

I. LETTER TO THE CITIZENS OF THE CITY OF SHELBY

To the citizens of Shelby:

The Shelby Local Government Study Commission elected by the voters on November 8, 1994, or thereafter appointed, present this final report to you, the citizens of Shelby.

The purpose of the study commission, as defined by state law, is "to study the existing form and powers of a local government and procedures for 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 an amendment to the existing form of government or offer an alternative form of government to the qualified electors.

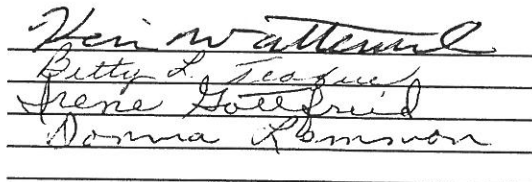
In every phase of this review this study commission sought advice and information from as many people in the city as possible. Present council members, the mayor, city clerk and city superintendent were all interviewed during the study of the existing form of government. Opinions and recommendations were solicited from local government officials, community organizations and citizens. All meetings of the study commission were open to the public. Commission members appeared before various community organizations to explain the work of the commission and also to hear the viewpoints, ideas, and concerns of those present. Public hearings were held and a newspaper mail-in survey was conducted.

Our recommendations reflect the thoughts and opinions of those who participated in public hearings, those who attended our regular meetings, those who responded to the survey, and opinions expressed during personal contacts with many citizens of the city in addition to the independent efforts of this study commission.

In this final report we present our recommendations for retention of the present Mayor-Council form of government with the adoption of a charter providing for self-government powers. We feel this will better provide the government services expected by the people, both today and in the future, and allow the flexibility to better address new situations and problems as they arise. Our concern has been to provide a form of government that will be responsive to local citizens, be able to respond to the ever-changing demands brought about by government mandates, and yet still have some means of controlling costs. We feel the citizens of Shelby can best achieve these goals by retaining the present Mayor-Council form of government with a charter providing for self-government powers and including the amendments in the proposed charter.

The question of adopting this amended form of the present government will be placed on the ballot November 5, 1996. We solicit your support for its adoption.

Respectfully submitted,



Shelby Local Government Study Commission

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APPENDIX

- Exhibit A: Certificate of plan of existing form of government.
- Exhibit B: Certificate of plan of proposed form of government
- Exhibit C: Certificate establishing Apportionment Plan
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II. SUMMARY OF RECOMMENDATIONS

The Shelby Local Government Study Commission, having thoroughly studied our present form of city government and the alternative forms of government available to cities under state law, and having considered the future government needs of this city, recommends the following:

1. The City of Shelby should adopt, effective January 1, 1997, a Charter providing for self-government powers. It shall retain the present Mayor-Council form of government essentially unchanged as to number of council members, terms of office, and method of election.
2. Elections will continue to be conducted on a non-partisan basis.
3. The Charter shall be submitted to the voters of the City of Shelby on November 5, 1996.

A. Findings of the Study Commission

After many months of study it is the decision of this study commission to recommend changes in the city government that will provide a more flexible government framework in order to meet the changing needs of the city as well as address the increasing demands put upon municipalities by government mandates. Problem areas that were identified during the course of the study by research, discussion, public hearings, and testimony of public officials and citizens indicate a strong concern regarding rising costs and what appears to be a clearly divided council. It is the intention of this commission to address those two areas in the proposed Charter.

The present form of city government has existed in Shelby since the incorporation of the city essentially unchanged. This form of government 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 city, however, have changed and continue to change rapidly. State and federal government continues to put demands upon municipalities in the form of unfunded mandates that have caused many compliance problems for small cities along with heavy financial burdens. It is felt that self-government powers will allow the city much more flexibility in responding to these demands as well as allowing it more flexibility in addressing all local problems.

