office.

Section 2.06 Election

Commissioners shall be elected on a nonpartisan basis. Two (2) commissioners shall be elected at large and three (3) commissioners shall be elected by district in each of three districts in which candidates must reside and which are apportioned by population.

Section 2.07 Division of the County into Commissioner Districts

Following each decennial federal census, the board of county commissioners shall divide the county into three (3) commissioner districts, as compact and equal in population as possible.

Section 2.08 Vacancy in Office

The office of commissioner under this Charter becomes vacant as prescribed by law.

Section 2.09 Removal from Office

A commissioner may be removed from office by a finding, adopted by the affirmative vote of three (3) commission members, that the office has become vacant as prescribed by law, or by the recall of the commissioner by the electors of Toole County, as prescribed by law.

Section 2.10 Filling Vacancy on Commission

When a vacancy occurs in the office of commissioner, the position shall be considered open and subject to nomination and election at the next general county election in the same manner as the election of any other person holding the same office, except the term of office shall be limited to the unexpired term of the person who originally created the vacancy. Pending such election and qualification the commission shall, by the affirmative vote of (3) three commission members, appoint a person within 30 days of the vacancy to hold the office until the successor is elected and qualified.

Section 2.11 Chairman of the Commission and Presiding Officer

The commission shall have a chairman of the commission who shall be elected by the members of the commission from their own number for a term established by resolution. The chairman of the commission shall be the presiding officer of the commission and vote as other members of the commission. In the absence of the chairman, the commission shall designate one of their number to serve as presiding officer.

Section 2.12 Powers and Duties

1. The Commission shall be the legislative and policy determining body of the county. All powers of the county shall be vested in the county commission except as otherwise provided by law or this Charter, and the commission shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the county by law.
2. All members of boards, other than temporary advisory committees established by the manager, shall be appointed by the commission.
3. The commission shall exercise its governing power through the adoption of ordinances and resolutions.

Section 2.13 Legislative Action

The affirmative vote of three members (3) of the commission shall be required for all official actions of the commission. A minimum of three (3) commission members must be present when official actions are taken by the commission.

Section 2.14 Procedure

The commission shall establish its rules of procedure and time and place of meetings by resolution.

Section 2.15 Compensation

The compensation of commission members shall be set by ordinance of the commission.

ARTICLE III EXECUTIVE BRANCH

Section 3.01 The Manager

The manager shall be appointed by the commission for an indefinite term on the basis of merit only and removed only by the affirmative vote of three (3) members of the commission.

Section 3.02 Duties of the Manager

The manager shall:

1. enforce laws, Charter, ordinances, and resolutions;
2. perform the duties required of him by law, Charter, ordinance, or resolution;
3. administer the affairs of the county;
4. direct, supervise, and administer all departments, agencies, and offices of the county except as otherwise provided by law or ordinance or this Charter;
5. carry out policies established by the commission;
6. prepare the commission agenda;
7. recommend measures to the commission;
8. report to the commission on the affairs and financial condition of the county;
9. execute bonds, notes, contracts, and written obligations of the commission, subject to the approval of the commission;
10. report to the commission as the commission may require;
11. attend commission meetings and may take part in the discussion, but may not vote;
12. prepare and present the budget to the commission for its approval and execute the budget adopted by the commission;
13. appoint, suspend, and remove all employees of the local government except those who serve under an elected department head, and except as otherwise provided by law, ordinance or this Charter;
14. appoint members of temporary advisory committees established by the manager.

Section 3.03 Administrative Duties

Employees appointed by the manager and his or her subordinates shall be administratively responsible to the manager. Neither the commission nor any of its members may dictate the appointment or removal of any employee whom the manager or any of his or her subordinates are empowered to appoint. Except for the purpose of inquiry or investigation under this Charter, the commission or its members shall deal with the local government employees who are subject to the direction and supervision of the manager solely through the manager, and neither the commission nor its members may give orders to any such employee, either publicly or privately.

Section 3.04 Compensation

The compensation of the manager shall be set by ordinance of the county commission.

ARTICLE IV JUDICIAL BRANCH

Section 4.01 County Court

There shall be such county courts as are provided by law.

