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**STUDY COMMISSION MEETING
AGENDA
WEDNESDAY, JANUARY 28, 2026
COUNCIL CHAMBERS CITY HALL**

REGULAR MEETING – 5:00 P.M.

ROLL CALL

APPROVAL OF MINUTES:

1. Approval of December 16, 2025 Meeting Minutes
2. January 12, 2026 Study Commission Workshop Minutes

VISITORS/PUBLIC COMMENT (Items not on agenda)

UNFINISHED BUSINESS:

3. Amended Tentative Report by Hopkins - Minority Reports from Nicosia and Konopatzke.

ADJOURN



City of Columbia Falls
130 6th Street West
Columbia Falls, MT 59912
Phone: (406) 892-4391

Columbia Falls Study Commission Meeting Minutes December 16, 2025

Call to Order: Meeting called to order at 6:00 PM by Chairman Piper.

Roll Call: Study Commissioners Hopkins, Konopatzke, Nicosia and Piper. Also present: City Clerk Staaland.

Approval of Minutes: Commissioner Nicosia made a motion to approve the minutes as presented, second by Commissioner Hopkins, motion carried with all members voting in favor.

Visitors/Public Comment: There were no visitors or public comments.

Discussion: The Study Commission met to finalize its recommendations to the City Council and to review the final report for compliance with MCA 7-3-142 and MCA 7-3-187. Discussion included public participation options, ballot considerations, budget impacts, and revisions to the final report.

Commissioner Hopkins presented a recommendation regarding public engagement, suggesting the possible creation of neighborhood-based community councils to encourage participation. He noted that such councils would require formal establishment by the City Council. Nicosia referred to the 1986 City of Bozeman study commission report as an example of similar recommendations. She clarified that members of any community council would be elected, meetings would be documented in minutes, and any recommendation by Hopkins should be included as a separate section of the final report. Councilmember Piper expressed concern regarding low public participation despite existing opportunities.

The Commission reviewed Section E, Recommendations to the Council, following a motion by Commissioner Hopkins, seconded by Commissioner Nicosia and the motion carried.

The Commission confirmed that the final report meets the requirements of MCA 7-3-142 and MCA 7-3-187. They compared the pros and cons of June versus the November election, with June being favored to maintain momentum. The group analyzed the official election calendar to determine critical deadlines. Discussion followed regarding ballot language, noting that Title 7 contains some ambiguity but that all ballot language must comply with Secretary of State guidelines. It was established that a resolution calling for the election must be passed by the City Council at least 85 days before the election date. For the June 2nd election, this deadline falls in early to mid-March, which is achievable following the commission's final report adoption in January. The Commission acknowledged that if a ballot measure fails, it cannot be brought forward again for three years.

Commissioners discussed the importance of public education, while recognizing the need to remain informational rather than advocacy based. Funding for the November 2026 ballot and public education efforts must be included in the FY 26/27 budget.

The Commission approved revisions to the final report, including the removal of appendices, with supporting documentation to be referenced in the report and made available separately or on the City website.

Commissioner Konopatzke moved to remove the appendices from the final report, seconded by Commissioner Hopkins, and the motion carried.

Commissioner Nicosia moved to add language noting that the Commission's full work product is available at City Hall, seconded by Commissioner Konopatzke, and the motion carried.

The Commission completed a final review and made minor edits.

The next meeting of the Study Commission is scheduled for January 21, 2026, at 5:00 p.m., at which time the Commission anticipates adopting the final report, certificate of election, and ballot.

Adjourn: Meeting duly adjourned at 6:57 PM.

Chairman



City of Columbia Falls
130 6th Street West
Columbia Falls, MT 59912
Phone: (406) 892-4391

Columbia Falls Study Commission Workshop Meeting Minutes January 12, 2026

Call to Order: Meeting called to order at 5:00 PM by Vice-Chairman Hopkins.

Present: Commissioners Konopatzke, Nicosia and Hopkins. Absent: Piper
Also Present: City Clerk Staaland

Visitors/Public Comment: There were no visitors or public comments.

Workshop Discussion:

Commissioner Hopkins shared the following - As we near our deadline to submit our study commission's recommendation to the city council, we need to make sure our report is ready for approval at our meeting January 21st. In the process of preparing our final report, I realize I no longer support a recommendation requiring the council to call for an election to adopt self-government powers for the city. Instead I have decided to join with Commissioner Nicosia's prior recommendation for the city council to pursue the powers when an apparent need for such self-governing authority arises.