Other areas of concern also emerged during the course of the study that affected the study commission's choice of the form of government. The newspaper survey indicated much concern over rising costs. While it is clearly recognized that costs of government obviously must increase if we are to maintain services and our infrastructure, it was felt there must be some control over how much these costs can be allowed to rise in order to protect those citizens on fixed incomes. Also, there appears to be a great deal of disharmony present at the council level and it was felt this problem should be addressed. These areas of concern led the study commission to identify three basic goals:

1. Local control over local problems;
2. Control of rising costs;
3. Government that is responsive to its citizens and acts as a unified group.

In an attempt to achieve these goals, the study commission has recommended a Charter that provides for self-government powers, includes provisions for controlling rising fees and costs put upon citizens and encourages a more unified council that will cooperate better as a group.

B. Key Provisions of the Proposed Charter

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 city has been the prerogative of the state legislature. The legislature decided what city government should do and how it should do it.

The new constitution provides that “self-government powers” can be adopted by cities along with an alternative form of government. The adoption of self-government powers would alter the traditional relationship between the state and the city. Certain areas of control would be transferred from the state legislature to the city council. Some decisions that are now made on a state-wide basis by the legislature could be made at the local city level. State-wide uniformity, while still mandated in certain areas, could be replaced in other areas with procedures tailored to the particular needs of our city. Self-government powers would mean greater flexibility in shaping our government structure, greater power to solve our own local problems, and more responsibility to recognize and deal with these local problems.

2. Control of Rising Costs

The charter specifically addresses this problem in Section 1.03 by limiting the increase of city taxes and fees to no more than one and one-half (1 1/2) percent in any fiscal year except with the prior approval of a majority of the electors voting on the question in a general or special election. This does not include city operated utilities which must meet the funding requirements established by law.

3. Government that is responsive to its electors and acts as a unified body

Section 2.12 provides a need for the affirmative vote of at least four of the six council members for all official actions of the council. This clearly puts the authority for all actions of the city council in the hands of the council members and requires them to act together in a more unified manner in order to conduct business.

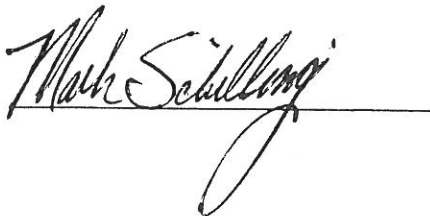
III. Minority Report - See Attached Letter From Mark Schilling

SHELBY STUDY COMMISSION MINORITY REPORT

THE STUDY OF THE VARIOUS FORMS OF GOVERNMENT IS A COMPLEX AND INTRIGUING MATTER TO SAY THE LEAST!

SHELBY'S GOVERNMENT IS ONLY AS GOOD AS IT'S ELECTED OFFICIALS, JUST REMEMBER WHO ELECTED THEM TO THOSE POSITIONS. DUE TO MINIMAL PUBLIC INPUT AND A LACK OF ADEQUATE TIME ON MY OWN BEHALF TO TRULY GET A FEEL FOR THE MAJORITY'S DECISION TO PROPOSE THE ADOPTION OF A CHARTER, IT IS MY OPINION THAT THE PRESENT FORM OF GOVERNMENT COMMISSION EXECUTIVE (COUNCIL MAYOR) IS ADEQUATE FOR THE CITIZENS OF THE CITY OF SHELBY.

RESPECTFULLY SUBMITTED

A handwritten signature in cursive script, reading "Mark Schilling", is written over a horizontal line. The signature is fluid and stylized, with a large loop at the end of the last name.

IV. COMPARISON OF THE EXISTING FORM OF GOVERNMENT AND THE PROPOSED FORM OF GOVERNMENT

EXISTING FORM

Description of General Characteristics

Policy-making and administrative structure. The traditional form of city government has existed in Shelby since the incorporation of the city. In structure and power it reflects its role as an administrative arm of state government. It consists of a Mayor and a City Council with departmental heads appointed by the council.

The six members of the City Council are elected by the electors in the city with two council members from each of three wards. These two council members are elected by the voters of the ward which they represent and have overlapping terms with the term of one council member from each ward expiring every two years. Each council member must reside in the ward he represents and council members are elected on a non-partisan basis.

