



VOTER 76 REVIEW of Local Government

A Final Report
On The Present
and Proposed
Alternative Form
of
Local City
Government

One Great Community

Dear Citizens of Libby:

By this time most of you have heard of the Libby Study Commission. We were elected on November 5, 1974, to analyze the existing government of the City of Libby and to recommend changes to you. We have conducted our study in several ways: (1) Interviewing city officials and city employees; (2) Holding public hearings; (3) Speaking to and listening to various community organizations; (4) Conducting a community survey; (5) Meeting on a regular basis with all meetings open to the public; (6) Discussing our findings with members of the county study commission and other study commissioners from our area and from around the state; (7) Attending various workshops in order to better understand our present government and the alternatives available to us. After a year and one-half of study, we are now presenting to you this final report which details our findings and recommendations as of this time.

After examining all of the alternatives available to us, the majority of the study commission has decided that the disincorporation of the present city government would be the best choice. We realize that to some of you this may seem like a drastic move. Yet, it appears to us that disincorporation offers the only true alternative. Therefore, we would ask you to carefully examine this report, weighing the strengths and weaknesses of both our present form of city government and disincorporation.

A minority report will be found at the end of this report stating the reasons why the dissenting member of the commission feels that the alternative proposed is not the choice as that member interprets the needs and future of this community.

In the coming days, you will have numerous opportunities to ask questions and to increase your understanding of the issues involved. If you have opinions regarding this final report, please contact us; discuss the report with your neighbors; debate the issues with the community and join with us in the decision of the future of the city of Libby.

Sincerely
City of Libby Study Commission
Members:

Maurice C. Sather
Edith C. Kair
T. S. Schuster

Presented to
The Citizens
of Libby
by the
City of Libby
Study Commission
August 1, 1976

Supplement to
THE WESTERN NEWS
Libby, Montana
Thursday, Sept. 2, 1976

Findings

In our analysis of the present form of government in the City of Libby, we have found certain strengths. These strengths have served this area well in the past and are a tribute to the council and mayor who have served this community. The strengths of the present system are:

1. Present local officials are dedicated and hard-working
2. An equitable distribution of citizens per councilman exists
3. City officials are generally aware of the problems of local government and are open to suggestions
4. Present city government is flexible enough to allow for some changes within the present structure.

But our studies have indicated that the existing mayor-council form of government experiences the following problems:

1. Increasing costs of providing basic community services
2. Growing demand for more and varied community services to be provided from fixed revenues
3. Growing suburban community outside the city limits. These people use the city's services but do not directly share in the burden of maintaining the city
4. Overburdening administrative responsibilities for the councilmen and the mayor.

Recommendation

In light of the above, we believe that once you have a full understanding of the situation and disincorporation, you will agree that it is the best possible solution to the problems now facing Libby.

If the disincorporation proposal is approved by the people on November 2, 1976, the corporate status of the city of Libby would not be ended until May 2, 1977. This period of time is set aside to allow for an orderly period of transition, so that provisions can be made for the county government to assume responsibility for delivering services to the former area of Libby. It is important to remember that Libby residents, as Lincoln county citizens, have the right to receive services from the county and that under new powers the county government will be authorized to provide urban type services. Thus, the citizens of Libby need not be apprehensive about loss of the city government since they can receive the same services from the county, whose seat of government is right here in Libby. Libby will still retain its identity for all other purposes.

During the orderly period of transition the following event would occur. The financial situation of the City of Libby would be reviewed and a statement of all debts and assets produced. A special fund will be created in the county for collection of funds owed the City of Libby and for payment of debts owed by the city. If there is not enough money in the special fund to pay off the debts, the county commissioners will create a repayment schedule and assess the property in the former city until the obligations are executed. If there is a surplus in the special fund, this money can be used to offset the costs of continuing to supply usual services in a special service district covering the former territory of the City of Libby.

For the purposes of supplying adequate levels of service in areas like police protection and street construction and maintenance, the county will have the authority to place an additional tax upon the property of the former city. Current estimates are that the cost of supplying the same level of service will not be greater than the amount raised by the present city government and that within a few years, the proportion of costs can be reduced by expanding the boundaries of the area served to include the entire greater Libby urban area. In this way, the residents of the urban area will be paying equally for equal levels of service received.

According to proposed legislation which would become effective prior to May 2, 1977, the state aid which currently is received by the City of Libby would be returned to Lincoln County for deposit for use in the special service district. This could mean that the mill levy in the service district could be lowered and that no funds will be lost as a consequence of disincorporation.

The residents of Libby then would receive most services just like every other county resident without having the burden of double taxation for city services. Other services could be provided at the same level as current in the city through special service districts, probably at reduced costs.

Reasons for Proposing Disincorporation

Very briefly, the majority of the commission is proposing the disincorporation of the City of Libby for the following reasons:

1. Disincorporation would be cheaper for the citizens of Libby
2. The county has more and better equipment to provide certain services such as street maintenance
3. The imaginary "city limit" boundary would no longer interfere with planning and the growth of service districts
4. The county government offices are located in Libby so it should be easy to maintain accountability and responsiveness on the part of elected and appointed officials
5. There are more full-time officials in the county government thereby overcoming the present problem of elected officials having to administer in their "off-hours"
6. Under proposed codes that will be voted upon in the next legislature, the county government could gain new powers which would make it more able to operate independently from the state government.

