

MINUTES OF THE MEETING  
LOCAL GOVERNMENT COMMITTEE  
MONTANA STATE SENATE

April 19, 1985

The thirtieth meeting of the Local Government Committee was called to order at 12:30 p.m. on April 19, 1985, by Chairman Dave Fuller in Room 325 of the Capitol Building.

ROLL CALL: Senators Crippen and McCallum were excused. All other members were present.

CONSIDERATION OF SENATE JOINT RESOLUTION 42: Senator Mohar took the chair while Senator Dave Fuller, Senate District #22, presented his resolution. The resolution was introduced to request an interim study on Local Government Infrastructure.

PROPOSERS

Lieutenant Governor George Turman spoke in favor of the resolution. He said the Governor's Task Force on Infrastructure would be willing to assist in any way they can in this study.

Bill Olson, Secretary-Manager of the Montana Contractors Association, spoke in favor of the bill. His written testimony is attached as Exhibit A to these minutes.

OPPOSERS

There were no opposers to SJR 42.

Chairman Fuller opened the hearing for Committee questions. There were no questions from the Committee regarding SJR 42.

ACTION TAKEN ON SENATE JOINT RESOLUTION 42: Senator Pinsoneault moved the Committee recommend a DO PASS on SJR 42. The motion passed unanimously. Senator Fuller will carry the resolution.

CONSIDERATION OF HOUSE BILL 950: Representative Janet Moore, House District #10, is the sponsor of this bill. The bill was introduced to change the county boundary between Granite and Missoula Counties in order to include the area known as the Clinton area in Granite County; providing for approval of the electors of both counties as required by the Montana Constitution; providing for county records, indebtedness, and taxation; and providing an appropriation. Representative Moore submitted petitions signed by Clinton residents opposing the bill. They are attached as Exhibit B to these minutes. Representative Moore submitted proposed amendments to the bill. They are attached as Exhibit F to these minutes.

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### PROPOSERS

Senator Jack Haffey, Senate District Number 33, spoke in favor of the bill. He said there is a great deal of support from local people for this bill. He said the bill should be amended so that safeguards and checks and balances are included in the bill so people who are now opposing the bill will support it.

Representative Bernie Swift, House District #64, spoke in favor of the bill. He said the bill gives the people the opportunity to voice their opinions and desires and make their wishes known to government.

Elizabeth Friesz, a Clinton resident, spoke in favor of the bill. Her written testimony is attached as Exhibit C to these minutes.

Tom White, a Turah resident, stated his support of the bill.

### OPPOSERS

Lee Tangedahl, a Turah resident, spoke in opposition to the bill. He said the Clinton area people want the protection of Missoula County but they want to pay Granite County taxes. He said this bill is being referred to as a boundary change, which it is not; it is a bill to put the issue of a boundary change on the ballot. He said many people find Missoula County highly urbanized and want rural lifestyles. These people work in Missoula and live in Clinton and are taking on an urbanized lifestyle anyway and changing the county boundary line will not change this. Many people from Turah oppose this bill but will be taken into the hands of people from Clinton who are for it. He said the bill has been referred to as a joke by the media and therefore cannot be taken seriously.

Mark Riggs, a Clinton resident, spoke in opposition to the bill. He said if Missoula County moves them out, where will they go?

Mary Jane Tangedahl, a Turah resident, spoke in opposition to the bill. She said the cost of taxes would change very little. She submitted a letter of opposition from Gerald and Sharon Marks of Turah. It is attached as Exhibit D to these minutes.

James Sharbono, a Clinton resident, spoke in opposition to the bill. He said people should vote on this issue in their own area.

A letter of opposition was submitted by K. Diane Tamcke. It is attached as Exhibit E to these minutes.

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Chairman Fuller opened the hearing for Committee questions.

Senator Eck asked Senator Haffey what types of technical problems this bill could propose. She is concerned about counties vieing for a particularly valuable piece of property. Senator Haffey said they have just now started looking into the answers to these types of questions.

Senator Pinsoneault asked Senator Haffey if this type of legislation shouldn't have an interim study because of the ramifications of it. Senator Haffey said he has asked several people if this type of solution is really necessary. He said the answers have been both yes and no, mostly yes.

The hearing was closed on HB 950.

CONSIDERATION OF HOUSE BILL 954: Representative Fred Thomas, House District #62, is the sponsor of this bill. The bill was introduced to change the county boundary between Ravalli and Missoula Counties in order to include the area known as the Lolo area in Ravalli County; providing for the approval of the electors of both counties as required by the Montana Constitution; providing for county records, indebtedness, and taxation; and providing an appropriation. Proposed amendments to the bill were submitted. They are attached as Exhibit G to these minutes.

#### PROPONENTS

Representative Bernie Swift, House District #64, spoke in favor of the bill. He said there is an orderly transition process contained in the bill.

Julia Penner, a Lolo resident, spoke in favor of the bill. Her written testimony is attached as Exhibit H to these minutes.

Pete Penner, a Lolo resident, submitted written testimony in favor of the bill. It is attached as Exhibit I to these minutes.

Jan Henderson, a Lolo resident, submitted written testimony in favor of the bill. It is attached as Exhibit J to these minutes.

#### OPPONENTS

Ann Mary Dussault, Missoula County Commissioner, spoke in opposition to the bill. Her written testimony is attached as Exhibit K to these minutes. She submitted petitions in opposition to the bill from Lolo residents. They are attached as Exhibit L to these minutes.

April 19, 1985

Howard Schwartz, Executive Officer for Missoula County, spoke in opposition to the bill. His written testimony is attached as Exhibit M to these minutes.

Mike Sehestedt, a Missoula County Deputy Attorney, spoke in opposition to the bill. He said their concerns focus on how this would affect county parks and on what basis of cost they would use for school district boundaries. He said they do not have the answers to these issues and need guidance from the legislature so they don't wind up litigating every issue that arises from this.

Chairman Fuller asked Ms. Dussault to close for Missoula County. Ms. Dussault said the Missoula County Commissioners will continue to talk with citizens on this issue. She said the boundary changes outlined in the bills are inconsistent. She said the Turah area residents do not want to be included in this bill and request to be taken out of it. She said the majority of Lolo area people are not taking this seriously because they think it is silly.

Chairman Fuller opened the hearing for Committee questions.

Senator Pinsoneault asked Representative Thomas if they should take out the specific areas in the bill and make the bill apply to all counties in Montana. Representative Thomas said yes, he agrees with doing this.

Senator Eck asked Representative Thomas if he would be able to address the administrative problems that Missoula County brought up. Representative Thomas said the Legislative Council has not been able to tell him yes or no regarding the administrative problems. He said the laws say that each County incurs its own costs in this type of a situation.

Senator Fuller asked Ms. Dussault to speak regarding any conversations with the Ravalli and Granite County Commissioners.

Ms. Dussault said in her conversations with them, there had been hope expressed of Missoula County holding its election first so that the receiving county would not waste money on holding an election to receive the petitioning county if it was not necessary.

The hearing was closed on HB 954.

The meeting adjourned at 1:35 p.m.

  
Senator Dave Fuller, Chairman

# ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

49th  
~~XXXX~~ LEGISLATIVE SESSION -- 1985

Date 4-19-85

SENATE  
SEAT  
#

NAME	PRESENT	ABSENT	EXCUSED
13 Senator Crippen, Bruce			✓
18 Senator Eck, Dorothy	✓		
11 Senator Harding, Ethel	✓		
47 Senator Hirsch, Les	✓		
4 Senator McCallum, George			✓
28 Senator Mohar, John (V.Chair)	✓		
44 Senator Pinsoneault, Dick	✓		
19 Senator Regan, Pat	✓		
21 Senator Story, Pete	✓		
43 Senator Fuller, Dave (Chair)	✓		

Each day attach to minutes.

# STANDING COMMITTEE REPORT

APRIL 19

85

19.....

MR. PRESIDENT

LOCAL GOVERNMENT

~~SENATE JOINT RESOLUTION~~

We, your committee on.....

SENATE JOINT RESOLUTION

42

having had under consideration..... No.....

**FIRST**

reading copy ( **WHITE** )  
color

## INTERIM STUDY OF LOCAL GOVERNMENT INFRASTRUCTURE

SENATE JOINT RESOLUTION

42

Respectfully report as follows: That..... No.....

DO PASS

~~DO NOT PASS~~

Senator Dave Fuller

Chairman.

**TESTIMONY ON SJR 42  
BY WILLIAM OLSON  
SECRETARY-MANAGER  
MONTANA CONTRACTORS' ASSOCIATION**

**APRIL 19, 1985**

Without the Infrastructure of public works, the economy of our State and our communities will not function normally.

A study conducted by the Associated General Contractors of America has concluded that the United States economy missed out on \$350 billion in Gross National Product from 1975 to 1982 because of insufficient public capital investment.

In Montana terms, our Task Force finds that in the four year period from FY 79 to 82, spending on capital investment in urban municipalities declined 53%.

Just the other day, I was visiting with a citizen and I asked him if he though the deterioration of public works in Montana was a serious problem. He allowed as how he thought that it sure was. I asked him if he thought the problem was caused by ignorance or apathy. He said . . . He didn't know and he didn't care.

What can be done in Montana to address local Infrastructure needs?

There are four basic barriers to effectively addressing Infrastructure in Montana. The first, and most important of these, is to become more knowledgeable as citizens about our own local public facilities. Ultimately, it is the responsibility of each local community to determine its own priorities and needs for capital investment.

Secondly, we need to address the problem of declining local government revenues.

Testimony SJR 42, William Olson  
April 19, 1985  
Page Two

The third barrier that we can work to reduce is the degree to which state government rules and regulations add to the cost of planning and financing local public works.

The fourth thing, we can do a better job of is getting information on Infrastructure assistance to our local government.

Some progress on these barriers can be made immediately through our recommendations. However, these recommendations are only the beginning of the changes necessary to removing the barriers that are preventing us from fully addressing our Infrastructure needs. A complete renovation of our local government financing and revenue authority must be undertaken. Therefore, we strongly urge that an Interim Study on Infrastructure be created to prepare this renovation for the 1987 Session of the Legislature. Our quality of life in Montana depends on our Infrastructure.

I ask your support for SJR 42.

Thank-you.

# MONTANA'S INFRASTRUCTURE CRISIS

## A Report to the State



MONTANA TRAVEL PROMOTION PHOTO

More Montana people are hearing the phrase "infrastructure crisis," on the news and in statements by politicians wrestling with public budgets.

What is the so-called "infrastructure," and what "crisis" exists?

The term defines the totality of facilities, public and private, that serve basic transportation and utility functions.

Our perspective in examining the state's infrastructure is to consider these extensive facilities as an investment which, like a home or an automobile, deserves protection if only to prevent a decline in the dollar value they represent.

Then why haven't more funds been allocated for public works projects? An infrastructure crisis update published by the AGC (Associated General Contractors) reveals that "for the last 20 years or so, capital spending on public works — at all levels of government — has been competing with service spending — and losing."

Montana infrastructure is a problem needing immediate attention. Unaddressed it will continue to decline and the costs of replacing these vital systems will escalate beyond the limits of our funding capacity altogether.

### What Does This Mean in Montana?

In January of 1984, Governor Ted Schwinden appointed a Task Force on Infrastructure to look into this question. The charge of the Task Force was:

"To look at ways to improve the quality and quantity of investment in capital facilities which are the responsibility of Montana counties, incorporated cities and towns."

"To compile information on the replacement and new construction needs of counties, incorporated cities and towns of Montana for basic public works and present this information to Montana citizens."