The City Council members function as the executive and legislative branch of city government and are responsible for the administration of the business of the city as outlined in state law. They approve the budget, levy fees and taxes, issue bonds, enter into contracts, approve claims, enact city ordinances, and may buy, sell and lease city property. They also have the responsibility to appoint department heads and set salaries of city employees.

Structures for the delivery of services. Major city provided services include:

- Record keeping functions
- Financial administration
- Maintenance of city streets, sewer lines and water lines
- Public safety and judicial administration (such as the combined law enforcement, city attorney and city court system.)
- Recreation
- Parks
- Planning and development

Power and authority of city government. One of the most important provisions in the proposed P form of government is self-government powers. Under the existing form of government, Shelby operates with limited powers which are restricted by the so-called "Dillon Rule." This judicial interpretation states that local governments have only those powers specifically granted to them by state legislature. It further provides that if there is any doubt as to the existence of a local government power, the power is to be denied.

PROPOSED FORM

Description of General Characteristics

Policy-making and administrative structure. This function remains essentially unchanged with the make-up of the government remaining the same; a Mayor and six-member City Council. The method of electing the City Council, their terms of office, and their functional duties remain essentially the same.

Structure for the delivery of services. This portion of the government is unchanged.

Power and authority of city government. This is primarily the only characteristic of government that is changed by the Charter. The self-government powers provided by the Charter allow the government more flexibility in addressing the needs of the city as has been previously discussed. The authority of city government is somewhat more limited due to the cap put on the amount taxes and fees can be increased. Also, the requirement for four affirmative votes in order to take official action limits what the council can do unless it acts as one body for the good of the City.

Comparison of Specific Characteristics of Existing and Proposed forms of Government

The following chart compares 10 characteristics of the existing form of city government with the proposed form of government. Under the last column entitled "comments" the study commission has included short summaries of why they are proposing the changes if there is a change.

Recommendation and Reasons

The first responsibility of the study commission was to study and evaluate the present form of government in this city; the second responsibility was to compare the existing form with alternative forms available in Montana and then to decide whether or not to offer an alternative that can best meet the needs of this city to the voters.

The decision of the Shelby Local Government Study Commission to recommend a Charter with self-government powers and limitations on the powers of the council is made in the belief that such a government can best meet city needs as identified during the course of this study.

TABLE OF COMPARISON

(See attached table.)

TABLE OF COMPARISON

	Existing Form	Proposed	Comments
1. Form of Government	Mayor-Council	Mayor-Council form with a charter that provides for self-government powers.	Retains the present form of government with the additional control by local citizens that is offered under the limitations specifically stated in the charter.
2. Powers	General government powers: State law defines what local governments may do and specifies how it shall or may be accomplished	Self-government powers: A local government unit that adopts a self-government charter may exercise any power not prohibited by the state constitution, law, or the charter itself.	Allows the city more flexibility in addressing the rapid and constant changes brought about by modern technology and by federal legislation and mandates while still affording local citizens a controlling mechanism.
3. Governing body	Council is elected by ward, non-partisan. Mayor is elected at large non-partisan.	Same	No change
4. Term	Six council members, 4-year overlapping terms, Mayor four years.	Same	No change
5. Presiding officer	Mayor	Same	No change
6. Duties	Council is the legislative policy-making body.	Same with the addition of the requirement that it takes an affirmative vote of four council members to transact business.	This requires the council to be more in agreement when changes are made or action is taken and encourages cooperation and compromise.
7. Chief Administrative Officer	Mayor	Same	No change
8. Appointive powers	Mayor appoints and removes all department heads with the approval of the council.	Same	No change
9. Budget Preparation	Mayor shall prepare and execute the budget with the approval of the council.	Same	No change
10. Powers of Mayor	Mayor shall appoint and remove City employees upon recommendation of department heads and with the approval of the council, prepare and execute the budget, administer the local government, and have veto power.	Same	No change

CERTIFICATE

ESTABLISHING THE EXISTING PLAN OF GOVERNMENT

FOR THE

CITY OF SHELBY, MONTANA

If retained by the voters, the government of Shelby shall remain organized under the following provisions of 7-3-113, M.C.A. which authorizes the municipal council-mayor form of government.