RECOMMENDATIONS AND REASONS

Government should be Economical

The primary reasons supporting disincorporation of the city government of Libby is the tax structure. During the last ten years the tax levies have increased from 38 mills to over 63 mills. This means that the expense of running a city government has nearly doubled along with the taxes used to support that government.

Unfortunately, residents of the Libby area living just outside the city limits pay less than half that amount to support county government. For example, a breakdown of taxes paid on two identical houses, one inside of Libby city limits and one in the unincorporated Libby area, valued at \$25,000, would show that the house in the city of Libby pays \$191.00 to maintain city government while a house in the unincorporated area pays only about \$95.00 to maintain county government. Last year the full tax schedule, which includes school taxes, for the city resident is 221 mills while the county resident paid only 155 mills which means the same city household paid a total tax of \$663 while a county resident paid only \$465.

The citizens of Libby pay more than twice the taxes as do Libby area residents in the county to maintain that local government. The total local tax bill is one-third more for city residents than unincorporated residents.

Government should be Effective

Given the financial state of the city, how well can it deliver the services expected by its citizens? Our survey of last summer reveals some growing doubts about the city's level of services.

Streets

Over 80 percent of the residents we polled saw the city's streets as needing improvement. In fact, an overwhelming number (78 percent) thought that the maintenance of city streets could be better handled by the county.

Police

Not quite half of those we polled saw police protection as being good. About 40 percent felt that this service could be better provided by the county, too.

Other services

Our poll revealed that parks, recreation, beautification, sidewalk curbing, planning and zoning also received less than glowing remarks from the residents of Libby.

We point out these details not in disapproval of our present government and the officials who are engaged in running it, but to point out the somewhat desperate nature of our present situation. Of course, the world will not end if these services are not improved nor new services instituted, but we would all probably be much happier if services were improved. With the greater resources and more and better equipment which the county has, perhaps some progress could be made in improving and expanding the level of services within the greater Libby area.

Government should be representative

Some will charge that by disincorporating Libby will lose its representation; we will, in fact, have fewer elected officials. Several should be considered at this point.

First, does more mean better? Not necessarily. But disincorporation does mean that we, the citizens of Libby, must seek out, nominate, elect, highly dedicated and responsible officials to our county government. Only then can we be assured that our views will be represented.

Second, the proposed county charter makes the city of Libby or five districts. If that county charter should pass, the city will be represented in county government on a one man-one vote basis with other areas of the county. Even if the proposed county charter does pass, there will have to be reapportionment within the county which will give the City of Libby an opportunity for more equitable representation in county government.

Third, we should realize that the greater Libby area is the most populous area of the county. Most of the county officials are from the area and Libby is the county seat. In a sense, then, we are already represented, even if disincorporated.

Okay, Here Are More Reasons for Disincorporation

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RECOMMENDATIONS AND REASONS

Government should be responsive and accountable

How well does our local government solve our problems? Do we know where the "buck stops?" Our survey showed that people in Libby have not had a problem in contacting their councilmen and getting attention paid to their problems. How much would we lose by disincorporating? We suggest that the answer is not much, if any. Right now the county government is only one block away for the present city hall. We would have to walk no further to contact local officials with our problems. True, we would have to learn new phone numbers and we would have to learn how the county government is organized, but these seem to be small problems when compared to the problems that might be solved.

Government should show leadership

One of the problems noted in our interviews with local officials was that their involvement in city government was an extremely time-consuming task. They must, in fact, often leave their jobs to oversee certain tasks for the city. They say that there is so much work that at times, they are not really sure if they are making the right decision or not; but decisions must be made, so they forge ahead. Such a job is not attractive. We do not see, in Libby, hotly contested races to see who gets to be the councilmen or mayor. What can be done about this problem?

The city could, within its present structure, hire a city administrator who would function much like a city manager. Certainly this would alleviate much of this problem. But, of course, that would cost money, too. Current county government, on the other hand, pays the county commissioners enough so that they can afford to be almost full-time administrators. Admittedly, the task is not easy, but it is easier for a full-time commissioner than for councilmen and the mayor who are forced to administer on a part-time basis. The proposed county charter calls for a full-time administrator. Such a position would greatly enhance the leadership (executive and administrative) functions of local government.

Therefore, the leadership potential seems greater in county government than it does in city government.

Government should allow for proper planning and growth

Another reason supporting disincorporation is the growth pattern of the Libby area. Over twice as many people live immediately outside of Libby in residential areas as live in Libby. People choose to do so because it offers more privacy and it is considerably cheaper to live in the unincorporated areas. It is so attractive that over 25 percent of the residents of Libby that were surveyed indicated if they were to rebuild, they would rebuild outside of the city. Noticeable gaps are beginning to occur in the residential areas of the city giving proof that people are moving to the unincorporated areas. Unfortunately, people still choosing to live within the city must take up the tax burden but on fewer shoulders.