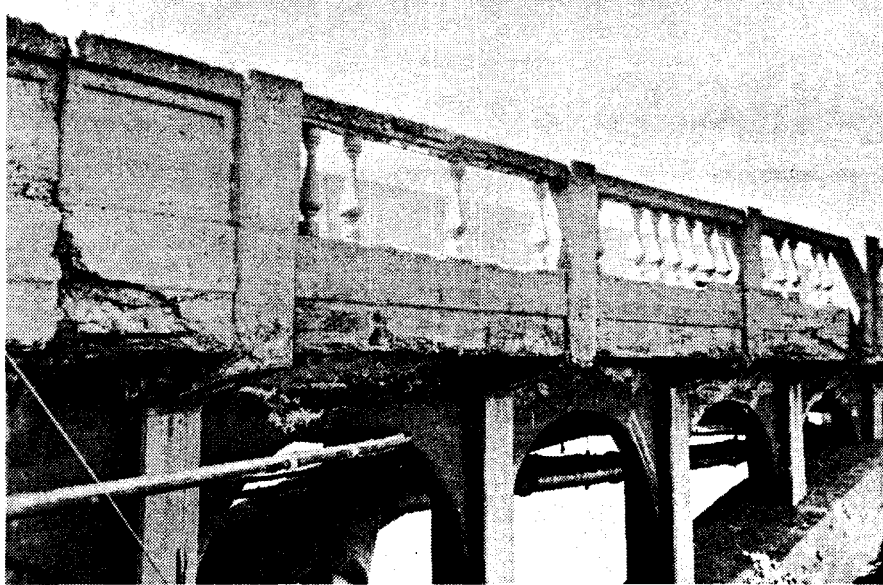
"To research administrative and legislative changes that could be made to facilitate flexibility in financing capital construction and good management in planning and operating capital facilities at the local level and bring these recommendations to the attention of the public and the appropriate government officials."

The Task Force is preparing its final report and recommendations through the fall of 1984, for presentation to the Governor and the Legislature prior to the 1985 session.

**What is the status of Montana infrastructure? Consider these situations:**

## BRIDGES

Local governments are responsible for construction, reconstruction or rehabilitation of all bridges on all public roads and streets in Montana which are not under State or Federal jurisdiction. In addition, local governments are responsible for maintaining all bridges on public roads and streets in Montana which are not the maintenance responsibility of the State or Federal government.



There are 2,142 bridges located on city and county jurisdiction roads and streets. 919 of these are structurally deficient, and in need of replacement, 798 bridges are structurally obsolete and in need of rehabilitation.

At today's costs \$72.5 million will be needed to replace the 919 structurally deficient bridges and \$27.5 million to rehabilitate or replace the 798 structurally obsolete bridges. Therefore, it will cost \$100 million to meet today's needs for local jurisdiction bridge systems.

## ROADS

Maintenance of streets and roads is largely the responsibility of local governments. These streets and roads are a vital portion of our transportation network.

There are approximately 78,000 miles of roads, streets and highways in Montana. Of this total, only 8,000 miles are the maintenance responsibility of the State Highway Department. The vast majority, or 70,000 miles, fall entirely to local governments to maintain. This amounts to almost 90 percent of our motor vehicle network.

This responsibility falls into two categories: roads, that are the responsibility of the counties; and streets, that are the responsibility of municipalities. It is estimated that the local share of county road responsibility for 63,546 miles is \$6.4 billion dollars. The local share for the 2,442 miles of streets has been estimated at \$1.1 billion. This makes the total amount of investment necessary from the local level for streets and roads \$7.5 billion dollars. Adding in State and Federal assistance, the total comes to over \$8 billion.

## AIRPORTS

If Montana has one problem that is more significant than any others in completing airport improvement plans, it is that of land acquisition. Difficulties in acquiring land have resulted in the creation of a sort of endangered airports list.

Currently 55 percent (64 out of 116) of Montana's airports are in need of repairs or reconstruction. Capital improvement funds from state and federal sources are available to 58 percent of the Montana airports, while the remaining 42 percent must rely on self-funding for capital improvements. Local revenue sources include loan programs, parking lot fees, hangar rental, fuel flowage fees, and some larger airports collect landing fees from commercial airlines. In addition, local governments have authorized a two mill levy for airport maintenance and improvement.

Because only 5-10 projects per year are possible under the federal grant/state match program, it will take 6-12 years to address current (1984) needs, since the federal grant/state match program will provide only \$17,874,000 of the total \$19,819,000 needed. However, since it will take the program 6-12 years to meet current needs, presumably, any new needs identified in subsequent years will not be met.

## JAILS

In Montana, the county government usually operates local jails. There are 53 county government detention facilities in Montana. The county sheriff is legally responsible for inspecting the jail and providing funds to assure the facility meets health, safety, fire, and separation requirements. All offenders who violate state law must, by law, be held in the county jail. All juveniles held for offenses must, by law, be held in county jails.

The current status of Montana jails is as follows:

- Out of a total of 53 county jails in the state, only one jail clearly meets current jail standards. Thus, the remaining 52 jails will need rehabilitation, expansion, or replacement.
- A total of 21 out of 53 county detention facilities were built or underwent a major renovation previous to 1955. Since a detention facility has a normal lifetime of 30 years, at least 21 facilities will need to be completely renovated or replaced.

- A recent study conducted by the Crime Control Division indicates that local government officials estimate that the current need for county jail rehabilitation, expansion or replacement is at least \$56,713,373. This figure is the aggregate need statewide for all Montana local governments.

- There are 16 municipal jails in Montana. Since most municipal jails are located in small cities and towns there is a possibility that those municipalities with sub-standard facilities might close the jails and contract with their county.

A total need of \$56,713,373 has been identified for county detention facilities. The financial cost for separate juvenile facilities is currently unknown. There is no total need figure available for the 16 municipal jails in the State. However, many planned jail upgrades have repeatedly stalled due to voter rejection of bond issues. For the foreseeable future it appears local governments will continue to provide the predominate share of the cost for jail upgrades.

## SOLID WASTE

Local governments and private entities are responsible (and liable) for the financing, operation and maintenance of Montana's Waste Management Systems. Waste Management includes: landfills (fencing, equipment, equipment storage, etc.), transfer stations, and incineration systems. Most local governments own their landfill property; however, some are leased from private, state or federal owners.

This facility provides basic protection to human health and the environment by maintaining adequate waste management services statewide. This program also administers and enforces the legislative statutes and companion rules for solid waste disposal and septic tank pumpers.

Solid waste management disposal needs for the State of Montana are estimated at a cost of \$6,550,000. A national rule of thumb indicates that disposal costs are only 25 percent of the overall, therefore, an estimated \$19,650,000 is needed for collection which is totally a local responsibility.

Nine percent of Montana's population is being served by solid waste systems that are out of compliance with Department of Health and Environmental Sciences standards. It will cost \$1 million to bring these into compliance and another \$5.4 million to maintain all systems at a compliance level (includes operational costs). The total annual bill for statewide compliance is \$6.4 million. Ten Montana counties have not met the needs for solid waste planning studies at a cost of \$150,000.

## COMMUNITY WATER SYSTEMS

The primary function of a water system is to provide a safe and convenient supply of water for drinking, fire protection and irrigation. The capacity of a system must be large enough to support "peak" personal and commercial demands, as well as accommodate community growth.



A total of 264 capital project needs have been reported by Montana's incorporated cities and towns. The physical needs are:

- 134 distribution projects
- 55 supply projects
- 45 storage projects
- 30 treatment projects

In addition, there are rural water systems. Thirty-five percent of the 279 rural water systems are in need of major upgrading to bring them into compliance with the "10" State Water Quality Standards. It is also felt that 55 percent of these rural systems have insufficient financial resources for repair or replacement of existing facilities, and that some daily financial obligations cannot be met.

Because there is no comprehensive database on the need for improvements to water systems in Montana it is impossible to arrive at an accurate estimate of need. However, we do know from the joint efforts of the Montana Contractors' Association, Inc. and the Montana League of Cities and Town's survey of incorporated cities/towns, that a minimum need of \$100 million has been identified.

## DAMS

Dams in the Treasure State are regarded as the State's Life Line. They are the source of city water supply, and provide for

flood control and recreation, some generate hydro-electric power and many supply irrigation to ranchers and farmers and their livestock.

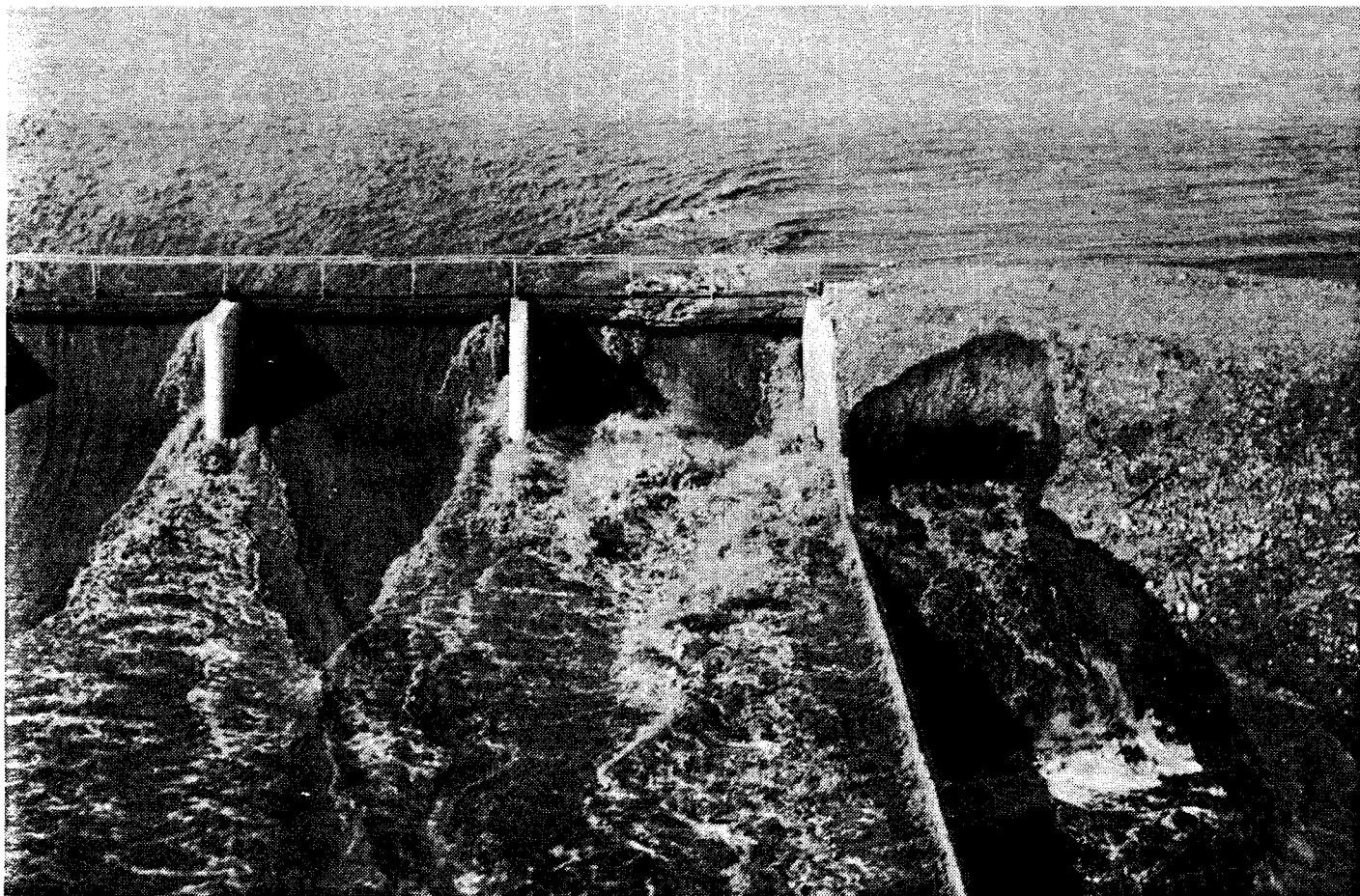
But the Life Line is about to be broken, in the case of many of our states dams.