I've reached this conclusion reluctantly and with regret. But it comes from a growing realization that if put forward now, without the commission having done more to explain the proposal and conduct personal interviews and public meetings with city staff, city councilors and the public, this proposal will fail. Also, without unanimous support for the recommendation, a cloud of suspicion hangs over the proposal, especially when the no vote comes from our recently retired city manager with a long history of public service on behalf of the city and who is greatly respected in the community.

Even with a unanimous recommendation from the commission to put the proposal on the ballot, success would require a robust effort to explain and mobilize a constituency to support it. Since only one citizen has publicly endorsed the idea in a letter to the editor, I believe putting the matter to a public vote in June will be a waste of time, energy, and this city's resources.

Nevertheless it is important that the public understands that there is agreement among the three of us for the city to have self-governing powers, especially in the unusual manner outside of a charter. The difference between what Commissioner Konopatzke and I supported and what Commissioner Nicosia is advocating is the need for and timing of the proposal. With her background and deep understanding of local government and of the City of Columbia Falls, Susan thought long, and searched hard, to find an issue or need for the council to have such authority. She could not think of one. Neither could Connie nor I. If only we could predict the future.

What I do know is that the City of Columbia Falls is rapidly changing. There are yet-to-be realized and fully understood impacts of recent reductions in federal programs and funding. As Commissioner Nicosia points out, our Montana Legislature continues to add restrictions to the powers and authority that cities and counties are allowed to have even with self-government. However, just as the state has passed laws restricting the powers of local governments, future Legislatures could decide to relinquish those restrictions so that cities and counties with self-government could address

their own community's unique needs as they evolve. After all, who understands the day-to-day needs of a community better than those who live in it and govern it? Not legislators from Eastern Montana where there are more cattle than trees. Not even a state Senator living in Whitefish or State Representative living north of Whitefish. And I say that with all due respect to our Legislature, with specific respect and admiration for State Senator Dave Fern.

Despite my change of heart I still believe there is benefit for the city to have self-government powers now rather than waiting for some possible emergency in the future. Other than the cost of putting the question on the ballot this year, there is no downside to the city asking the citizens to give the council and administration that authority. Self-governing powers do not allow the city to do anything the state prohibits, such as adding new taxing authority, outlawing guns, or approving developments that do not conform to state law. The budget is already in place to pay for an election. The only reason for not moving forward is the lack of a specific need that would help convince voters on the immediate benefits to the community.

Thirty-two years ago I swore an oath to support, protect and defend the U.S. and Montana Constitutions and to "discharge my duties" as Columbia Falls' first city manager "with fidelity." With the support of the city council and staff, including a member of this commission, I worked tirelessly to put the new form of government on a firm footing. In hindsight I may have taken my responsibilities too seriously, or more accurately, too personally, without fully understanding or appreciating the history and culture of the community. Referencing my prior experience as Mayor of Kalispell, one prominent Columbia Falls resident complained, and I quote, "He's bringing his big city ways to Columbia Falls." After two years and way too much controversy it was time to leave. I confess it was not a graceful exit.

Thirty years later I swore the same oath as a study commissioner. I wanted to see how well the city has fared over the course of three decades of professional city management. I agree with the other commissioners and a majority of the citizens who responded to our surveys: the city manager form of government is working well. That doesn't mean that there aren't complaints, the number one of which is a lack of affordable housing. Affordability in general is always a top concern of elected officials. Unfortunately this is not a problem with a solution from our commission.

Another common complaint is a perceived lack of transparency and communication from the city along with accessibility to council members. Councilors are disappointed with the lack of engagement by the community in the city's decision-making. Only when controversy over a proposed development, or concerns about increased taxation or utility rates is on the agenda, does the public rally to attend meetings. Unfortunately the attendance is by those who have the time and lifestyle flexibility to do so, not young parents with children, sometimes working more than one job, who either do not have the time, resources or residual energy to show up for an evening meeting to voice concerns.

Additionally the traditional ways of informing the public of upcoming issues for council action are no longer effective. More people, especially younger citizens, get their news and information on their phones via social media rather than from a newspaper, their favorite radio station or a television. We are fortunate to still have a vibrant (and for those who are old enough to remember) Pulitzer-Prize-winning weekly newspaper, the Hungry Horse News, and a dedicated reporter. But for how long? Recognizing that public communication has changed, the council and City Manager Hanks are developing and initiating new social media sites while upgrading the city's website, which will include the means for councilors to receive direct communication from constituents via email.