Yet another reason pointing towards disincorporation relates to the methods of providing services to this rather small area where two-thirds of the county's population reside. 11,000 to 12,000 persons reside within four miles of the city of Libby. As stated earlier, more reside outside than inside the city boundary. Two governments are currently needed to supply basically the same services to two areas separated by an imaginary boundary. This situation of two units providing essentially similar services leads to a duplication of effort and a costly way of expending tax money. In this particular case it is evident by comparing the tax levies of the city which is approximately 63 mills and the county levy which is 31 mills that the county is more able to provide basic services cheaper than city government.

Planning is simply meeting anticipated demands for services effectively and economically. As the Libby area becomes more densely populated, more extensive services will be needed inside the city as well as outside the city. Providing existing and anticipated services at the two local levels of government is both uneconomical and inefficient. The only way to provide for current and future demands for service in a manner that maximizes the tax dollar is at one level of government that can meet the needs of the Libby area as a whole unit.

A NOTE FROM THE CHAIRMAN

August 3, 1976

It is with a certain amount of regret that I support our recommendation to disincorporate the Libby city government. To remain as we are, there must be increased revenues or a cutback in services; also we may see a "gradual disincorporation" through the transfer of services to the county. However, to recommend either (1) service transfers or (2) increasing revenues would either (1) lock the city into a semi-disincorporated status or would (2) increase the taxes of the already unfairly taxed city resident. Certainly disincorporation is no panacea; it is impossible for us to tell exactly what will happen should our proposal pass. However, I believe our proposal to be the most honest, the most practical, and the most workable alternative that we could possibly offer. Therefore, I support it and will vote for it next November. I urge every voter to become informed and to vote intelligently on this issue. Even if the proposal fails, I believe that the citizens of Libby have become more informed as to the form, status, and future of local government in the city of Libby.

Sincerely,



Marv Sather
Chairman, City Study Commission

WHAT HAPPENS AFTER DISINCORPORATION

If a majority of the people vote "yes" for disincorporation, the new government would go into effect on May 2, 1977. Before this happened, the financial situation of the City of Libby would be reviewed. A statement of all liabilities would be prepared. All the unencumbered cash of the city would be turned over to the county. The money would be put in a special fund to be used to pay the debts of the City. All public property would be turned over to the county. The court records of the police court would be turned over to the nearest Justice of the Peace. He would execute and complete all unfinished business. The city residents would still be liable for contracted indebtedness. The county would pay the obligations, but from the previously mentioned special fund. If not enough money were available, then money would be raised by taxing the residents of the former City of Libby.

The study commission would recommend that certain steps be taken to

facilitate the disincorporation process and to provide for the needs of the residents of Libby:

1. That the county commissioners adopt all present city ordinances.
2. That service districts be established for zoning and sewer. Other districts established for the purpose of taxing and providing services are police and recreation. (See appendix for details).
3. That the county commissioners consider hiring an administrator to co-ordinate the services and activities of the metropolitan area of Libby.
4. That a board of present county and city officials be established to arrange for the transfer of and selling of present city properties. Selling of certain properties would help to decrease the city debt and the transfer of other properties to county ownership would help to insure the continuance of services.

Comparison of the Existing Form of Government (Mayor-Council) and the Proposed Form of Government (Disincorporation)

The city of Libby, at present, has a form of government known as a mayor-council form. Specifically, the system Libby uses is a "weak" mayor form, meaning that the powers of the mayor are greatly limited. In essence, the mayor and council work together to carry out the legislative (law-making) and executive (administrative) functions of the city's government. (See illustration A).

If the voters of Libby should approve of our proposed form of local government, the incorporated status of Libby would no longer exist. Libby would continue to exist in name, but there would be no city council, mayor, clerk, treasurer, and so on. No services would be provided by city government. Instead, the county government would provide the services. County officials would be making the laws and administering all programs for the present site of the city of Libby as well as for the rest of the county. County government in Lincoln County is known as the commission form. (See illustration B). However, should the voters approve of the Lincoln County Study Commission proposal, there will be some changes in the county form of government. (See illustration C). Basically, the proposed Lincoln County form of government would consist of expanding the board of commissioners from three to five members, the county would hire a full-time administrator, and an advisory board to the county commissioners would be established. For further information about this proposed form of county government, consult the report of the Lincoln County Study Commission.