Montana Department of Natural Resources and Conservation, with the Corps of Engineers, found that there are a total of 804 such structures in the state that show a potential for hazard. Of these, 672 are said to have significant hazard potential. That is, they pose some threat to human life, but mainly pose a threat for economic loss.

Of far greater concern are the 132 dams that are ranked as having a high hazard potential because a break or failure in any of these would claim more than a few human lives, and the economic losses would be excessive.

Montana's last fatal dam failure was in 1964 when the Swift and Two Medicine dams broke, killing 19 people and causing millions of dollars in damage. Unfortunately, it often seems the only interest for dam safety is when there is a loss of lives and property.

The State of Montana owns 36 significant hazard structures and 28 high hazard dams, while cities hold title to 13 dams that are significant hazards and 17 high hazard dams. Counties claim only two dams that are rated as significant hazards and three that fit the definition of high hazard dams.



# WASTEWATER TREATMENT AND DISPOSAL

The local authority (city, county or sewer district) is charged with the physical and financial responsibility of operating and maintaining its wastewater facility. Depending upon what type of governing authority is present, the decision makers are the city council, county commissioners or a sewer board.

There are no universal figures which tell us how many public and private wastewater facilities exist in Montana. However, we do have some 1982 population data: 69 percent of the population reflected needs for construction of new systems or that of bringing old systems up to standards. The remaining 31 percent, according to the population study, had no existing need.

The 1984 evaluation of 203 public systems for which information exists illustrates a monetary need of \$231,276,000. This cost figure includes projected capacity demands, necessary for population growth of 20 years (2004).

## WHO'S AT BAT?

There are two aspects of the problem we can improve in Montana. The first of these is to become more knowledgeable as citizens about our own local public facilities. Ultimately, it is the responsibility of each local community to determine



its own priorities and needs for capital investment. We can help by actively supporting our local officials in prioritizing local needs for replacement or rehabilitation, and recognizing our responsibility to help pay the costs involved. We need to find ways to ensure that local public facilities are operated in a cost efficient manner — including charging for a facility based on the amount of use (where charging is possible), and not deferring maintenance.

In many communities, Montana taxpayers are facing major capital expenditures. However, the alternative is clear. If we fail to reinvest in our public works now, costs in the future will only escalate as deterioration proceeds unchecked.

The second aspect of the problem that we can work to improve is the role that State government plays in planning and financing local public works. Local governments must comply with State statutes in planning and financing local public works. Many of these statutes are outmoded and actually add to the costs of replacing or maintaining local infrastructure by unnecessarily restricting local flexibility and authority. Many of the recommendations of the Task Force identify these statutes and propose changes in State law.

In addition, State government administers a number of grant, loan and bonding programs that actively contribute to local financing. State government also provides technical assistance for planning a broad range of public facilities. Unfortunately, most State and local officials are not aware of the full range of financial and technical assistance currently available. The Task Force has also recommended that all this information be pulled together into one place and made readily accessible to State and local officials.

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For more information:

This publication is brought to you as a public service by the Montana Contractors' Association, Inc. For more information about Infrastructure, contact:

Community Development Division  
Montana Department of Commerce  
Cogswell Building, Room C211  
Capitol Station  
Helena, Montana 59620

**Montana Contractors' Association, Inc.**

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HELENA, MONTANA 59604

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\_\_\_\_\_  
ADDRESS CORRECTION  
REQUESTED  
\_\_\_\_\_

Submitted by  
Rep. Janet Moore

We appose H. B. 950 "act  
changing the county boundary between  
Granite and Missoula Counties in  
order to include the area know as  
the Clinton area to Granite County.  
Providing for approval of the electors  
of both Counties as required by the  
Montana Constitution

We would rather stand and  
resolve our differences with our  
local government in Missoula County  
rather than run to Granite County  
and discover new problems on top  
of our old problems.

Signed

Karen Sharbano  
Mildred  
Jim Sharbano  
Walt S. Ripp  
Cindy S. Ripp  
~~Steve~~  
Jonda Lukens  
Ralph S. Ward  
George Drenville  
Alberta Drivell  
Jant L. Ward  
Kathy M. Tucker

Quendy B. Bonstead  
Janice D. Humphreys  
Jola Martin  
William R. Teague  
Howard H. Kirk  
Glen T. Fuchs  
Ray & Ethel Teague  
Barbara J. Cullen  
Debrah Jorzy  
Alberta & B. W. D. Swearingen  
Lillian S. Hickey  
Gayle Winn

April 15, 1985

Sen. Jack Haffey  
Capitol Station  
Helena, MT 59624

Dear Senator Haffey:

We live in the "Clinton Secession Area", we do not want to secede from Missoula County, and we request that you take the following action on the Clinton Secession Bill (House Bill 950):

1. Take a stand against this bill and, if possible, kill the bill before it reaches the floor of the senate.
2. In the event that the bill does reach the floor of the Senate, attach the following two amendments to the bill:
  - a. Before any voting takes place, those favoring secession must obtain more than 50% of the signatures of the residents in the secession area on a new, validated petition which proposes a vote in the secession area followed by votes in Missoula and Granite counties.
  - b. In the event that a new, validated petition is obtained with signatures of more than 50% of the residents in the secession area, then hold an election in the secession area, and only if this election favors secession would Missoula and Granite counties vote.

Thank you for your consideration.

NAME	ADDRESS
Lee Tangedahl	14201 Turah Road
Maryann Tangedahl	14201 Turah Road
Robert D. Nordberg	14075 Turah Road
Lynne L. Nordberg	14075 TURAH ROAD

Letter to Senator Jack Haffey, April 15, 1985

We live in the "Clinton Secession Area", we do not want to secede from Missoula County . . .

NAME

ADDRESS

James Brown	14425 Turah Road
Lloyd L. Wise	14355 Hampton Dr.
Maria Wise	14355 Hampton Dr.
Barbara Vaughan	14300 Hampton Dr.
Madelin Osterman	14275 Hampton Dr.
Sharon Beck	14175 Hampton Dr.
Wynne Beck	14175 Hampton Dr.
Samuel J. Stillwater	13455 Crystal Crk. Rd.
Kim Stewart	13475 Crystal Crk. Rd.
Bob Horgan	13555 Crystal Crk. Rd.
John Horgan	13555 Crystal Crk. Rd.
Dean Stewart	13475 Crystal Crk. Rd.
Judy Swigley	13911 Turah Rd.
John Brown	14425 Turah Rd.
John Lin Schmidt	13401 Turah Rd.
John Jones	Crystal Creek Rd Turah
St. K. Schmidt	13900 Turah Rd.
John Jones	3480 Timber Edge Dr.
John Jones	3480 Timber Edge Dr.
Marion L. Johnson	3480 Timber Edge Dr.
Randy A. Johnson	3480 Timber Edge Dr.
Jan Day	3401 Mountain Drive
Al Day	3401 Mountain Drive
John L. Brown	3425 Mountain Dr Turah
John L. Brown	Mountain Drive

Letter to Senator Jack Haffey, April 15, 1985

We live in the "Clinton Seccession Area", we do not want to secede from Missoula County . . .

NAME	ADDRESS
James A. Bruneletto	3434 MTN Dr. Turah Mt.
Marilyn G Bruneletto	3434 MTN Dr. Turah Mt.
Marion H. Trezza	3528 MTN. Hl. Clinton Mt.
Douglas W. Roberts	12440 Hiway 10 E Clinton
Loren L. L. L. L.	14230 Turah Rd
Sam H. Mills	14101 Hampton Dr. Turah Mt.
Cheryl Mulder	14101 Hampton Dr. Turah Mt.
James Gore	14025 Hampton Dr. Turah
Helen Gugenwski	13955 Hampton Dr. Turah
Robert Gugenwski	13955 Hampton Dr. Turah
Evelyn L. Hampton	13881 Hampton Dr. Clinton Mt.
Mildred L. Hampton	13801 Hampton Rd. Clinton, Mont. 59825
Keith J. J. J.	13955 Turah Rd Clinton Mont
Edna J. J. J.	13955 Turah Rd Clinton Mt.
Will J. J. J.	14300 Hampton Dr. Clinton Mt.
George R. Pater	14260 Turah Rd. Clinton Mt.
Donna Bunk	13911 Hampton Dr. Clinton Mt.
Colleen Doney	13955 Hampton Dr. TURAH
William H. West Jr.	13900 Hampton Dr. Turah
Mary West	13900 Hampton Dr. Turah
John H. H. H.	Crystal Ct Rd Turah
Jackie L. Bunk	12575 Crystal Cr. Rd. Turah
Myrtle Russell	12385 Crystal Ct. Rd. Turah
James L. L. L.	11455 Crystal Creek Road
Dennis L. L. L.	11453 Crystal Creek Road

Letter to Senator Jack Haffey, April 15, 1985

We live in the "Clinton Seccession Area", we do not want to secede  
from Missoula County . . .

NAME	ADDRESS
James A. Laffus	14522 HELLGATE LN TURAH
George M. Disporis	Rte. #1 Box 492, Clinton, MT.
Yvonne Clay	14550 Hellgate Lane, Turah, MT
Herald W. Marks	14105 Hellgate Lane, Clinton, MT.
Sharon M. Marks	14105 Hellgate Lane, Clinton, MT.
See Gene Lubbe	14351 Hellgate Lane Turah, MT.
Raymond Lubbe	14351 Hellgate Lane Turah, MT.
Dyan R. Bateman	14355 Hellgate Lane Turah MT
Dean Z. Bateman	14355 Hellgate Lane Turah, MT.
John L. Vinson	14405 Hellgate Lane Turah MT
William F. Vinson	14405 Hellgate Lane, Turah MT.
Richard A. Tamcke	14505 Hellgate Ln, Clinton, MT.
Kathleen Diane Tamcke	14505 Hellgate Ln, Clinton MT 59825
James Z. Hopper	14515 Hellgate Ln Turah MT. 59825
Mary A. Hopper	14515 Hellgate Ln. Turah, MT. 59825
James J. Hopper	14515 HELLGATE LN. TURAH, MT. 59825
Charney Haffey	14515 HELLGATE LN TURAH MT. 59825
Fellie V. Haffey	14522 Hellgate Lane Turah MT 59825
Nadene Hilgert	Star Route Box 525 Turah, MT 59825
James F. Shadby	14265 Turah Rd. Turah, MT 59825
Charles E. Williams	13555 Turah Rd. Turah, MT 59825
Dennis Sauerbier	14285 Turah Rd. Turah MT 59825
Judy Sauerbier	Rt 1 Box 457 Clinton, MT
Doreen Roulton	Box 493 Bonner Montana 59823
Nancy R. Jakob	14005 Hellgate Lane Clinton

Letter to Senator Jack Haffey, April 15, 1985

We live in the "Clinton Secession Area", we do not want to secede from Missoula County . . .

NAME	ADDRESS
John Jakob	14005 Hellgate Lane Clinton
Karen M. Kaejeda	14205 Hellgate Lane Clinton
James R. Kaejeda	14205 Hellgate Lane Turah
Jay L. Abel	14375 Hellgate Lane Turah
Jay Kittelson	14110 Turah Rd, Turah
Karen Kittelson	14110 Turah Rd, Turah
Stanley R. Kopp	Star Rt. 1, Box 555 Clinton
Carol E. Williams	13555 Turah Rd, (Turah), MT 59825
Barbara J. Winy	13195 Turah Rd Clinton, MT 59825
Michael W. Winy	13195 Turah Rd. Clinton MT 59825
Bruce J. Cochran	3450 Mountain Dr. Clinton, MT 59825
Robert B. Cochran	3450 Mountain Dr. Clinton 59825
David L. Sorensen	14285 Turah Rd Clinton MT 59825
Andrew J. Feltus	14350 Turah Rd, Clinton, MT 59825
Andrew J. Feltus	14350 Turah Rd, Clinton MT 59825
James J. Feltus	14365 Turah Rd Turah, MT 59825
Jim C. <del>McKee</del> McKee	14155 Hellgate Lane, Clinton, MT 59825
Ronald W. Helmer	Bx 525, Turah Rd Clinton MT 59825
Shant Simon	P.O. Box 733 Bonner MT 59823
Frances Simon	P.O. Box 733 Bonner MT 59823

Letter to Senator Jack Haffey, April 15, 1985

We live in the "Clinton Seccession Area", we do not want to secede from Missoula County . . .