7-3-113. Statutory basis for municipal council-mayor government.

(1) For the purpose of determining the statutory basis of existing units of local government, each unit of local government organized under the general statutes authorizing the municipal council-mayor form of government, which does not adopt a new form, shall be governed after May 2, 1977 by the following sections:

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

Authorized by 7-4-4102(4) M.C.A.

(City Resolution authorizes nonpartisan elections pursuant to 13-1-104(1) M.C.A.)

(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.

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

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 general

government powers.

7-3-203. Duties of the 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;
- (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.

7-3-212. Administrative assistants. The executive 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 appoint, with the consent of a 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 veto ordinances and resolutions, subject to override by a two-thirds vote of the commission.

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

7-3-216. Administrative supervision and control. The executive may 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) shall be selected as provided by ordinance.

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

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

7-3-221. **Presiding officer of the commission.** The presiding officer of the commission shall be 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 overlapping terms of office.

7-3-223. **Size of commission and community councils.** The size of the commission shall be six (6), and community councils to advise commissioners may be authorized by ordinance.

7-3-224. **Terms of elected officials.** The term of office of elected officials shall be four (4) years.

We, the Study Commissioners of the City of Shelby do hereby certify that this is the existing Plan of Government as established by Section 7-3-113 M.C.A.

SEAL

In testimony whereof, we set our hands.

Done at Shelby, Montana this 5th day of Sept. 1996.

ATTEST: Joanne Wright
Joanne Wright, City Clerk

Kevin Watterud
Kevin Watterud, Chair

Betty Teague
Betty Teague

Irene Gottfried
Irene Gottfried

Donna Lemmon
Donna Lemmon

Mark Schilling
Mark Schilling

**CHARTER
FOR
THE CITY OF SHELBY**

PREAMBLE

WE, THE PEOPLE OF THE CITY OF SHELBY, COUNTY OF TOOLE,
STATE OF MONTANA, in accordance with Article XI, Section 5 of the Constitution of
Montana, do hereby adopt this Charter.

**ARTICLE I
POWERS OF THE CITY**

Section 1.01 Powers of the City of Shelby

The City of Shelby 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 and authority of this city shall be liberally construed. Every reasonable doubt as to the existence of a city power or authority shall be resolved in favor of the existence of that power or authority.

Section 1.03 Restrictions

1. The mill levy shall be limited to that of Montana municipal 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 municipal election.

2. There shall be no new tax or fee levied, except with the prior approval of a majority of the electors voting on the question in a general or special municipal election.

3. With the exception of fees for city operated utilities, no city tax or fee shall be increased by more than one and one-half (1 1/2) percent in any fiscal year except with the prior approval of a majority of the electors voting on the question in a general or special municipal election. Following a public hearing, fees for city operated utilities may be increased as necessary to meet the funding requirements established by law.

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 City Council

The legislative branch shall consist of the city council which shall be the governing body of the city.

Section 2.02 Qualifications for Office

Every resident of the City of Shelby who is 18 years of age or older, a citizen of Montana and a qualified elector pursuant to Article IV, Section 2 of the Montana Constitution is eligible to hold the office of council member for the district in which he or she resides.

Section 2.03 Composition

The City of Shelby shall have a city council of six (6) members, two of whom shall be elected from each of three (3) districts.

Section 2.04 Term of Office

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

Section 2.05 Election

Local government elections shall be conducted on a nonpartisan basis. Council members shall be elected by districts in which candidates must reside and which are apportioned by population. One council member from each district shall be elected every two (2) years.

Section 2.06 Division of the City into Districts

Following each decennial federal census, the city council shall cause the city to be divided into three districts as compact and equal in population as possible.