Now, Let's See How the Old and the New Compare →

ILLUSTRATION 4: A GRAPHIC REPRESENTATION OF THE EXISTING FORM OF CITY GOVERNMENT

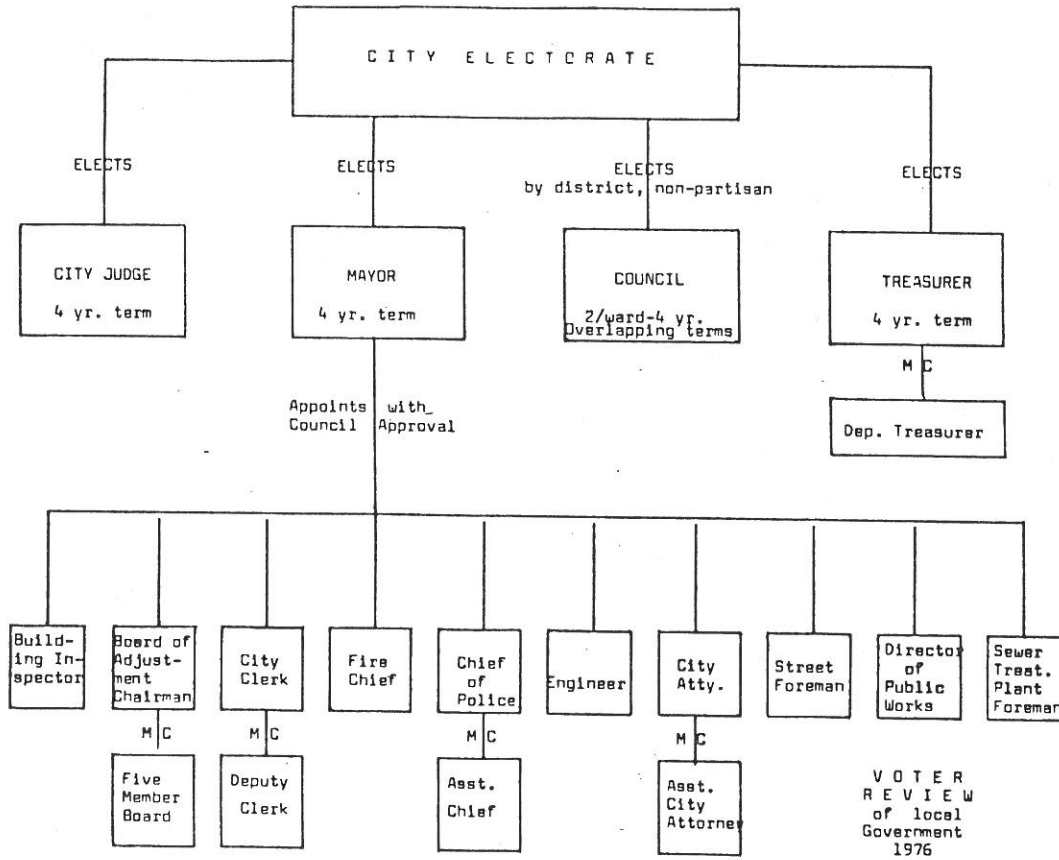


ILLUSTRATION 8: A GRAPHIC REPRESENTATION OF THE EXISTING FORM OF COUNTY GOVERNMENT

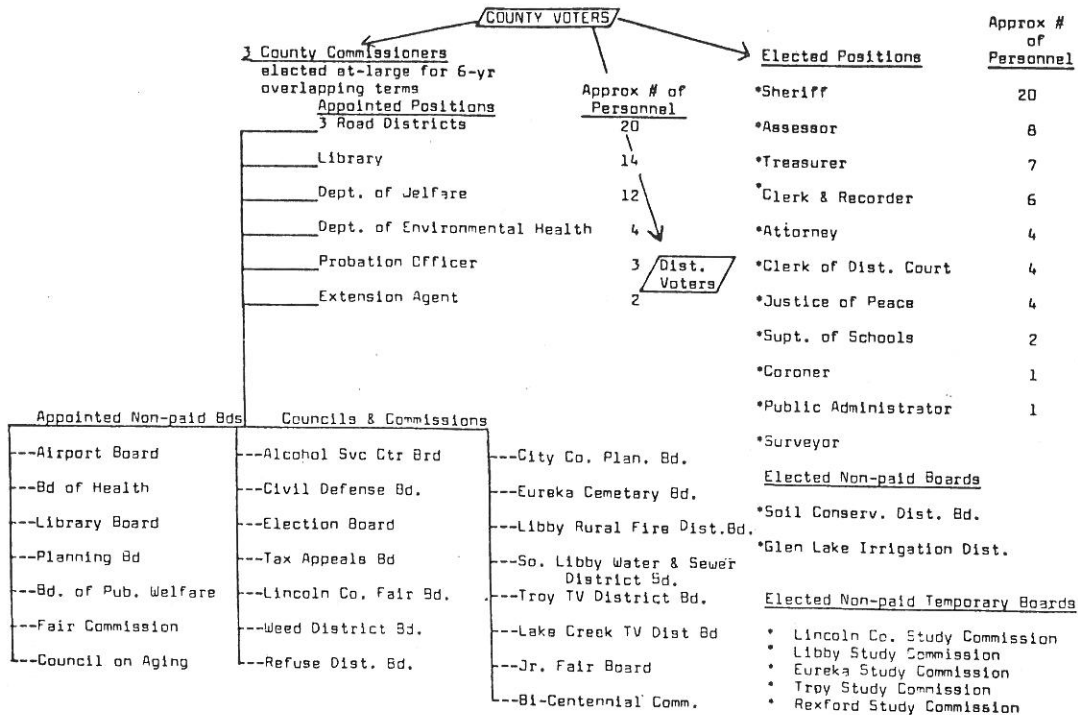
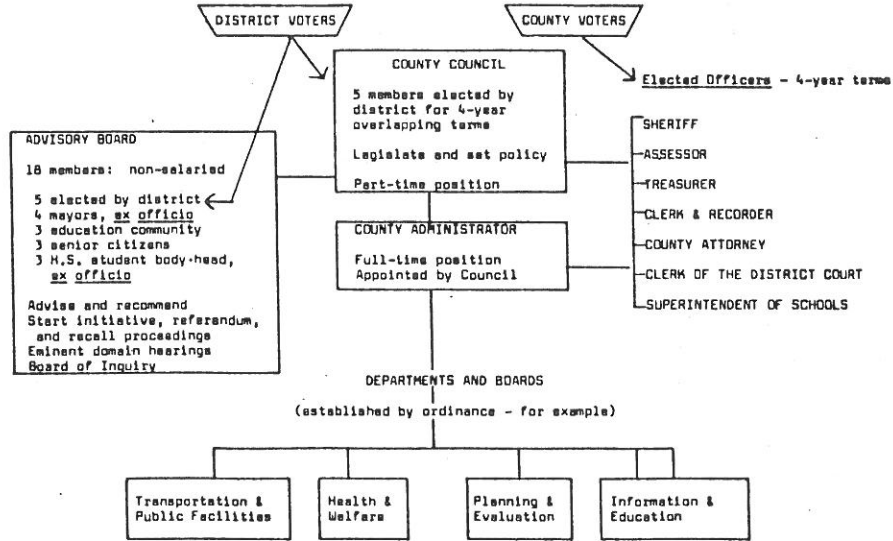