NAME	ADDRESS
Walter King	P.O. Box 223 Clinton
Dennis J. Betts	12460 Hangeo East Turah, Mt.
Sandra Jean Hansen	P.O. Box 7243, Missoula 59807
Cindy S. Rogers	P.O. Box 223 Clinton
Ellen L. Boyles	23945 Bonita Range State Rd. Clinton 59825
Lorraine M. Poets	14260 Turah Rd. Clinton, Mont.
Hick M. Shotwell	2270 Hallam Cir. Clinton, Mt.
Carolyn B. Bell	15515 Kendall CK Rd. Clinton, Mt.
Linda C. Roberts	12440 Hwy. 10 E. - Clinton, Mt. 59825
Niane Hutcherson	22450 Hill Rd. Clinton, Mt. 59825
Kathy Crowley	P.O. Box 71 - Clinton, Mt. 59825
Karen Sharp	P.O. Box 63 Clinton, Mt. 59825
Robert C. Douglas	23945 Bonita Range St. Rd. Clinton, Mt. 59825
Marie McHardy	P.O. Box 33 Clinton, Mt. 59825
Linda Emerson	Box 189 Clinton, Mt.
Dorion D. Teague	Box 127 Clinton, Mont. 59825
Nina Teague	Box 127 Clinton, Mont. 59825
Charles J. J. J.	Box 189 Clinton
Ray A. Handley	Box 33 Clinton, Mt. 59825
	18345 E. 7th
Joseph C. Gipe	11625 Chumran Loop. Turah 59802
James Shabens	Box 63 Clinton, Mont.
Marlene E. Kirk	P.O. Box 11 Clinton, Mt. 59825

Letter to Senator Jack Haffey, April 15, 1985

We live in the "Clinton Secession Area", we do not want to secede  
from Missoula County . . .

NAME \_\_\_\_\_

ADDRESS

Robert L. Brock

14201 HAMPTON DE, Turah, MT 59825

Mary Jean Brad

14201 Hampton Dr. Turah, MT 59825

Gerald and Sharon Marks  
14105 Hellgate Lane  
Turah, MT 59825  
April 18, 1985

TO: Senate Local Government Committee

Dear Senators:

The Mark's family lives at 14105 Hellgate Lane, Turah. After listening to the arguments on the secession of the Turah-Clinton area to Granite County, we find such a proposal unacceptable.

We oppose the secession for a number of reasons:

1. Reduction and/or loss of services. Although we understand our children would still to to primary school in Clinton and high school in Missoula, other services would be affected. Law enforcement would be greatly reduced or Granite County Sheriff would have to greatly increase their staff. Same is true with road maintenance and snow plowing. 9-1-1 services would no longer be available. The service of the County Extension Office and Soil Conservation Service would be available through their Phillipsburg Offices. The A.S.C.S. office service would be available through their Deer Lodge office. This would require the local people to drive or call long distance at added expense.  
  
There is the possibility that if the secession were to happen, the citizens of the Turah-Clinton area could possibly have enough votes to relocate the Granite County Seat to Clinton. That would reduce the travel costs.
2. Property taxes would change very little by secession to Granite County. The school, rural fire district and state levies would stay the same. The county levy would decrease by 6.5 mills. For the Marks family that would save us \$16.80 which hardly justifies the loss in services.
3. There are a number of other costs that should be considered, some of which would be difficult to determine. The costs of holding elections on the secession issue probably would be very small in comparison to the dollars expended in transferring legal documents to Granite County. I would guess these costs would be well over \$100,000.
4. The vast majority of the people that live in the Turah-Clinton area <sup>are</sup> Missoula oriented because of schools, cultural activities, shopping and jobs. Moving the county boundary lines will not change this.


Assuming that Missoula's economy will grow, more people will move into the area. This in turn brings conflicts and problems. We would prefer to have the expertise that the Missoula County government offers to work on these problems.

We understand the concern that some of the landowners have on subdivision regulations. However we do not believe secession is the way to resolve the problem.

For these reasons, we urge you to vote **against** the secession proposal - HB950.

Sincerely,

  
\_\_\_\_\_  
Gerald Marks

  
\_\_\_\_\_  
Sharon Marks

M. ELIZABETH FRIESZ, CLINTON, MONTANA, CHAIRMAN OF THE CITIZENS OF CLINTON AREA.

I urge you to vote in favor of HB 950 and HB 954 - regarding the moving of the boundaries for the Clinton area and for the Lolo area.

There is no mandate in either the Us. Const. or the Mont. State Const. requiring such bureaucracy as the Missoula Comprehensive Plan or its accompanying Rules and Regulations. The United States Const. in its original text prohibits any such dictatorial procedures. The Mont. Const. allows it but in no way mandates it, as we have been led to believe for the past ten years. Our County Attorney cleared this up for us. For those of us living under this yoke of bondage for the past ten years, we can tell you that the Comp. Plan and its Rules and Regulations are much too cumbersome to work.

The Missoula Comp. Plan with its accompanying Rules and Regulations is a dictatorial rule which was selected and drafted by 950 people. There are 77,000 people in the county, most of whom reject the complicated, contradictory, minority stranglehold over that vast majority. In the Clinton Area alone, we collected over <sup>Legal</sup> 400 signatures in favor of the boundary change, more than half the number who drew up the Regulations, in only four days. During the 1975 drafting and throughout the ensuing ten years, our majority voices were never heard, not because we did not voice our disapproval, but rather because they closed their ears and pretended we had said nothing. The press was controlled so that our side was never viewed in its pages. They just thought if they ignored us long enough we would just go away, except when it came time to pay for their unlawful tyranny.

I say unlawful because our system of government requires that we elect our gov't officials and that they shall serve us, the citizens. The major choices are to be ours, the citizens. Anything of a major nature is to be taken to the ballot box before its institution. Our system of Gov't does not provide for the officials to institute measures of such magnitude without our knowledge or consent, thus leaving us, the citizens, to find a way to fight with retaliation.

Retaliation is costly in finances and personal security, and of our freedoms. Who are these people that they are deemed GOOD enough to make decisions for us that put the British to shame in the early Pilgrim days? What makes their 950 qualified to tell more than 75,000 of us that they are wresting every minute part of our freedoms from us for our own good?

All through the hearings the County Commissioners have assured us, the citizens, that they would not interfere with the elective process in moving the boundaries. Now they are organized to do just that interfere. I had Ann Mary Dusseault's word twice on the issue, directly assuring me. Now it is she who is undermining us, and also pressuring some of the other elected officials to undermine us. How can we trust officials who are incompetant of keeping their word?

We cannot tolerate such dictatorial rule any longer. We only want the right to vote on their right to usurp their minority Rules and Regulations over us. We must have that vote. ~~Max~~

We, therefore urge you to liberate us by allowing us to move our boundaries peaceable to Granite and Ravalli Counties. Please vote affirmatively for HB 950 and HB 954, and we also ask that you reconsider our request for the appropriation of \$1000.00 to help us cover some of the costs.

THANK YOU.

*Elizabeth Treng*

*There may be some changes necessary to be made in B 950. This would be in the time frame. we could hold the Elections in 6 mo. unless a scheduled school primary Election is held within 1 yr.*

*Submitted  
100 Ta 10*      *HD 950*  
LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT D

Gerald and Sharon Marks  
14105 Hellgate Lane  
Turah, MT 59825  
April 18, 1985

TO: Senate Local Government Committee

Dear Senators:

The Mark's family lives at 14105 Hellgate Lane, Turah. After listening to the arguments on the secession of the Turah-Clinton area to Granite County, we find such a proposal unacceptable.

We oppose the secession for a number of reasons:

1. Reduction and/or loss of services. Although we understand our children would still to to primary school in Clinton and high school in Missoula, other services would be affected. Law enforcement would be greatly reduced or Granite County Sheriff would have to greatly increase their staff. Same is true with road maintenance and snow plowing. 9-1-1 services would no longer be available. The service of the County Extension Office and Soil Conservation Service would be available through their Phillipsburg Offices. The A.S.C.S. office service would be available through their Deer Lodge office. This would require the local people to drive or call long distance at added expense.

There is the possibility that if the secession were to happen, the citizens of the Turah-Clinton area could possibly have enough votes to relocate the Granite County Seat to Clinton. That would reduce the travel costs.

2. Property taxes would change very little by secession to Granite County. The school, rural fire district and state levies would stay the same. The county levy would decrease by 6.5 mills. For the Marks family that would save us \$16.80 which hardly justifies the loss in services.
3. There are a number of other costs that should be considered, some of which would be difficult to determine. The costs of holding elections on the secession issue probably would be very small in comparison to the dollars expended in transferring legal documents to Granite County. I would guess these costs would be well over \$100,000.
4. The vast majority of the people that live in the Turah-Clinton area <sup>are</sup> Missoula oriented because of schools, cultural activities, shopping and jobs. Moving the county boundary lines will not change this.


Assuming that Missoula's economy will grow, more people will move into the area. This in turn brings conflicts and problems. We would prefer to have the expertise that the Missoula County government offers to work on these problems.

We understand the concern that some of the landowners have on subdivision regulations. However we do not believe secession is the way to resolve the problem.

For these reasons, we urge you to vote **against** the secession proposal - HB950.

Sincerely,

  
\_\_\_\_\_  
Gerald Marks

  
\_\_\_\_\_  
Sharon Marks

H. Diane Tamcke

LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT E

I am here to ask you to vote against House Bill 950.

I am from the Turah area, which is about 10 miles from the Clinton area. The Clinton area is distinctly different from the Turah area, and what the people in Turah want is distinctly different from what the people in Clinton want.

I have talked to many residents of the Turah area in the past week while I was gathering signatures on a letter to Senator Jack Haffey. This letter asked Senator Haffey to vote against House Bill 950.

Many of the signers of the letter to Senator Haffey had also signed the petition asking for secession. They have since changed their minds about secession, after receiving more information and after having time to think about the implications of seceding from Missoula County and joining Granite County. They have thought about things such as the loss of or reduction in services and the great distance to travel to Phillipsburg, Granite County's county seat, to transact official business.

The petition carrier who came to my house specifically stated that taxes would be lower for us if we were in Granite County.

Just last Thursday, I attended an informational meeting sponsored by those proposing secession. At that meeting, it was pointed out by an opponent of secession that his tax bill would be only \$21 less in Granite County than it is currently in Missoula County. He also pointed out that those taxes would not provide the same services that would be provided by Missoula County. A Granite County commissioner was at the meeting, also. He acknowledged that Granite County cannot commit itself to law enforcement protection or road maintenance without having some or all of it contracted out--an expense in addition to taxes. There are also things which could not be provided at all--such as library, etc.

Mr. Gary Marbut, who is not from the Clinton-Turah area, but who has been pushing the secession issue, acknowledged that many of the secession supporters would not mind having their taxes go up, if that meant that they would not have the planning regulations which they oppose so strongly.

Since the tax issue was one which supporters of secession used to get signatures, I feel they may have deceived some signers of the original petition.

I and the Turah residents I talked with do not think that haste and secession are the ways to solve the problems some Clinton residents have with Missoula County's planning proposals.

Secessionists object to being forced to accept planning. We object to being forced to accept secession.

Turah residents do not wish to secede from Missoula County. Therefore, I ask you to vote "no" on this bill. Thank you.

