

CITY OF THREE FORKS, MONTANA

RESOLUTION ____-2024

RESOLUTION CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A STUDY COMMISSION TO DO SO

WHEREAS, Article XI, Section 9 of the Montana Constitution requires that every ten years the citizens of every county and municipal government get the opportunity to review the structure of their local government.

WHEREAS, §7-3-172(2), MCA requires that every ten years the governing body shall call for an election to be held on the primary election on the question of conducting a local government review and establishing a study commission. The primary election date for 2024 is June 4.

WHEREAS, §7-3-172 through §7-3-193, MCA states that a study commission, if established by an affirmative vote of the people, there shall be an election for such members at the general election and that such study commission will be charged with recommending amendments to the existing plan of government (the City Charter), recommending an alternative form of government, recommending a municipal-county consolidation or merger, or find that no recommended changes to the existing form of government are needed.

WHEREAS, §7-3-175, MCA states specific language that must be on the ballot which includes a “not to exceed dollar or mill” amount. According to Local Government Services of Montana who has records of all the cities and towns who have conducted study commissions, a community the size of Three Forks could designate anywhere from \$3,000 to \$20,000 to conduct the study (see Exhibit A).

WHEREAS, currently the City of Three Forks operates under Article XI, Section 5 of the Montana Constitution which is “Self-Government Charters”. Self-governing powers allow for the City to make and pass all bylaws, ordinances, orders, and resolutions not repugnant to the constitution of the United States or of the State of Montana, necessary for the government or management of the affairs for carrying into effect the provisions of §7-5-4101, MCA. The City Charter can be found at www.threeforksmontana.us/city-charter and does have one typo in Section 3.02 “Qualifications for Office” by referring to the City as the “City of Four Forks”.

WHEREAS, in accordance with §7-1-4127, MCA notice was provided of this public hearing in the Bozeman Daily Chronicle on January 27, 2024, in the Belgrade News on February 1, 2024, and in the Three Forks Voice on January 31 and February 7, 2024, as well as posted on the City website, City Facebook page, and around town at various physical locations.

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NOW, THEREFORE BE IT RESOLVED by the Three Forks City Council that it hereby calls for an election on the question of conducting a local government review and electing a study commission to be held at the primary election on June 4, 2024.

If the voters decide in favor of conducting a local government review, a study commission will be comprised of _____ members whom shall be elected at the general election on November 5, 2024.

Pursuant to §7-3-175, MCA the question of conduction a local government review shall be submitted to the electors in the following form:

VOTE FOR ONE:

[☐] **FOR** the review of the government of the City of Three Forks and the establishing and funding, not to exceed \$20,000, of a local government study commission consisting of _____ [# of members] _____ members to examine the government of Three Forks and submit recommendations on the government.

[☐] **AGAINST** the review of the government of the City of Three Forks and the establishing and funding, not to exceed \$20,000, of a local government study commission consisting or _____ [# of members] _____ members to examine the government of Three Forks and submit recommendations on the government.

Dated this 13th day of February 2024.

CITY OF THREE FORKS

Randy Johnston, Mayor

ATTESTED:

Crystal Turner, City Clerk