ILLUSTRATION C: A GRAPHIC REPRESENTATION OF THE PROPOSED FORM OF COUNTY GOVERNMENT



Because of the county study commission's proposal, we have also included a comparison as to what the county government could be like if the voters of Libby support disincorporation and also approve of the new county charter.

Characteristic	Existing Form of City Government	Existing Form of County Government	Proposed Form of County Government	Comments
Form of Government	Mayor-Council form. Mayor's powers are weak. Council has legislative and executive powers	Commission form. Commission serves as legislators and administrators.	Charter form. Commissioners as legislators. Appointed County Administrator would carry out administrative duties.	No significant change in government form unless proposed county form passes, in which case there would be a full time administrator.
Size of Legislative Body	Six (6) councilmen elected non-partisan from three wards for overlapping terms for four (4) years.	Three (3) county commissioners nominated in districts but elected at-large. Six (6) year terms overlap.	Five (5) council members elected by districts. Four (4) year terms which overlap.	By disincorporating city government, Libby would have fewer representatives. If the proposed charter were to pass, the city would be represented exclusively by one (1) county Commissioner.
Duties of Council	Legislative, policy making, and administrative.	Legislative and administrative.	Legislative and policy-making.	Little change
Presiding Officer	Mayor. Elected at-large every four (4) years.	Chairman elected from commissioners.	Same as present county form	People would not choose the "leader" of the council under disincorporation
Administrative Leader	Mayor on a part time basis.	Commissioners serve as administrator	County Administrator appointed by county council who will serve on a full-time basis.	Both the existing and the proposed forms of county government would strengthen the administrative arm of local government.
Powers	General Govt. powers State law defines what government may do and specifically how it shall be done.	Same as City	Self Govt. powers. Lincoln County may exercise any power which the state does not deny.	No significant change unless proposed county form is adopted in which case county would have expanded powers to cope with local situations
Elections	Non-partisan	Partisan	Voters will choose whether election will be partisan or non-partisan.	Since elections would be on county-wide district basis, partisan elections could be beneficial.

REASONS FOR MAINTAINING THE EXISTING FORM OF GOVERNMENT

Much of the arguments for disincorporation are aimed at providing a more efficient means of government for the city of Libby. Much of the time of the city council is devoted to making decisions when there is truly no, or little information available. Our city government could be made more efficient and possibly provide tax savings if the management of the fiscal affairs, arrangement of service transfers or agreements, and long range planning for the growth of Libby were in the hands of an administrator, or at the very least researchers to provide the information for such decision to the city council. Through such support or administrative personnel, a better and more efficient utilization of your tax dollars could be translated into more efficient and less expensive services.

Much of the problem in bringing those fringe areas into the city for taxation purposes could be solved by proposed codes for the state legislature to consider this next session. These codes could provide the city with the power to annex areas that utilize the city, and realistically should pay for that use, but that now do not. The cost, the procedures, and the ability to annex under the proposed codes should provide the city resident with the equality of taxation for use that we now seek.

There is a possibility that the identity of community, the traditions that this community has built up over the years may be lost. That strong sense of identity of being a resident of Libby may be too great a price to pay for the idea of disincorporation.

That's the How and Why, But Some May Disagree →

MINORITY REPORT

To the Citizens of Libby:

I find myself in total disagreement with the other study commissioners in their finding that disincorporation is the only answer, the answer, to the problems that face us as a community. It is an opinion that I cannot accept and I urge you not to accept.

True, Libby faces problems, but those problems are faced by every other city in this state. Indeed, I would find it safe to say that our problems are not so unique that they have not been faced by another city in this nation. But are the problems so perilous, so unsolvable by the present incorporated area that the future requires us to bury all that we have? I say that the answer is no. We have a future in this city and disincorporation denies that future from ever happening. It is a future that allows us to control our homes, our neighborhoods, our common identity and wants in a manner that the county does not, could not, and will not do.

I am concerned at the ability of county government to produce the quality of life that I am used to. The county allows the maintenance of businesses next to beautiful homes. The county allows a chicken farm to be built next to your \$30,000 home and for you to suffer a devaluation of your property because of it. It is a rural oriented commission that runs this county, it has no concept of what we want, what quality city life is like and what it takes to provide it. Where would our controls, our assurance come from? With city government we have that control, those assurances. But with disincorporation, there are no guarantees, there are no assurances, there is no control.