NAME: Kathleen Brian Jamcke DATE: 4-19-1985

ADDRESS: 14505 Nellgate Ln., Clinton MT 59825

PHONE: 258-6621

REPRESENTING WHOM? self & other Inland / Clinton residents

APPEARING ON WHICH PROPOSAL: HB950

DO YOU: SUPPORT?                      AMEND?                      OPPOSE? ✓

COMMENTS: my written statement should have  
been given to you, in addition to my  
testimony. I had a written statement  
ready to be given. Representative Moore's  
office sent it to be copied & it  
has been lost in the shuffle.  
Therefore, if you can consider my  
statement, when it is found,  
I would appreciate it very  
much. I feel there was much misrep-  
resentation by secession supporters. I have  
talked to many of my neighbors who regret  
originally signing the petition for secession. They  
have changed their minds. They & I oppose HB950.  
PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

HOUSE BILL 550

1. Page 11, line 3  
Following: "county"  
Insert: "only if, within 90 days of the effective date of this act, a petition calling for such an election is submitted to the Missoula County clerk and recorder. The petition must be signed by more than 50% of the registered electors residing in the area of Missoula County proposed to become a part of Granite County as described in [sections 1 and 2]. If within 90 days the petition has sufficient signatures, the Missoula County clerk and recorder shall certify such fact to the boards of county commissioners of Missoula and Granite Counties. Within 90 days after such certification, an election on the question of changing the counties' boundaries shall be held"
2. Page 11, lines 4 through 6.  
Strike: "If" on line 4 through "counties, the" on line 6  
Insert: "The"
3. Page 11, line 8.  
Following: "election"  
Insert: "if approved by a majority of those voting on the question in:  
(a) Missoula County;  
(b) Granite County; and  
(c) the area of Missoula County proposed to become a part of Granite County as described in [sections 1 and 2] "

LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT G

Amend House Bill 954:

1. Page 6, line 25.  
Strike: "eleven (11)"  
Insert: "twelve (12)"

2. Page 9, line 25.  
Following: "county"  
Insert: "only if, within 90 days of the effective date of this act, a petition calling for such an election is submitted to the Missoula County clerk and recorder. The petition must be signed by more than 50% of the registered electors residing in the area of Missoula County proposed to become a part of Ravalli county as described in [sections 1 and 2]. If within the 90 days the petition has sufficient signatures, the Missoula County clerk and recorder shall certify such fact to the boards of county commissioners of Missoula and Ravalli Counties. Within 90 days after such certification, an election on the question of changing the counties' boundaries shall be held"

3. Page 10, lines 1 through 3.  
Strike: "If" on line 1 through ", the" on line 3  
Insert: "The"

4. Page 10, line 5.  
Following: "election"  
Insert: "if approved by a majority of those voting on the question in:  
(a) Missoula County;  
(b) Ravalli County; and  
(c) the area of Missoula County proposed to become a part of Ravalli County as described in sections 1 and 2"

Mr. Chairman, Members of the Committee;

My name is Julia Penner. I live in the Lolo area, *And favor HB 954*

Article II, Section 1 of the Montana State Constitution states, in part ",,, All political power is vested in and derived from the people... "

I'm sure you are aware of the many problems with the present administration of Missoula County.

Many of us in the rural areas do not feel compatible with the more urban oriented city of Missoula and it's urban fringe.

We wish to have this Legislature implement the means by which we can exercise our Constitutional self-governing rights.

This type of action is not entirely new or without precedence in Montana. Missoula County once included Flathead, Ravalli, Sanders, and Mineral Counties. A part of Powell County was annexed to eastern Missoula County in 1915, and an exchange of area occurred between Missoula and Granite Counties in 1943.

We do not desire a complete lawless, unregulated society; but agreeable, sensible, and practical, localized regulations which can be somewhat flexible as to fit a common need of the neighborhood- Not what some bureaucrat thinks we should want.

Thank you,

*Julia L Penner*

LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT H

LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT I

Mr. Chairman, Members of the Committee:

My name is Pete Penner; I live north of Florence in Missoula County. I am here to testify in favor of ~~HB 950 and~~ HB 954, and the appropriations provided for in these bills.

There are numerous reasons for the people of rural Missoula County to be disenchanted with our present administration. We do not fault our Sheriff or Road Departments or object to the basic State health standards, which are a necessity. We favor reasonable, local community-oriented and desired zoning, not compulsory zoning that someone thinks is best for us.


We are much more "at home" with a rural-orientated county than an urban-orientated county.

Realistically, Missoula is a small trade area for the five valleys of Western Montana. The planners seem to think this is a metropolis. They want to force "metropolitan regulations" on all rural areas of the county.

We also feel that we have been harassed unduly in the last two (2) years. In November of 1983, we had to fight city-county consolidation. This election was held in concurrence with the city election, and was a one-issue special election in the county. In June of 1984, we had to fight a study of our government. Then, the city decided to condemn the Mountain Water Company, and purchase the water supply. When the citizens expressed their wish to vote on the issue, the city sued ten (10) of the signers of the petition. The city also hurried to the Legislature to try to stifle the initiative process. Now, they slap us in the face with an oppressive comprehensive plan which would be complete control of all land, water, air, and life style in the entire county.

Our Commissioners act more like Chamber of Commerce than County Commissioners.

Thank you.

  
PETE PENNER

4800 Carolin Ln

HB 954

LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT J

My name is Jan Henderson from Lolo. I am speaking for myself and others in the Lolo area that were unable to be present today. The concern of ours among the residents is the extreme governmental control and harassment from Health Dept & Planning Dept officials. We are in favor of sensible planning and protection of our land. But are tired of the philosophies & actions which have limited any growth or new construction. We see the comprehensive plan to limit our abilities even further. We do not believe that the County officials ~~are representing~~ <sup>are on the compreh. plan represent</sup> the rural area of Lolo and see no other alternative to the problem other than to change boundaries to become part of Ravalli County. We are tired of extreme control and harassment from the County officials.

A few examples: One resident has a parcel of land which is less than 2 acres with 2 existing homes on it. He wanted to give one home with less than one acre <sup>9/10</sup> to his daughter but couldn't because it was less than 2 acres of land to begin with. Yet Missoula can put home on lots that are 100 x 100 ft.

Another has a parcel of land which is highway frontage. He wanted to sell it commercial but couldn't get a sewer permit for commercial use. Yet this same man pays commercial taxes on this property.

I have a piece of property which we just put a home on. I had applied for a sewer permit. When they gave me 2 perk tests - One was 5'6" and one was 5'8". ~~They~~ I had to fight to get an approval even though the law states the water level has to be over 5'.

We ask you today to vote in favor of HB 954 and give us the opportunity to vote on the possibility of changing boundaries to Ravalli County which has more rural views in mind.

# MISSOULA COUNTY

## BOARD OF COUNTY COMMISSIONERS

• Missoula County Courthouse • Missoula, Montana 59802  
(406) 721-5700

### MEMORANDUM

BCC-85-161  
April 1, 1985

LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT K

TO: MISSOULA COUNTY LEGISLATORS

FROM: MISSOULA BOARD OF COUNTY COMMISSIONERS

RE: STATEMENT TO MISSOULA COUNTY LEGISLATORS ON SECESSION BILLS  
BEFORE THE MONTANA LEGISLATURE

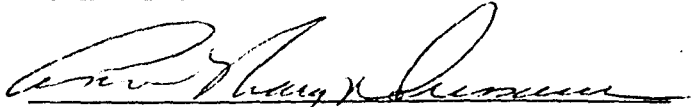
1. Certain citizens in Missoula County have exercised their rights under the Constitution and Laws of the State of Montana by petitioning the Legislature for the opportunity to vote on the question of seceding from Missoula County. We support their right to do just that.

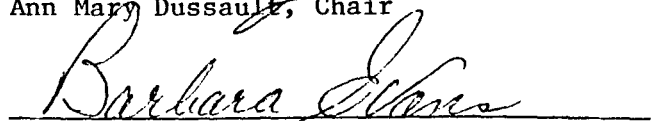
2. We agree with Representative Janet Moore that "Cutting and running is not the way to solve problems," and concur with the opinion that confrontation politics is inherently negative.

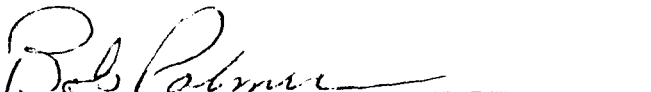
3. However, we are committed to continued discussions with all residents of Missoula County, and with rural residents in particular, to work together to resolve problems that have been identified.

4. Should the Legislature pass these bills, we look forward to the debate such a vote would cause. We believe Missoula County has treated its rural citizens fairly and equitably, and that these facts will arise as the decision to secede or stay is finally made by all Missoula County residents.

BOARD OF COUNTY COMMISSIONERS

  
Ann Mary Dussault, Chair

  
Barbara Evans, Commissioner

  
Bob Palmer, Commissioner

BCC/AMD/lis

cc: Missoula News Media

April 18, 1985

#B954

Dave Fuller  
Senate Committee on Local Government  
Helena, Montana

LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT L

Dear Sir:

As Lolo residents we wish to protest the secession of Lolo from Missoula County to Ravalli County.

We object for the following reasons:

- (1) We don't believe Ravalli County will provide adequate law enforcement or fire protection on an emergency basis. We would rather depend on a sheriff travelling 10 miles from Missoula than 36 miles from Hamilton.
- (2) Ravalli County does not have adequate facilities to provide road maintenance (especially in winter months) for the Lolo area.
- (3) There is some question about where high school students would attend school. Because of the superiority we would much prefer their continuing at Big Sky than transferring to Florence Carlton. We understand that Florence Carlton is presently overcrowded.
- (4) We are also concerned about the distance between Lolo and the county seat. To travel 72 miles for county business is an imposition on citizens.

Thank You,

James E. Dopp	256 Claremont	Lolo
Robert P. Schrieder	225 St John	Lolo
Diana R. Bauer	257 Claremont	Lolo
James L. Bauer	257 Claremont	Lolo
William J. Docktor	258 Ridgeway	Lolo
Paullette Docktor	258 Ridgeway	Lolo
Paul J. [unclear]	266 Ridgeway	Lolo
Dave Bay-Frammann	266 Ridgeway	Lolo
Cindy Kronenberg	259 Ridgeway	Lolo
Patricia J. Reuten	256 Claremont	Lolo

April 18, 1985

Dave Fuller  
Senate Committee on Local Government  
Helena, Montana

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Thank You,

Jedrek P. Carmichael

510 Barclay

273-6888

Lolo, MT

Michael R. McMeekin

246 St. Johns

273-0471

Lolo, MONTANA

Thomas B. Woods

229 Glacier Dr.

273-2905

Lolo, MT. 59847

MORMAN CREEK Rd

273-6418

MOCHAN CR. Rd.

273-1384

MORMAN CR. Rd

273-2428

Jamy Jackson  
Willie L. Lister  
Harry Lister

April 18, 1985

Dave Fuller  
Senate Committee on Local Government  
Helena, Montana

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Thank You,

*Robert M. Gussner*  
*James Walling*  
*Bernie Fickel*  
*Garnet Dwyer*  
*Paul Helvik*

April 18, 1985

Dave Fuller  
Senate Committee on Local Government  
Helena, Montana

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Thank You,

Mora Lynn LaPointe  
Susan Reed

13009 Kimwood Dr. Lolo, Mt. 59847  
SLEEMAN GULCH, Lolo, mt 59847

Lorrie Lane

13042 Kimwood Drive. Lolo, MT 59847

SLEEMAN G. Lolo, MT 59847

Sleeman G Lolo mt 59847  
11350 Allamant Lolo mt. 59847

Cheryl Ashe

April 18, 1985

Dave Fuller  
Senate Committee on Local Government  
Helena, Montana

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Thank You,

*Denise M. Morning 141 Cascade*  
*Paquette Knight 5550 Brady Ln.*

April 18, 1985

Dave Fuller  
Senate Committee on Local Government  
Helena, Montana

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As Lolo residents we wish to protest the secession of Lolo from Missoula County to Ravalli County.