ARTICLE V DEPARTMENT STRUCTURE

Section 5.01 County Officers - Elected Department Heads

The county attorney and sheriff, shall serve as elected department heads and have the powers and duties prescribed by law, this Charter and ordinance.

Section 5.02 Qualifications for Office

Qualifications for the offices of county attorney and sheriff shall be as prescribed by law.

Section 5.03 Term of Office

County officers shall be elected for a four (4) -year term of office.

Section 5.04 Election

County officers shall be nominated and elected at large on a nonpartisan basis.

Section 5.05 Vacancy in Office

The offices of county attorney and sheriff become vacant as prescribed by law.

Section 5.06 Removal from Office

A county officer may be removed from office by a finding, adopted by the affirmative vote of three (3) commission members, that the office has become vacant as prescribed by law, or by the recall of the county officer by the electors of Toole County, as prescribed by law.

Section 5.07 Filling Vacancy of Elected Officials

When a vacancy occurs in the office of a county officer, the position shall be considered open and subject to nomination and election at the next general county election in the same manner as the election of any other person holding the same office, except the term of office shall be limited to the unexpired term of the person who originally created the vacancy. Pending such election and qualification the commission shall, by the affirmative vote of three (3) commission members, appoint a person within 30 days of the vacancy to hold the office until the successor is elected and qualified.

Section 5.08 Organization of Other Departments

The organization of county departments shall be prescribed by ordinance.

Section 5.09 Compensation

The compensation of county officers and all other department heads shall be set by ordinance of the commission.

ARTICLE VI GENERAL PROVISIONS

Section 6.01 Amendment of Charter

This Charter may be amended only as prescribed by law.

Section 6.02 Effective Date

This Charter shall become effective on January 4, 1999.

Section 6.03 Oath of Office

Before entering upon 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 Montana.

Section 6.04 Recall

Elected officials may be recalled by the qualified electors of Toole County as provided by law. No elected official may be recalled for performing a mandatory duty of the office or for not performing any act that, if performed, would subject him or her to prosecution for official misconduct.

Section 6.05 Severability

If any provision of this Charter is held invalid, the other provisions of this Charter shall not be affected thereby. If the application of the Charter, or any part of its provisions, to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

ARTICLE VII TRANSITION PROVISIONS

Section 7.01 General Transition

Transition to this charter form of government shall be as prescribed by law. The Toole County Study Commission shall provide for such transition with an advisory plan consistent with law. The provisions of this transition article shall not be published as part of the Charter after January 1, 2000.

Section 7.02 Continuation in Office

1. The members of the governing body holding office on the date the new plan of government is adopted by the electors of Toole County may continue in office and in the performance of their duties until the governing body authorized by the plan has been elected, qualified, and sworn into office, whereupon the prior governing body is abolished.
2. All employees may continue in the performance of the duties of their respective offices and positions until provisions are made for the performance or discontinuance of the duties or the discontinuance of the offices or positions.
3. Existing elected officers not enumerated in Section 5.01 may continue in office until January 1, 1999 at which time the offices are discontinued as separately elected offices.

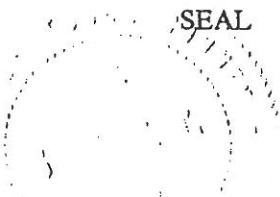
Section 7.03 Review of Existing Ordinances

All county ordinances, resolutions and rules of Toole County shall remain in effect until reviewed, revised or repealed by the county commission. The county commission shall review and, where necessary, revise or repeal all county ordinances and resolutions to provide for compliance and consistency with this Charter and law no later than January 1, 2000.

We, the Study Commission of Toole County do hereby certify that this is the proposed plan of government approved by the Study Commission of Toole County.

In testimony whereof, we set our hands.

Done at Shelby, Montana this 19th day of August 1996.