There was some indication that street maintenance was the concern of the city residents. With the present chipping of the streets and other long range plans being made I believe strongly that the quality of our streets will be improved. The county has indicated that if disincorporation were to take place they would try to impose a tax upon the city residents for street maintenance. This would be no savings, merely a transfer of money from one pocket to another.

I have travelled over county streets in nearby areas and have found them to be lacking in the same ways that the streets in the city lack. In some instances I would classify the county streets worse. But the fact remains that the present city government is providing long range plans to solve the city street problems, which is exactly what the county would not be obligated to do.

What other service could the county provide besides street maintenance? Sheriff controlled law enforcement? This could be a great stride forward in law enforcement for our area, but with disincorporation there would be no control over the scope and kind of service rendered by the sheriff's office to the citizens of Libby. The present contractual proposal made by the city council for law enforcement by the sheriff's office is a much better, much more controlled way of meeting this situation.

How much would you save in taxes through disincorporation? About \$6 per month. But that \$6 per month gives you the right to have exactly what you want because of officials elected by you, and acting on your behalf. The county can make no such claim for they represent more than this area. There is no guarantee that such representation would ever occur.

Our studies have given the city council the information they have needed to solve, or start to solve some of the more pressing problems of this area. There are plans that we have for co-operation with the county to help both of us upgrade the quality of law enforcement, recreation and other areas. Disincorporation denies our ability to seek these solutions to the problems. We deny our ability to have solutions that provide benefits tax wise and quality wise for the citizens of Libby.

True, the city council and mayor are overworked. There are other, better solutions to help them do a better job other than simply abolishing the jobs all together. There are many possibilities for relieving the burdens they carry, such as administrative assistants, researchers, or a city manager. This would be a positive way to help our government become more efficient.

The main thrust of the report for disincorporation is who pays the taxes versus who uses the city. In the proposed codes for cities and counties (the very ones mentioned for county powers expanding and not mentioning the ways it benefits cities in the main report) the cities are granted much more power as well as the county. If the real problem, the real reason for disincorporation is because the fringe area uses the city without paying taxes, the new code ALLOWS the cities to annex those areas in a much easier fashion than ever before. The city of Libby could annex those areas, and could broaden the tax base to allow the rate of government to be spread upon all of those who utilize the city. Libby could annex those areas and provide more, better and less expensive (to the taxpayers) services than ever before.

The city is providing the same services it did last year at a reduction in cost to you the taxpayer. The city council budget is approximately 7 mills LESS than it was last year. This means that if you have a \$25,000 home, your city taxes are \$22 less per year. The county is in a budget crunch. The county has had to cut budgets to make their final budget meet their raised revenue. The city had no such tremendous task.

Many people have said to me that they want a city, and this came from people within and outside the city boundaries. In some cases individuals have indicated that they would come in to the city limits for some of the services we now have that they do not have, such as sewer.

And travelling on my vacation I saw many other unincorporated areas. They were rundown, ugly areas. They seemed to have no spirit, no pride. Would we lose those also? Can we guarantee that community spirit after disincorporation takes place? Spirit is unity, and unity is more than a zip code.

I urge you to allow this community to become progressive, to instill the vigor of the future in a bright and forceful manner, to allow our destiny to be positive and not negative. The way this is done is to vote NO on disincorporation.

Sincerely,

Edith Kair

Edith Kair

APPENDIX OF SUPPLEMENTAL REPORTS RECREATION DISTRICT

We recommend that the county commissioners initiate and maintain a recreation district for the greater Libby area. We recommend that the financing of the district be done by taxing the residents of the city-county planning area and by contractual arrangement with School District No. 4.

The scope of programs, the development of areas other than of a physical nature, the budgeting are a part of the research of this study commission and will be made available to the county for its use.

The minimal activities under this plan would provide for:

1. the city pool complex
2. tennis lessons on a free basis
3. a softball league for girls and boys (daytime)
4. recreation activities for children of elementary age
5. baseball
6. gym activities
7. city tournaments for areas such as tennis, and softball
8. clinics for the enhancement of physical skills
9. cultural events.

LAW ENFORCEMENT

We recommend that the county commissioners initiate and maintain a metropolitan police force to encompass all of the greater area to include south to Cliffside, west to Cedar Creek, north to Orchard Vale, and all immediate areas of heavy population such as Northwood, Mountain View, Cabinet View, Cabinet Heights, Woodway Park, Mahoney Additions, Whitehaven and South Libby.

The scope of minimal service and the source of revenue shall be made available to the county commissioners upon passing of disincorporation.

It is also recommended that the county commissioners, contingent upon legislative action upon pending codes, create a taxing district comprised of the area served by the metropolitan police force for funding of this budget item.

In no way shall the county commissioners allow the level of service in this area to fall below the following minimal level for the city of Libby:

Personnel: 5 officers plus 1 meter-maid
Vehicles: 2 patrol cars

Area to be served: the present city boundaries, with at least one on patrol within those boundaries and one within a five minute arrival time to the city.