We object for the following reasons:

- (1) We don't believe Ravalli County will provide adequate law enforcement or fire protection on an emergency basis. We would rather depend on a sheriff travelling 10 miles from Missoula than 36 miles from Hamilton.
- (2) Ravalli County does not have adequate facilities to provide road maintenance (especially in winter months) for the Lolo area.
- (3) There is some question about where high school students would attend school. Because of the superiority we would much prefer their continuing at Big Sky than transferring to Florence Carlton. We understand that Florence Carlton is presently overcrowded.
- (4) We are also concerned about the distance between Lolo and the county seat. To travel 72 miles for county business is an imposition on citizens.

*Michael W Sheffell*

Thank You,

*148 Cascade Lolo.*

*Telephone Calls From:*

*Pat Johnson  
228 Alida Drive*

*Arden & Gudge Browning*

*Jim Hall*

HB 954

# MISSOULA COUNTY

BOARD OF COUNTY COMMISSIONERS

• Missoula County Courthouse • Missoula, Montana 59802  
(406) 721 5700

MEMORANDUM

BCC-85-186  
April 18, 1985

LOCAL GOVERNMENT COMMITTEE  
APRIL 19, 1985  
EXHIBIT M

TO: SENATE LOCAL GOVERNMENT COMMITTEE  
FROM: HOWARD SCHWARTZ, EXECUTIVE OFFICER  
RE: HB-950 & HB-954

Our problems with the two Secession Bills, HB-950 and HB-954, are addressed in the attached memorandum which I have previously sent to Missoula County Senators. Since that memo was sent, I have discovered two additional problems:

1. There is one technical mistake in House Bill 950 on page 4, line 20, it should read: "...said section 36, thence running west along the third." East should be changed to west.
2. There would actually be six new joint school districts created rather than the five mentioned in Larry Johnson's memo. Four sections out of the Sunset School District are included in the proposed Clinton area boundary change.

HS/ljs



# MISSOULA COUNTY

BOARD OF COUNTY COMMISSIONERS

• Missoula County Courthouse • Missoula, Montana 59802  
(406) 721-5700

## MEMORANDUM

BCC-85-172

April 11, 1985

TO: ALL MISSOULA SENATORS

FROM: HOWARD SCHWARTZ, EXECUTIVE OFFICER  
MISSOULA COUNTY *HS*

RE: COSTS AND IMPLICATIONS OF SECESSION BILLS

After the Secession Bills, House Bills 950 and 954, passed the House, at the behest of the County Commissioners I surveyed County elected officials and department heads as to the administrative and legal implications of the bills. Some of their replies are attached for your review. My summary follows:

1. COSTS - It is clear that the process of changing the boundaries of the County will entail considerable costs. Many of these costs are not known at this time, nor is it clear who is to bear those costs. A list of some of them, and my best guess as to their amount, is as follows:

- A. Special Election - If a special election were called to alter the boundaries of a County, the costs would be up to \$17,000. If an election were held in conjunction with other elections, the cost would be considerably less. This would be the cost to Missoula County. The other counties would have their own costs as well.
- B. Document Transfers - The Missoula County Recording Office estimates that it would cost approximately \$50,000 to duplicate and index and transfer title deeds and other records to a neighboring county. The explanation and break-down of costs are attached.
- C. Appraisal Commission - The Appraisal Commission required by law to carry out the job of appraising all property within Missoula County and determining how much of Missoula County's debt and assets the seceding areas would carry with them will incur some costs. It is impossible to estimate what they would be at this time, but in 1914, when Mineral County was broken off from Missoula County, the Appraisal

Commission met for 18 days before its work was completed. Apparently, the costs of the Commission are to be borne equally by the counties involved.

- D. Department of Revenue and County Assessors - Some considerable work will be involved by the Assessors' Offices in transferring property from one county to another. It is difficult at this time to estimate how much expense would be incurred. The biggest problem might be for the receiving counties to integrate the records and appraisal system used in Missoula County into their own records. You probably ought to ask the Department of Revenue for an estimate of what they think this process would cost them.
- E. General Staff Time - It is clear from the attached memos that employees from all three counties would have to spend considerable time in working out the legal and administrative processes to effect the transfer of land. The Clerk and Recorders would have to hire additional personnel. Whether other departments would have to hire additional people is not known at this time. Some of the expenses involved would be completing all legal work and documents, overseeing changes in school district boundaries and procedures, changing things such as road signs, maps and records of all sorts that are on file everywhere from Helena to Washington. These costs, of course, would be borne by all sorts of governmental and non-governmental entities.

2. LEGAL AND ADMINISTRATIVE PROBLEMS - The following sets forth a very brief listing of some of the problems that would need to be addressed legislatively. We would be happy to work with you on amendments to the bills in any manner you deem appropriate. Deputy County Attorney Mike Sehestedt is probably the most knowledgeable person in the County as far as law and legislation in these matters, and you should probably turn to him as well as the Legislative Council for assistance.

- A. Section 76-2-2102 MCA is woefully out of date. As County Attorney Deschamps' memo indicates, there are numerous legal questions that need to be resolved prior to the beginning of a change in boundaries.
- B. There are ambiguities involved in school boundaries, which are set forth in the memo from Larry Johnson, School Finance Officer. It seems to me that, at a

minimum, the bills ought to be amended so the school district boundaries would coincide with the new county boundaries in order to avoid creating new joint school districts. There might also be a problem, according to Mike Sehestedt, about whether joint school districts can be created simply by changing county boundaries, rather than going through the formal process of creating a joint district. Mr. Sehestedt is researching the question further, but the Legislative Council might want to take a look at the question as well.

- C. There seems to be considerable question about what kinds of property are or are not to be included in the evaluations and transfers. County facilities that have been created under RSID's are one such example. We are not clear about the status of the Lolo water and sewer system under current law, and how maintenance and operation of that district would proceed if the Lolo area were transferred to Ravalli County. Similarly, we are unsure as to whether facilities constructed under General Revenue Sharing allocated to Missoula County have any special status. Since the money was appropriated for the benefit of the people of Missoula County, and not of Granite or Ravalli County, we are not sure if these facilities, such as the Community Centers in Clinton and Lolo, are to be included along with other County assets, or if they are in a special category. I am fairly sure that as we delve into this further, other problems of this nature will surface.
- D. Problems of Timing - As the memorandum from the Clerk and Recorder's Office indicates, the Statutes only allow 120 days for changes in recording and tax files to be completed. As Wendy Cromwell, Jane Ellis and Fern Hart point out, this is simply not enough time for the work to be done. This Statute would need to be clarified or amended before an election on changes in boundaries.
- E. District Court - I have not yet received any comments from District Court on secession implications since I gave them my request much later than the other Department Heads, but in conversations with Bonnie Henri, our Clerk of Court, it appears that there are a few considerations that would have to be addressed. One of these is that a change in the boundary of Missoula County and Granite County would necessitate a change in the

MEMORANDUM  
BCC-85-172  
PAGE FOUR

boundary of the Fourth Judicial District. I don't know whether any special legislation is needed, or whether the boundary of the District merely references the boundary of Missoula County. Mrs. Henri is checking to find out what impact on Court filings, child support payments and other kinds of routine processes that are keyed to residents in Missoula County would be affected by proposed changes. Likewise, Missoula Youth Court and the District Judges' Operations Officer are checking to see what other impacts there might be on the Court system in the County.

This summary has turned out to be rather lengthy, but as you can see, there are a number of problems that will have to be addressed by the Legislature before we can have an election in which the citizens of Missoula, Granite and Ravalli Counties understand all the implications of boundary changes. I know that time is short, but if you are going to pass these bills, we certainly expect that you will deal with these problems. As I said before, we are willing to help you in any way possible.

I should also stress that the Commissioners expect that the County will not have to bear this burden alone. It seems only fair that, if the Legislature mandates an election on changing the boundaries, the State be willing to assume some of the costs. I would think that the Commissioners in Ravalli and Granite County would feel the same way. Therefore, it might be wisest to consider this truly as an appropriations bill and appropriate the several hundred thousand dollars the three counties may need to defray the costs of establishing and carrying out the will of the people.

HS/lc/cd

cc: Ravalli, Granite & Missoula County Commissioners  
Missoula County State Representatives  
R.L. "Dusty" Deschamps, Missoula County Attorney  
Fern Hart, Missoula County Clerk & Recorder  
Mike Bowman, Missoula County Superintendent of Schools  
Richard Colvill, Missoula County Surveyor  
Bonnie Henri, Clerk of District Court  
Dan Cox, Missoula County Budget Officer  
John DeVore, Missoula County Operations Officer  
Gordon Morris, Executive Director, Montana Assn. of Counties

# MISSOULA COUNTY

OFFICE OF THE CLERK AND RECORDER  
MISSOULA COUNTY COURTHOUSE  
MISSOULA, MONTANA 59801

MEMO

TO: HOWARD SCHWARTZ, EXECUTIVE OFFICER

FROM: FERN HART, CLERK & RECORDER/TREASURER

*Fern*

DATE: APRIL 10, 1985

RE: HB950 and HB954

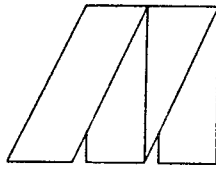
In addition to Jane and Wendy's comments, the following citations seem important to me:

Sec. 7-2-2252 stresses the collection of taxes in "new" county for the "current" year. With the necessary records searched and transferred in Assessor's and Treasurer's this underlines the need for time.

Sec. 7-2-101(2) I "hope" this allows the county from which territory has been detracted to bill the receiving county for costs.

Clerk of District Court considerations:

Sections 7-2-2255; 7-2-2411; 7-2-2414



# MISSOULA COUNTY

OFFICE OF THE COUNTY TREASURER  
P. O. BOX 7249  
MISSOULA, MONTANA 59807

April 9, 1985

To: Fern Hart

From: Jane Ellis

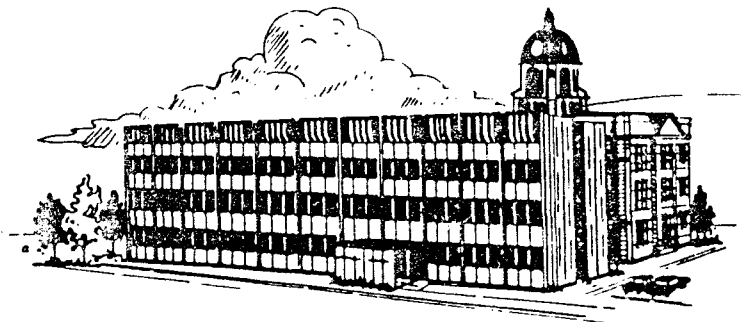
*J. E.*

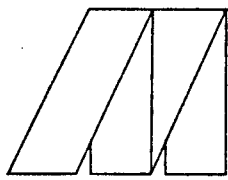
Re: Mechanical problems related to secession bills

The pending secession legislation poses two mechanical problems that I can identify:

1. The changes are to occur 120 days after the election if approved by both counties. 120 days is not enough time to identify all the boundary properties and work out the transition details with our counterparts in the other counties.

2. We also need to have the transition occur on January 1 of some year rather than in the middle of a year since the taxation process is geared to the calendar year. 15-10-321 MCA says the Dept. of Revenue does not have to recognize a change in a taxing jurisdiction unless notified by January 1.





# MISSOULA COUNTY

**CLERK AND RECORDER**

**ELECTIONS OFFICE**

COURTHOUSE ANNEX

MISSOULA, MONTANA 59802

PHONE 721-5700

Comments on HB950 and HB954 (secession from Missoula County)

## Elections Office Considerations:

Although the proposed county boundary changes do not follow precinct boundaries, the new lines generally cross unpopulated areas, or do follow precinct lines through populated areas, so that deciding which registered voters should be transferred from one county to another will not be a difficult task,

Dates for conducting the election on the boundary change could include the City Primary, September 10, 1985; the City General, November 5, 1985; or any special date set by the commissioners of the counties involved.

The cost of a county-wide election (single issue) in Missoula County would be approximately \$17,000.