Melodée A. Robins
Melodée A. Robins, Clerk & Recorder

Linda Lee
Linda Lee, Chair

John Alstad
John Alstad

Debra J. Clark
Debra J. Clark

Barbara Iverson
Barbara Iverson

Kneelon Teague
Kneelon Teague

CERTIFICATE
ESTABLISHING THE EXISTING PLAN OF GOVERNMENT
FOR
TOOLE COUNTY, MONTANA

If retained by the voters, the government of Toole County shall be organized under the following, provisions of MCA 7-3-111 which authorizes the elected county official form of government;

7-3-111. Statutory basis for elected county official government. (1) For the purpose of determining the statutory basis of existing units of local government after May 2, 1977, each unit of local government organized under the general statutes authorizing the elected county official form of government shall be governed by the following sections:

- (a) 7-3-401;
 - (b) 7-3-402;
 - (c) 7-3-412(3);
 - (d) 7-3-413(1);
 - (e) 7-3-414(1);
 - (f) 7-3-415(2);
 - (g) 7-3-416(2);
 - (h) 7-3-417(2);
 - (i) 7-3-418;
 - (j) 7-3-432(1);
 - (k) 7-3-433(1);
 - (l) 7-3-434(1);
 - (m) 7-3-435(1);
 - (n) 7-3-436(1);
 - (o) 7-3-437(6);
 - (p) 7-3-438(1);
 - (q) 7-3-439(6);
 - (r) 7-3-440(1);
 - (s) 7-3-441(1);
 - (t) 7-3-442(6) if the county has not elected an auditor;
- (2) This form has terms of 4 years for all elected officials except commissioners who are elected to 6-year terms. The commission consists of three members.

These sections establish the following form of government which shall be called the COMMISSION FORM.

7-3-401. Commission form. The commission form consists of an elected commission (which may also be called the council) and other elected officers as provided in this part. All legislative, executive, and administrative powers and duties of the local government not specifically reserved by law or ordinance to other elected officers shall reside in the commission. The commission shall appoint the heads of departments and other employees, except for those appointed by other elected officials. Cities and towns which adopt this form may distribute by ordinance the executive and administrative powers and duties into departments headed by individual commissioners.

7-3-402. Nature of government. Local governments that adopt this form shall have general government powers.

7-3-412 (3). Selection of commission members. The commission shall be elected at large and nominated by a plan of nomination that may not preclude the possibility of the majority of the electors nominated candidates for the majority of the seats on the commission from persons residing in the-district or districts where the majority of the electors reside.

7-3-413 (1). Type of election. Local government elections shall be conducted on a partisan basis.

7-3-414 (1). Chairman of commission. The chairman of the commission shall be elected by the members of the commission from their own number for a term established by ordinance.

7-3-415 (2). Administrative assistants. The commission may appoint one or more administrative assistants to assist them in the supervision and operation of the local government.

7-3-416 (2). Terms of the commission members. Commission members shall be elected for overlapping terms of office.

7-3-417 (2). Size of commission and community councils. The size of the commission, shall be three, and community councils to advise commissioners may be authorized by ordinance.

7-3-418. Terms of elected officials. The term of office of elected officials may not exceed 4 years, except the term of office for commissioners in counties adopting the form authorized by Article XI, section 3(2), of the Montana constitution may not exceed 6 years. Terms of office shall be established when the form is adopted by the voters.

7-3-432 (1). Legal officer. A legal officer (who may be called the county attorney) shall be elected.

7-3-433 (1). Law enforcement officer. A law enforcement officer (who may be called the sheriff) shall be elected.

7-3-434 (1). Clerk and recorder. A clerk and recorder shall be elected.

7-3-435 (1). Clerk of district court. A clerk of district court shall be elected.

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

7-3-437 (6). Surveyor. A surveyor shall not be included in this form as a separate office.

7-3-438 (1). Superintendent of schools. A superintendent of schools shall be elected.

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

7-3-440 (1). Coroner. A coroner shall be elected.

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

7-3-442 (6). Auditor. An auditor shall not be included in this form as a separate office.



Melodee Robins
Melodee A. Robins, Clerk & Recorder

We, the Study Commissioners of Toole County do hereby certify that this is the existing Plan of Government as established by Section 7-3-111 MCA.

In testimony whereof, we set our hands.

Done at Shelby, Montana this 19th day of August 1996.

Linda Lee
Linda Lee, Chair

John Alstad
John Alstad

Debra J. Clark
Debra J. Clark

Barbara Iverson
Barbara Iverson

Kneelon Teague
Kneelon Teague

CERTIFICATE FOR THE APPORTIONMENT OF COMMISSIONER DISTRICTS

Districts described by census block with population and deviation from ideal are shown.