That's the How and Why . . . Let's Look at the Finances →

COMPARATIVE TAX STUDIES

TAXES AFTER DISINCORPORATION
(Lower level of service than the present city services)

A. Present county mills	155.734
Taxes reimposed upon city residents (or district residents)	
1. Parks and playgrounds	1.500
2. Cemetery	1.500
3. Fire	3.097
4. Fireman's Disability	2.000
5. Firehall Bond	1.501
6. Warehouse Bond	.326
TOTAL AMOUNT OF TAXES DUE	165.658

NOTE: THIS REPRESENTS A LOWERING OF THE LEVEL OF POLICE AND STREET SERVICES FROM THE PRESENT CITY LEVEL.

The present city tax is 214.180 mills, this includes all state, county and city taxes. This represents a tax reduction of 22.7 percent. This would mean that the city resident would save approximately \$145.56 per year, or approximately \$12.13 per month.

The tax bill comparison would look something like this (using a \$25,000 market valuation):

Before disincorporation	\$642.54
After disincorporation	\$496.98

TAXES AFTER DISINCORPORATION

(Same level of service as city now has with a taxing district including area adjoining city)

A. Present county mills	155.734
B. Taxes reimposed upon city residents (or district residents)	
1. Police	13.960
2. Streets and alleys	12.395
3. Parks and playgrounds	1.500
4. Cemetery	1.500
5. Fire	3.097
6. Fireman's Disability	2.000
7. Firehall Bond	1.501
8. Warehouse Bond	.326
TOTAL AMOUNT OF TAXES DUE	192.013

NOTE: THIS REPRESENTS THE SAME LEVEL OF SERVICES THAT THE CITY RESIDENT NOW HAS. THIS COST IS BASED UPON THE COMMISSIONERS EITHER TAXING THE CITY RESIDENT OR APPLYING A DISTRICT TAX TO FUND A SERVICE.

The present city tax is 214.180 mills, this includes all state, county and city taxes. This represents a tax reduction of 10.3 percent. This would mean that the city resident would save approximately \$66.50 per year, or approximately \$5.54 per month.

The tax bill comparison would look something like this (using a \$25,000 market valuation):

Before disincorporation	\$642.54
After disincorporation	\$576.04

TAXES AFTER DISINCORPORATION

(Same level of service, city residents only paying tax)

3. The county sets up a subordinate taxing district for Libby (city)

A. Present county mills	155.734
B. Taxes reimposed by county (indicated through discussion with commissioners)	
A. Police	21.527
B. Insurance for police cars	1.000
C. Industrial accident and unemployment	2.000
D. Court costs	1.470
E. Streets and alleys	14.534
F. Parks and playgrounds	4.780
G. Cemetery	3.883
H. Fire	3.097
I. Fireman's Disability	2.000
J. Firehall Bonds	1.501
K. Warehouse Bonds	.326
Total taxes-----	211.852

The present city total tax is 214.180, this includes all state, county and city taxes. This represents a tax reduction of 2 percent. This would mean that the city resident would save \$6.98 per year in taxes, or approximately 59 cents per month.

NOTE: THIS LOOKS TO BE THE MOST FEASIBLE OF THE TAX STUDIES BECAUSE IT DOES INCLUDE POLICE PROTECTION AT THE MINIMUM LEVEL DELEGATION OF OUR POLICE-SHERIFF STUDY. THUS THEY WOULD (CITY RESIDENTS) HAVE NO REDUCTION IN THAT AREA. IN OUR DISCUSSIONS WITH THE COMMISSIONERS THEY HAVE INDICATED THAT IF THEY COULD THEY WOULD IMPOSE THE MILLAGE FOR STREET MAINTENANCE, THUS IT WAS ADDED HERE SO THAT YOU COULD HAVE A LOOK AT WHAT IT COULD PROBABLY COST THE CITY RESIDENT IF DISINCORPORATION TOOK PLACE, IF THE LEVEL OF ALL SERVICES REMAINED THE SAME, AND IF THE COUNTY GETS ITS LEGISLATIVE POWERS FROM THE NEXT LEGISLATURE.

If we translate this into dollars and cents (using a \$25,000 market valuation) it would be like this:

Before disincorporation (taxes)	\$642.54
After disincorporation (taxes)	\$635.56

**CERTIFICATES
OF
EXISTING AND PROPOSED PLAN OF GOVERNMENT,
ESTABLISHING THE DATE OF THE
SPECIAL ELECTION AND THE OFFICIAL BALLOT**

**CERTIFICATE ESTABLISHING THE EXISTING PLAN
OF THE GOVERNMENT FOR THE CITY OF LIBBY**

If retained by the voters, the government of the City of Libby shall be reorganized under the provisions of Section 47A-3-203, Revised Codes of Montana, 1947, as amended.

- (1)
- (2)
- (3) (a) (ii)
- (3) (b) (iii)
- (3) (c) (ii)
- (3) (d) (ii)
- (3) (e) (ii)
- (3) (f) (i)
- (3) (g) (ii)
- (3) (h) (i)
- (3) (i) (i)
- (3) (j) (iii)
- (3) (k) (ii)
- (3) (l) (ii)
- (3) (m)
- (4) (a)

These sections establish the following form of government which shall be called the MAYOR-COUNCIL FORM.