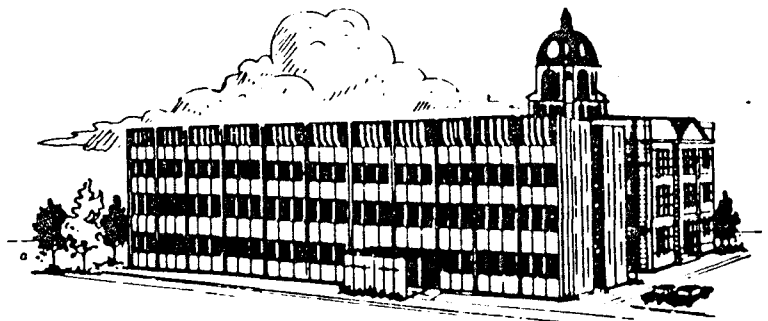
## Recording Office Considerations:

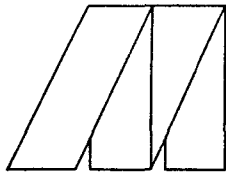
The statutes on county creation, abandonment or consolidation appear to require that all records in the Recording Office which relate to the portion of the county being transferred must be transferred and indexed for the new county.

*see me + \$*

In Missoula County, there are approximately 500 cartridges of microfilm with over 2,000 pages of documents each recorded on them. Clerks would need to examine 1,000,000 pages of documents to determine which of those records should be transferred to the new county, and create indexes for them. There are also hundreds of thousands of documents which are filed (not on microfilm). The original documents relating to the land to be transferred would have to be sent to the new county.

The process of sorting and transcribing would certainly take more than 120 days to complete, if indeed completion is necessary in the amount of time. The legislation requires that the "boundaries....are effective 120 days from the date of the election." It is not clear whether that means that all clerical details must also be completed within 120 days.





# MISSOULA COUNTY

CLERK AND RECORDER  
ELECTIONS OFFICE  
COURTHOUSE ANNEX  
MISSOULA, MONTANA 59802  
PHONE 721-5700

## Cost Estimates for Secession: Recording, Elections

### In Recording:

1,000,000 pages of documents to examine @ 3 pages/minute = 5,555 hours

= 2.67 F.T.E. for one year @ \$6.00/hour? = \$33,330

For filings not on microfilm - estimate 1 F.T.E. for one year

@ \$6.00/hour? = \$12,480

Entering documents, recorded and filed, in computer index

approximately 11,000 documents total, entered @ 30/hour = 367 hours

@ \$6.50/hour? = \$2,385

*Copy of county microfilm records - 500 cartridges @ \$10/ea =  
\$5,000*

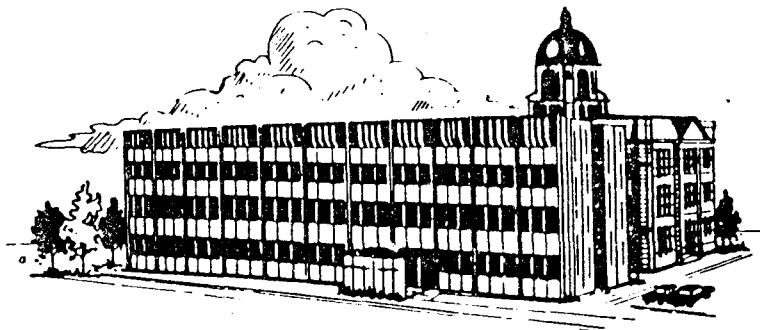
### In Elections:

Transferring voter registration:

2 weeks' work, 1 F.T.E. @ \$6.00/hour = \$480

### Secession election:

approximately \$17,000 in Missoula County



# MISSOULA COUNTY

OFFICE OF THE ATTORNEY  
MISSOULA COUNTY COURTHOUSE  
MISSOULA, MONTANA 59802  
TELEPHONE: (406) 721-5700

**ROBERT L. DESCHAMPS III**  
COUNTY ATTORNEY

RECEIVED  
APR 10 1985  
MISSOULA COUNTY COMMISSIONER

## M E M O

TO: HOWARD SCHWARTZ  
FROM: ROBERT L. DESCHAMPS III *RLD*  
DATE: APRIL 9, 1985  
  
RE: SECESSION BILLS

Per your request Mike and I have examined the viability of H.B. 950 and 954's sections 3(2) to deal with property transfers if portions of Missoula County join other counties.

In our opinion, the references to Title 7, Chapter 2, part 1, and 7-2-2102 are legally sufficient. However, the statutes referred to are archaic and as a practical matter would be extremely difficult to work with.

Section 76-2-2102, referred to in the bills, merely incorporates by reference a number of other statutes. The process set out involves appointing a 3-person commission which is appointed by the governor. These commissioners are paid \$8.00 per day, and their first task is to value all county property within Missoula County, including "all buildings and their furniture, real estate, road tools, machinery, and all steel bridges..." (7-2-2244(1)(b)). No directions are given as to how this property is to be valued, or exactly how precise and detailed the inventory is to be. However, there are some cases under the 1889 Constitution holding that things like roads, bridges, and county records, which lawfully cannot be sold should not be valued. The leading case is State ex rel. Missoula County v. Brown, 73 Mont. 371, 236 P 548 (1925) which declared an identically worded predecessor of 7-2-2244 unconstitutional. Thus, there is a possibility that at least part of 7-2-2244 is also unconstitutional, not to mention unclear.

In any event, after the \$8.00 a day commissioners value all the property of Missoula County, they next must determine the assessed valuation and indebtedness of Missoula County. Then they must calculate whether the value of the county's property is more or less than the value of the indebtedness. If the debt exceeds the value of the property then the portion of the county broken off must pay Missoula County its proportionate share of the debt over value, based on the proportion of assessed value the broken off portion has to the balance of the county. On the other hand, if the value exceeds the debt, as would no doubt be the case in Missoula County, then the old county must pay to the county receiving the portion taken off a sum equal to the broken

off portion's share of the value in excess of the debt. Again, the method used for determining the amount the broken off portion is paid is determined by it's assessed valuation as compared to the whole county. Payments in either case can be funded by either a property tax levy sufficient to liquidate the debt within three years or by a bond issue.

Overall, the statutory scheme described above seems to be an equitable method of distributing assets upon the breakup of a county. However, since it has been approximately 60 years since the statutes have been used, they need some modernization. It is unlikely many responsible persons would undertake valuing Missoula County's assets, liabilities and assessed valuation for \$8.00 a day.

Some direction would be very helpful in determining the value of assets. Should it be market value, purchase price, replacement cost, or some other method?

Some legislative guidance on what property should be included in determining value would also be helpful. In State ex rel. Judith Basin County v. Poland, 203 P. 352, 61 Mont. 600 (1921) and State ex rel. Missoula County v. Brown, 236 P. 548, 73 Mont. 371 (1925), the Montana Supreme Court held that the term "property of the county" meant: "...such property only as a county could then hold in its proprietary capacity, that is such property as it was authorized to acquire, hold and sell..." While the court clearly held that roads and bridges were not county property within the meaning of the term as defined, troublesome questions remain. For example, should dedicated park lands which are essentially held in trust for the public be counted as county property or should a public library building built with restricted funds (see Title 22 Chapter 1, Part 3) be included in the determination of the value of "county property." Other problems are posed by facilities built or improved with federal grants which restrict or limit the power of the county to dispose of them. If they are to be included, is any deduction from value allowed for the grants which would have to be repaid if the property was in fact sold.

Similar considerations may exist for determining the current value of the county's indebtedness. Examples of the problems in this area include questions on how tax backed revenue bonds and RSID bonds would be figured in the determination of total debt.

Finally as noted above, certain portions of the relevant statute's identical predecessors have been held unconstitutional

under the 1889 Constitution, thus creating a cloud over the current version. There may be other problems as well.

Due to the lack of time, and the need for policy decisions on many of the problems identified no effort has been made to draft possible amendments for the two bills now before the legislature. While it might be possible to manage with what is now on the books, it would clearly avoid a great deal of anguish, frustration and probably litigation to have these problems resolved legislatively.

You have also requested a brief cost/benefit analysis of the two bills. We note that election costs must be distributed pro rata per 7-2-2244 and 7-2-2246, as must the costs of doing the various evaluations described above. We have no idea what the actual cost of these activities would be. As far as the costs and benefits to the County Attorney's Office, I suspect a breakup would add substantially to our workload until all the details of the breakup were resolved. Thereafter, we would experience only a slight decline in workload as most of our work, both civil and criminal, is spawned in the urban area of the county. Given these realities, coupled with a smaller tax base, it is likely the proposed detractions would have a negative financial impact on this office.

# MISSOULA COUNTY

SUPERINTENDENT OF SCHOOLS • 301 WEST ALDER • MISSOULA, MONTANA 59802  
(406) 721-5700

April 9, 1985

TO: Howard Schwartz, Executive Officer

FROM: Larry B. Johnson  
School Finance Officer

RECEIVED  
APR 10 1985  
MISSOULA COUNTY COMMISSIONER

RE: Secession Bills HB - 950 & HB - 954:  
An analysis of school district boundaries as compared  
to the proposed new county boundaries described in the  
above bills.

Analysis by school district:

Missoula School District #1

With the proposed changes, District #1 would become a joint district with three counties, Missoula, Granite and Ravalli. Six sections in the Upper Pattee Canyon area and 12 sections in the Holloman Creek area would become part of Granite County. Approximately 35 sections in the Upper Miller Creek and Davis Creek areas would become part of Ravalli County.

Lolo School District #7

District #7 would reside almost entirely in Ravalli County but a small parcel of land in section 25 would remain in Missoula County making Lolo a joint district with Missoula and Ravalli Counties.

Florence Joint District #15-6

District 15-6, now a joint district with Missoula & Ravalli Counties, would become a regular district within Ravalli County.

Woodman School District #18

District #18 would be transferred in its entirety to Ravalli County.

MIKE BOWMAN • SUPERINTENDENT

#### Clinton School District #32

District #32 would reside almost entirely in Granite County, but about two sections would remain in Missoula County making it a joint district.

#### Potomac School District #11

About 30 sections on District #11's south border would reside in Granite County making it a joint district.

#### Missoula County High School District

This district would become a joint district with three counties, Missoula, Granite and Ravalli.

It is apparent that the proposed county boundary changes were not planned to coincide with school district boundaries and would create several joint school districts. While the existence of joint districts is quite common (we have three), they do require a greater administrative attention especially for the county treasurer's and superintendent of schools' offices.

Three possible approaches to the county/school boundary problems created by these bills:

1. Leave the boundary changes proposed by the bills intact and thereby create five more joint school districts in Missoula County.
2. Amend the bills so the proposed county boundary changes coincide with present school district boundaries to avoid creating joint elementary districts. MCHS would then be the only joint district created.
3. Leave the proposed county boundary changes intact and then transfer school district territories after the secession takes place to align the district boundaries with the new county boundary.

While our office doesn't take a position on the secession issue itself, we would discourage the creation of five more joint districts within our county. If possible, we would urge the bills to be amended to conform to existing school district boundaries. Should the proposed county boundary changes hold, then we would probably investigate the transfer of school district territories to eliminate as many joint districts as possible.

Presently, I do not have the data to make an analysis of the financial ramifications of these bills. Such an analysis would be quite time consuming and I prefer to wait and see whether the bills pass.