DISTRICT	1990 POPULATION	%DEVIATION FROM IDEAL POPULATION
1	1,683	0
2	1,690	+0.5
3	1,673	-0.5

NOTES:


1. Ideal population is calculated by dividing the total 1990 population of Toole County by the number of districts (5,046/3 = 1,682)
2. The 1990 population is derived from the U.S. Bureau of the Census 1990 TIGER and P.L. 94-171 Digital Data Files.

We, the Study Commissioners of Toole County do hereby certify that this is the official apportionment plan for Toole County commissioner districts approved by the Toole County Local Government Study Commission.

In testimony whereof we set our hands.

Done at Shelby, Montana this 19th day of August 1996.

SEAL



Melodee Robins
Melodee A. Robins, Clerk & Recorder

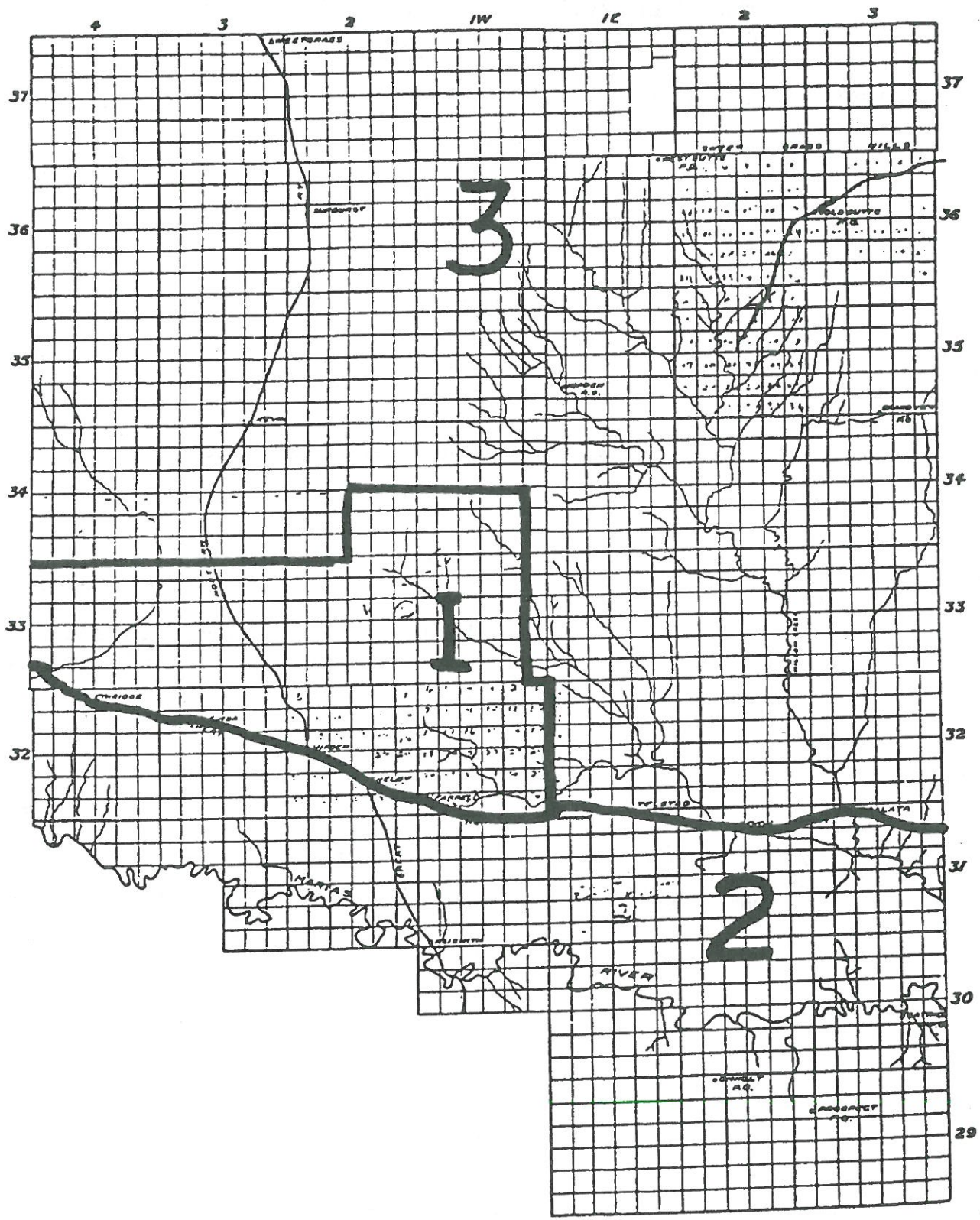
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Barbara Iverson