(1) The commission-executive form (which may be called the "council-executive", the "council-mayor", or the "commission-mayor" form) consists of an elected commission (which may be referred to as the "council") and one elected executive (who may be referred to as the "mayor") who is elected at large.

(2) The executive shall:

- (a) enforce laws, ordinances, and resolutions.
- (b) perform duties required of him by law, ordinance or resolution;
- (c) administer affairs of the local government;
- (d) carry out policies established by the commission;
- (e) recommend measures to the commission;
- (f) report to the commission on the affairs and financial condition of the local government;
- (g) execute bonds, notes, contracts and written obligations of the commission, subject to the approval of the commission;
- (h) report to the commission as the commission may require;
- (i) attend commission meetings and may take part in discussions;
- (j) execute the budget adopted by the commission;
- (k) appoint, with the consent of the commission, all members of boards; except, the executive may appoint without the consent of the commission temporary advisory committees established by the executive.

(3) (a) (ii) The executive may appoint one or more administrative assistants to assist him in the supervision and operation of the local government. Such administrative assistants shall be answerable solely to the executive.

(3) (b) (iii) The executive may appoint, with the consent of a majority of the commission, all department heads. The executive may remove department heads and may appoint and remove all other department employees.

(3) (c) (ii) The executive may veto ordinances and resolutions, subject to override by a two-thirds vote of the commission.

(3) (d) (ii) The executive may prepare the budget in consultation with the commission and department heads.

(3) (e) (ii) The executive may exercise control and supervision of all departments and boards to the degree authorized by ordinance of the commission.

(3) (f) (i) A financial officer (who may be called the "treasurer") shall be elected.

(3) (g) (ii) The commission shall be elected by districts in which candidates must reside and which are apportioned by population.

(3) (h) (i) Local government elections shall be conducted on a partisan basis as provided in this title.

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

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

(3) (k) (ii) Commission members shall be elected for overlapping terms of office.

(3) (l) (ii) The size of the commission shall be a number not less than three (3); and community councils to advise the commissioners may be authorized by ordinance.

(3) (m) The term of office of elected officials shall be four (4) years.

(4) (a) The plan of government shall determine the power of local government by authorizing general government powers.

We the Study Commissioners of the City of Libby do hereby certify that this is the existing Plan of Government. In testimony whereof, we set our hands. Done at Libby, Montana, this 30th day of July, 1976.

Members:

Maurice C. Sather
Edith C. Fair

T. S. Schwartz

Attest:

Delores Amundson
City Clerk of Libby

**CERTIFICATE ESTABLISHING THE PROPOSED PLAN
OF GOVERNMENT FOR THE CITY OF LIBBY**

CERTIFICATE FOR THE CITY OF LIBBY

Upon approval of the majority of voters, the city of Libby shall cease to exist as an incorporated entity as provided in Section 16-5115.8, Revised Codes of Montana, 1947. Lincoln County shall provide for orderly disincorporation and the establishment of tax and service districts for the former area of Libby in accordance with the provision of Section 16-5115.8 and Sections 11-315 to 11-321, Revised Codes of Montana, 1947.

We the Study Commissioners of the City of Libby do hereby certify that this is the proposed Plan of Government. In testimony whereof, we set our hands. Done at Libby, Montana, this 30th day of July, 1976.

Members:

Maurice C. Sather
Edith C. Fair
T. S. Schwartz

Attest:

Delores Amundson
City Clerk of Libby

**CERTIFICATE ESTABLISHING THE DATE OF THE SPECIAL
ELECTION AT WHICH THE ALTERNATIVE FORM OF
GOVERNMENT SHALL BE PRESENTED TO THE
ELECTORS OF THE CITY OF LIBBY**

The alternative form of government proposed by the local Government Study Commission shall be submitted to the voters of the City of Libby at the general election on November 2, 1976.

We the Study Commissioners of the City of Libby do hereby certify that this is the elected date approved by the Study Commissioners of the City of Libby. In testimony whereof, we set our hands. Done at Libby, Montana this 30th day of July, 1976.

Members:

Maurice C. Sather
Edith C. Fair
T. S. Schwartz

Attest:

Delores Amundson
City Clerk of Libby

SAMPLE BALLOT CERTIFICATE

**CERTIFICATE ESTABLISHING THE OFFICIAL BALLOT
FOR THE NOVEMBER 2, 1976, SPECIAL ELECTION**

Instruction to voters: Place an "X" in the box which expresses your preferences. The full text of the proposed form of government and of the existing form of government are available at your polling place.

**OFFICIAL BALLOT
BALLOT ON ALTERNATIVE FORM OF LOCAL GOVERNMENT**

1.

Vote for one.

For the disincorporation of Libby.

Against the disincorporation of Libby and for the retention of the present form of government.

This ballot on the alternate form of local government shall be printed as a separate ballot.

We the Study Commissioners of the City of Libby do hereby certify that this is the official ballot approved by the Study Commission of the City of Libby. In testimony whereof, we set our hands. Done at Libby, Montana, this 30th day of July, 1976.

Members:

Maurice C. Sather
Edith C. Fair
T. S. Schwartz

Attest:

Delores Amundson
City Clerk of Libby