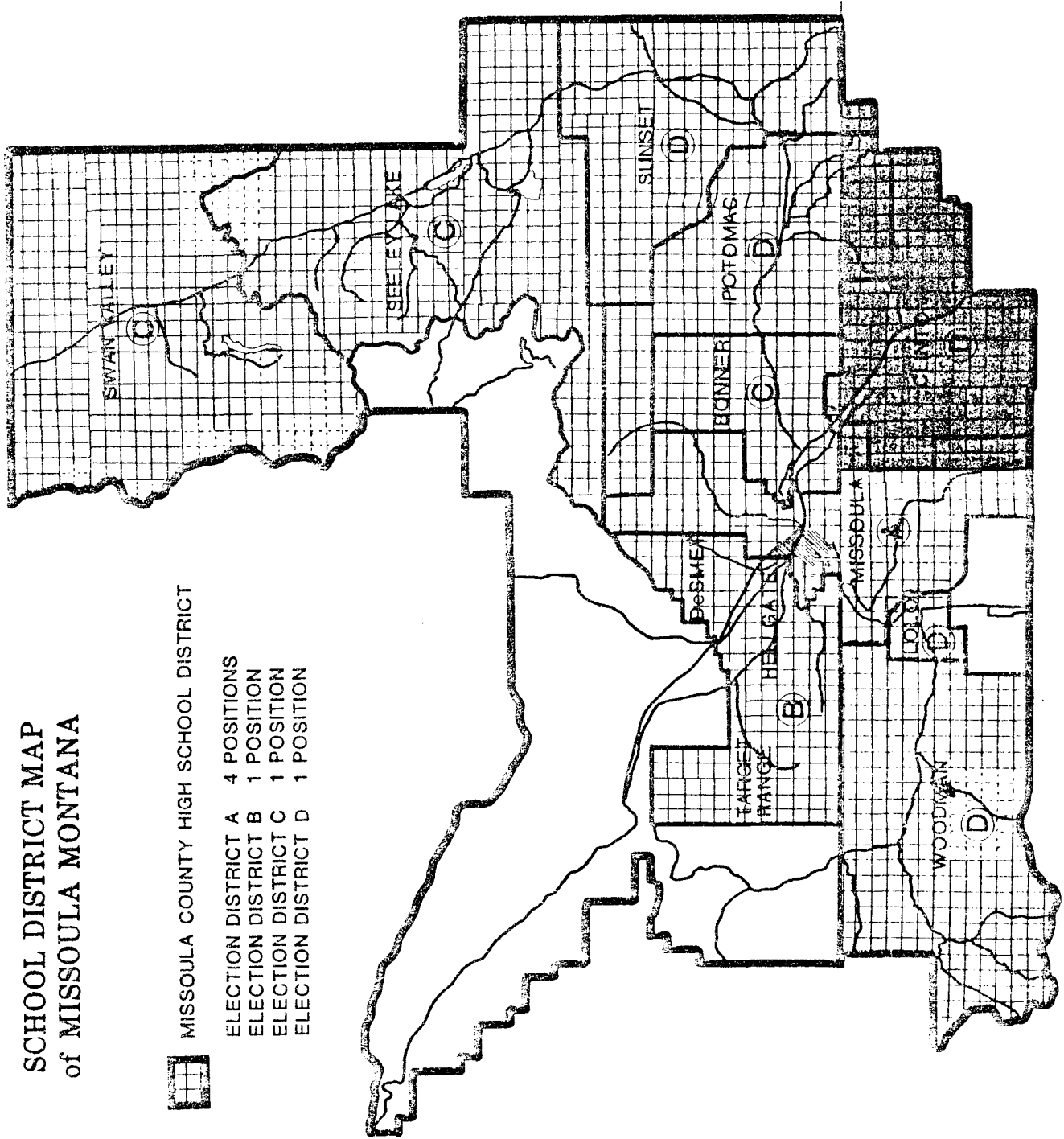
LBJ:emb

# SCHOOL DISTRICT MAP of MISSOULA MONTANA



MISSOULA COUNTY HIGH SCHOOL DISTRICT

- ELECTION DISTRICT A 4 POSITIONS
- ELECTION DISTRICT B 1 POSITION
- ELECTION DISTRICT C 1 POSITION
- ELECTION DISTRICT D 1 POSITION



NAME: Bernie Swift DATE: 4/19/85

ADDRESS: Hamilton, N.Y.

PHONE: 363-2172

REPRESENTING WHOM? Dist # 64 - Representative

APPEARING ON WHICH PROPOSAL: HB 950 & HB 954

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: Offer opportunity for people to  
register their wishes to Government  
Agencies

Bernie Co. Swift

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: McElizabith Frizz DATE: 4/19/85

ADDRESS: PO Box 218

PHONE: 825-6228

REPRESENTING WHOM? Clinton Area for Secession

APPEARING ON WHICH PROPOSAL: HB 950

DO YOU: SUPPORT? yes AMEND? possible OPPOSE? \_\_\_\_\_

COMMENTS: I particularly want to bring some  
of the issues to The Ballot Box and  
consider Henry Laws which are being enacted  
without the vote, which should properly  
be introduced to the electorate

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

DATE :

ADDRESS :

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Roger A. Norton DATE: 4-19-85

ADDRESS: Mullan Road Clinton, Nt

PHONE: 406-825-3756

REPRESENTING WHOM? Concerned Citizens

APPEARING ON WHICH PROPOSAL: HB 950

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: My name is Roger Norton and I  
would appreciate a yes vote from the  
Local Govt committee so that this  
issue can be voted on by the whole  
county.

Roger A. Norton

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Thomas W. White DATE: 4-19-85

ADDRESS: 13455 Turak Road Clinton

PHONE: 2586689

REPRESENTING WHOM? Turak Area

APPEARING ON WHICH PROPOSAL: HB 950

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: I oppose the amendment of HB 950  
to eliminate the Turak Area from the Bill  
I support HB 950 and think it should  
be on Ballot for a vote of the People -

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Phil DAVIS DATE: 4-19-85

ADDRESS: 20730 Hwy 10 east Clinton 59825

PHONE: 406-825-6252

REPRESENTING WHOM? myself

APPEARING ON WHICH PROPOSAL: 178750

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: I believe we should be allowed  
the Right to Vote.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: EUGENE BALL DATE: 4-19-85

ADDRESS: 20695 E MULLEN RD CLINTON MT

PHONE: 1-825-7812

REPRESENTING WHOM? Concerned Rancher

APPEARING ON WHICH PROPOSAL: H.B. 950

DO YOU: SUPPORT? X AMEND?        OPPOSE?       

COMMENTS: My Name is Eugene Ball &  
would appreciate a yes vote on  
H.B. 950 & a ~~favor~~ yes vote  
will give us chance to put  
this on a ballot so the people  
of both countries can vote their  
choice

Thank you  
E

Eugene Ball

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Robert J. Wheeler DATE: 4-19-85

ADDRESS: 18850 Hwy 10E CLINTON MT 59825

PHONE: 825-3570

REPRESENTING WHOM? myself + my family

APPEARING ON WHICH PROPOSAL: HB-950

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: The very fact that we are involved in this process is solid evidence of the desperation of the property owners + taxpayers with the unresponsiveness of our county government and the tactics used to circumvent the wishes + needs of their constituents. I would hope that this process could go forward so that citizens in these areas concerned may vote on the issue.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: PETE PENNER DATE: 4-19-85

ADDRESS: 4800 CAROLIN LN

PHONE: 223-2575

REPRESENTING WHOM? LOLO AREA

APPEARING ON WHICH PROPOSAL: HB 954

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

DATE :

ADDRESS :

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU: SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(This sheet to be used by those testifying on a bill.)

NAME: Mary Jane Tangedahl DATE: April 19, 1985

ADDRESS: 14201 Turah Rd., Turah, MT. 59825

REPRESENTING WHOM? Myself and Clinton-Turrah Residents

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE?   /  

COMMENT: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Cindy Riggs DATE: 4/19/85

ADDRESS: P.O. Box 323 Canton

PHONE: 825-3733

REPRESENTING WHOM? Myself

APPEARING ON WHICH PROPOSAL: House bill 950

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: MARK S. RIGGS

DATE: 4/19/85

ADDRESS: P.O. Box 723 Clinton, MO. 59835

PHONE: 455-3783

REPRESENTING WHOM? MYSELF

APPEARING ON WHICH PROPOSAL: HP950

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Karen Sharbono DATE: 4-19-85

ADDRESS: PO Box 63 Clinton Mt 59825

PHONE: 825-4100

REPRESENTING WHOM? myself

APPEARING ON WHICH PROPOSAL: HB 920

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

DATE : \_\_\_\_\_

4-18-65

ADDRESS :

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

V

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(This sheet to be used by those testifying on a bill.)

NAME: James Harrison DATE: Apr 19

ADDRESS: Box 63 Clinton, Miss.

PHONE: 825. 4100

REPRESENTING WHOM? Clinton Trade Assoc.

APPEARING ON WHICH PROPOSAL: Bill 950

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? ✓

COMMENT:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Lee Tangedahl DATE: 4/19/85

ADDRESS: 14201 Turah Road, Turah MT 59825

PHONE: 258-6040

REPRESENTING WHOM? Myself and other Clifton-Turah residents

APPEARING ON WHICH PROPOSAL: HB 950

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: I ~~was~~ contacted will be presenting  
oral testimony

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Marian Kirk DATE: 4-19-85

ADDRESS: P.O. Box 4 - Clinton, MA 59825

PHONE: 825-4768

REPRESENTING WHOM? Dist #65 self

APPEARING ON WHICH PROPOSAL: \_\_\_\_\_

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? ☒

COMMENTS: Oppose H.B. #950

not sufficient information to warrant  
County Change. I need more information.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Julia Penner DATE: April 19

ADDRESS: 4800 Carolin Lane Florence

PHONE: 273-2575

REPRESENTING WHOM? Local Area

APPEARING ON WHICH PROPOSAL: HB 954

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

I think the Legislature should  
implement this process because  
the present rules do not apply.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

COMMITTEE ON

LOCAL GOVERNMENT

DATE

4-19-85

## VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Elizabeth Treacy		HB 950	✓	
David Weyers		HB 950	✓	
Robert J. Weyers		HB 950	X	
Rex J. Klumpp		HB 950	X	
Eugene Pauer	Concerned Citizen	HB 950	X	
Don W. Norton	Concerned Citizen	HB 950	X	
Phil Davis	concerned citizen	HB 950	X	
George E. Hilborn		HB 950	X	
Larry H.		HB 950	X	
William F.		HB 950	X	
Dennis Shuts	Concerned citizen	HB 950	X	
Charles E. Co.	Concerned Citizen	HB 950	X	
Kenneth Anderson	Concerned Citizen	HB 950	✓	
Larry J. White	Concerned Citizen	HB 950	X	
Thomas W. White	Concerned Citizen	HB 950	X	
Barbara Miles	Concerned Citizen	HB 950	X	
Norman S. Hunt	Concerned Citizen	HB 950	X	
John A. D.	Concerned Citizen	HB 950	X	
Michael B. Becker	representing Palo	HB 950	X	
Ken Henderson	representing Palo	HB 950	✓	
Joe Halpern	Concerned Citizen	HB 950	✓	
Bob Halpern	Concerned Citizen	HB 950	✓	
John Halpern	representing Palo	HB 950	✓	
John Halpern	representing Palo	HB 950	✓	
Gordon Morris	PAACO	5JR 42	✓	
Robert Halpern	Self	HB 950	✓	

(Please leave prepared statement with Secretary)

COMMITTEE ON

LOCAL GOVERNMENT

DATE

4-19-85

## VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Ernest Koch	self	HB 950	✓	
Ralph J. Luzzini	self	HB 954	✓	
B.W. Luzzini	self	HB 950	✓	
Richard O. Luzzini	self	HB 950	✓	
Paula Luzzini	Theresa Luzzini	Successor HB 950		
Howard Schwartz	Mission County	HB 950		
Michael W. Scherbert	Miss County / Self	HB 950 HB 954		
Edward E. Kirk	Miss County / self	HB 950		✓
William E. Kirk	self	HB 950		✓
Mark Kirk	Self	HB 950		✓
Lucy Riggs	self	HB 950		✓
Carole Luzzini	self	HB 950		✓
James Luzzini	Self	HB 950		✓
Mary Jane Luzzini	Self	HB 950		✓
Kathleen Luzzini	Self	HB 950		✓
Joe Luzzini	Self	HB 950		✓

(Please leave prepared statement with Secretary)