Kneelon Teague
Kneelon Teague



CERTIFICATE
ESTABLISHING THE OFFICIAL BALLOT FOR
THE NOVEMBER 5, 1996 SPECIAL ELECTION

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

OFFICIAL BALLOT
BALLOT ON THE ALTERNATIVE FORM OF LOCAL GOVERNMENT

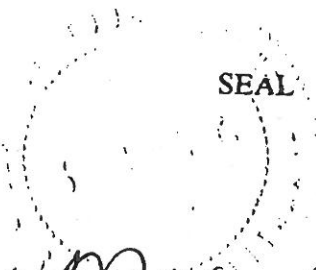
Vote for One.

- For adoption of the self-government charter with the county manager plan of government proposed for Toole County proposed by the Toole County Local Government Study Commission.
- For the existing elected county commission form of government.

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

In testimony whereof, we set our hands.

Done at Shelby, Montana this 19th day of August 1996.



Melodee A. Robins
Melodee A. Robins, Clerk & Recorder

Linda Lee
Linda Lee, Chair

John Alstad
John Alstad

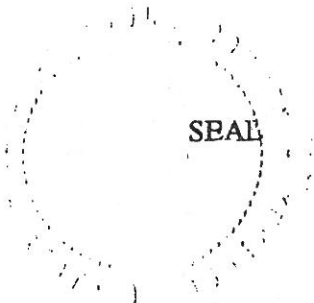
Debra J. Clark
Debra J. Clark

Barbara Iverson
Barbara Iverson

Kneelon Teague
Kneelon Teague

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

The alternative form of government proposed by the Local Government Study Commission shall be submitted to the voters of Toole County at a special election to be held with the general election on November 5, 1996.



Melodee Robins
Melodee A. Robins, Clerk & Recorder

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

In testimony whereof, we set our hands.

Done at Shelby, Montana this 19th day of August, 1996.

Linda Lee
Linda Lee, Chair

John Alstad
John Alstad

Debra J. Clark
Debra J. Clark

Barbara Iverson
Barbara Iverson

Kneelon Teague
Kneelon Teague

**CERTIFICATE
ESTABLISHING THE DATES OF THE
FIRST PRIMARY AND GENERAL ELECTIONS
FOR OFFICERS OF THE NEW GOVERNMENT
OF TOOLE COUNTY, MONTANA
IF THE ALTERNATIVE PROPOSAL IS APPROVED
AND ESTABLISHING THE EFFECTIVE DATE OF
THE PROPOSAL, IF APPROVED**

The date of the primary election for officers of the new government of Toole County, Montana shall be held at a special election on June 2, 1998.

The date of the general election for officers of the new government of Toole County, Montana shall be held at a special election on November 3, 1998.

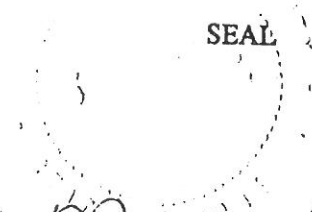
The effective date of the alternative plan of local government of Toole County, Montana takes effect when the new officers take office at 10 a.m., January 4, 1999.

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

In testimony whereof, we set our hands.

Done at Shelby, Montana this 19th day of August 1996.

SEAL


Melodee A. Robins
Melodee A. Robins, Clerk & Recorder

Linda Lee
Linda Lee, Chair

John Alstad
John Alstad

Debra J. Clark
Debra J. Clark

Barbara Iverson
Barbara Iverson

Kneelon Teague
Kneelon Teague