Section 2.07 Chairman of the Council

The council shall have a chairman who shall be elected by the members of the council from their own number for a term established by ordinance. The chairman of the council shall vote as other council members and preside when the mayor is absent.

Section 2.08 Vacancy in Office

The office of council members becomes vacant as prescribed by law.

Section 2.09 Removal from Office

A council member may be removed from office by a finding, adopted by the affirmative vote of four (4) council members that the office has become vacant as prescribed by law, or by the recall of the council member by the electors of Shelby, as prescribed by law.

Section 2.10 Filling Vacancy on Council

When a vacancy occurs in the office of council member, the position shall be considered open and subject to nomination and election at the next general municipal election, 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 council shall appoint within 30 days of the vacancy, by the affirmative vote of four (4) council members, a qualified resident of the district where the vacancy occurs to hold the office until the successor is elected and qualified.

Section 2.11 Powers and Duties

The Council shall be the legislative and policy determining body of the city. All powers of the city shall be vested in the city council except as otherwise provided by law or this Charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed by law or this Charter.

Section 2.12 Legislative Action

The affirmative vote of at least four (4) members of the council shall be required for all official actions of the council. A minimum of four (4) council members must be present when official actions are taken by the council. The council may override the mayor's veto with four (4) affirmative votes of the council.

Section 2.13 Restrictions on the Council

Except where authorized by law, no council member shall hold any other city office or city employment for compensation.

Section 2.14 Procedure

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

ARTICLE III EXECUTIVE BRANCH

Section 3.01 The Mayor

The mayor shall be the chief executive and administrative officer of the city.

Section 3.02 Qualifications for Office

Every resident of the City of Shelby who is 21 years of age or older and a citizen of Montana for three (3) years, and a resident of the City of Shelby for at least two years preceding the election to office is eligible to hold the office of mayor.

Section 3.03 Term of Office

The mayor shall be elected for a four (4) year term of office.

Section 3.04 Election

The mayor shall be nominated and elected at-large on a nonpartisan basis.

Section 3.05 Vacancy in Office

The office of mayor becomes vacant as prescribed by law.

Section 3.06 Removal from Office

The mayor may be removed from office by a finding, adopted by the affirmative vote of four (4) council members that his or her office has become vacant as prescribed by law, or by the recall of the mayor by the electors of Shelby, as prescribed by law.

Section 3.07 Filling Vacancy of Mayor

When a vacancy occurs in the office of mayor, the position shall be considered open and subject to nomination and election at the next general municipal election, except the term of office shall be limited to the unexpired term of the person originally creating the vacancy. Pending such election and qualification the council shall appoint within 30 days of the vacancy, by the affirmative vote of four (4) council members, a qualified resident to hold the office until the successor is elected and qualified.

Section 3.08 Powers and Duties:

The mayor shall:

1. enforce laws, Charter, ordinances, and resolutions;
2. perform duties required of him by law, Charter, ordinance or resolution;
3. administer affairs of the city government;
4. carry out policies established by the council;
5. recommend measures to the council;
6. report to the council on the affairs and financial condition of the city government;
7. execute bonds, notes, contracts, and written obligations of the council, subject to the approval of the council;
8. report to the council as the council may require;
9. preside at council meetings and may take part in discussion;
10. execute the budget adopted by the council;
11. appoint, with the consent of the council, all members of boards; except the mayor may appoint without the consent of the council temporary advisory committees established by the mayor.

Section 3.09 Administrative Duties

The mayor may:

1. prepare the budget in consultation with the council and department heads;
2. appoint one or more administrative assistants to assist in the supervision and operation of the city government, and such administrative assistants shall be answerable solely to the mayor;
3. appoint, with the consent of the council, all department heads and remove department heads and may appoint and remove all other department employees;
4. exercise control and supervision of all departments and boards.

Section 3.10 Legislative Authority

The mayor may veto ordinances and resolutions, subject to override by the affirmative vote of four (4) members of the council.

Section 3.11 Compensation

The compensation of the mayor shall be set by ordinance of the city council.

**ARTICLE IV
JUDICIAL BRANCH**

Section 4.01 City Court

There shall be a city court as provided by law.

**ARTICLE V
DEPARTMENT STRUCTURE**

Section 5.01 Organization of Departments

The organization of city departments shall be prescribed by ordinance.

**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 1, 1997.

Section 6.03 Oath of Office

Before assuming the duties of office, all elected city 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 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
TRANSITIONAL PROVISIONS**

Section 7.01 General Transition

Transition to this charter form of government shall be as prescribed by law. The Shelby 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, 1998.

Section 7.02 Continuation in Office

No current city employee or elected official currently holding a city office will lose employment or elected position solely because of the adoption of this Charter. Existing elected officials may continue in office until the end of the term for which they were elected.

Section 7.03 Review of Existing Ordinances

All city ordinances, resolutions and rules of the City of Shelby shall remain in effect until reviewed, revised or repealed by the city council. The city council shall review and, where necessary, revise or repeal all city ordinances to provide for compliance and consistency with this Charter and state law no later than January 1, 1998.

We the Shelby Study Commission do hereby certify that this is the proposed plan of government approved by the Shelby Study Commission

SEAL

In testimony whereof, we set our hands.

Done at Shelby this 5th day of Sept, 1996.

ATTEST: Jo Ann Wright
JoAnn Wright, City Clerk

Kevin Watterud
Kevin Watterud, Chair

Betty Teague
Betty Teague

Irene Gottfried
Irene Gottfried

Donna Lemmon
Donna Lemmon

Mark Schilling

CERTIFICATE

FOR THE APPORTIONMENT
OF COMMISSIONER DISTRICTS

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

WARD	1990 POPULATION	% DEVIATION FROM IDEAL POPULATION
1	598	4%
2	607	3%
3	673	7.5%

Notes:

1. Ideal population is calculated by dividing the total 1990 population of the City of Shelby by the number of districts ($2,763/3 = 921$).
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 Shelby Local Government Study Commission of Shelby, Montana do hereby certify that this is the official apportionment plan for commissioner districts approved by the Study Commission of Shelby.

SEAL

In testimony whereof, we set our hands.

Done at Shelby, Montana this 5th day
of Sept, 1996.

ATTEST: Joanne Wright
Joanne Wright, City Clerk

Kevin Watterud
Kevin Watterud, Chair

Betty Teague
Betty Teague

Irene Gottfried
Irene Gottfried

Donna Lemmon
Donna Lemmon

Mark Schilling

CERTIFICATE

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

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

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

SEAL

In testimony whereof, we set our hands.

Done at Shelby, Montana this 5th day of Sept, 1996.

ATTEST: Joanne Wright
Joanne Wright, City Clerk

Kevin Watterud
Kevin Watterud, Chair

Betty Teague
Betty Teague

Irene Gottfried
Irene Gottfried

Donna Lemmon
Donna Lemmon

Mark Schilling

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

Instructions to voters: Place an "X" in the box which expresses your preference.

OFFICIAL BALLOT

BALLOT ON THE ALTERNATIVE FORM OF GOVERNMENT

Vote for One.

- FOR adoption of the self government charter with the commission-executive plan of government proposed for Shelby proposed by the Shelby Local Government Study Commission.

- FOR the existing form of government.

We, the Study Commissioners of the City of Shelby do hereby certify that this is the official ballot approved by the Shelby Local Government Study Commission.

SEAL

In testimony whereof, we set our hands.

Done at Shelby, Montana this 5th day of Sept, 1996.

ATTEST:

Joanne Wright
Joanne Wright, City Clerk

Kevin Watterud
Kevin Watterud, Chair

Betty Teague
Betty Teague

Irene Gottfried
Irene Gottfried

Donna Lemmon
Donna Lemmon

Mark Schilling