Having put forth my name as a candidate for election to the study commission, I feel I have not fulfilled the promise of this process. In the early months of our review, once we reached agreement that the city manager form of government is working, I sensed a push to wrap up our review. But that shouldn't have precluded an opportunity to take a look at some of the changes made in 1994 besides the form of government, specifically election of councilors at-large instead of from wards. Could returning to elections of council members from specific parts of the city improve accountability and council engagement with citizens? We don't know because the only brief discussion about election from wards was a comment that when the city did elect members from wards, there were not enough candidates. However that was 30-plus years ago when the population was half of what it is today. In lieu of having that discussion, I am proposing a recommendation to the council that does not require voter approval.

Meanwhile, as Susan correctly notes, the discussion regarding self-government authority came midway through review and did not get vetted by the community: we did not seek direct feedback on the idea in our surveys; we did not meet with the Chamber Board of Directors or one-on-one with business owners, developers, city planners and other elected officials. We did not schedule a public forum, moderated by the experts from the Montana Local Government Center. One such forum in Polson during their government review last year brought out more than 60 attendees. The highest turnout at our hearings was three members of the public.

Despite my sense of disappointment over the outcome of our review, I thank my fellow commissioners for their work and deliberations, especially our chairman, John Piper, who I suspect may have bitten his tongue more than once in an effort to keep silent as the ex-officio, non-voting member. I also thank the city staff for their assistance with this process, especially City Clerk Barb Staaland and City Manager Eric Hanks. Eric already had too much on his plate when he was hired.

In conclusion I have some recommendations for a future city council and a prospective study commission when the 10-year review cycle comes again in 2034. I'll be 81 and if still around, maybe I'll seek election to that commission. If not here, are my suggestions:

- Before the next review the city should provide more public information about the review process, what it entails and what it does not, and ask voters to approve a five-member commission (three is insufficient for generating discussion and ideas).
- If voters approve another review future commissioners should subscribe to the top tier consulting package offered by the Local Government Center in Bozeman. Those staff members are the experts in understanding local governments and the review process.
- The commission should hire a secretary to keep minutes, attend meetings, and act as a liaison to the city for notices of public hearings and website development, etc., or acknowledge a formal relationship with a city staff member willing and able to work for the commission. Before commencing study, review in detail the requirements of a study commission as outlined in state law, MCA 7-3-171 through 7-3-193.
- Conduct one-on-one interviews with community and business leaders, city staff and city council members to explain the role of the commission and get their personal feedback on how the city government is functioning.

After Commissioner discussion the January 21st meeting was canceled and rescheduled for January 28th to allow time for preparation of a Minority Report from Commissioner Konopatzke.

Commissioners also discussed required dates for a Notice of Public Hearing.

ADJOURN The meeting was adjourned at 6:24 p.m.

Vice - Chairman



COLUMBIA FALLS MONTANA

COLUMBIA FALLS LOCAL GOVERNMENT STUDY COMMISSION 2nd TENTATIVE REPORT

February 25, 2026.

At the request of Columbia Falls citizens this commission has reviewed the form of government adopted by voters in 1992 and reached the following conclusion: **the city continues to be well governed and managed by the Council/Manager form of government.**

At a public hearing held November 19, 2025, the three-member commission presented its 1st Tentative Report with a recommendation that voters amend the City of Columbia Falls plan of government and approve adoption of self-governing powers. That recommendation, supported by a 2-1 majority of the commission, was to be presented in a final report to citizens and the City Council on January 21, 2026, including a minority report suggesting the council call for the proposal if and when a need for self-governing authority is realized.

After further deliberation and consideration of public input on that commission's first proposal the commission has concluded **the question of self-governing powers should be considered and decided by the city council.**

This report presents a summary of the commission's deliberations and a review of the commission's meetings, hearings, and public surveys. Also reviewed are the commission's Constitutional and statutory duties, the history and evolution of the city's government, and each commissioner's recommendation in the form of minority reports.

A separate report that includes all of the commission's work product is available for public review at Columbia Falls City Hall and will be posted online. This Work Product Report includes the Community Survey Questions and Results, Commission Meeting Minutes and Hearing Notices, Newspaper Reports, and several separate reports to the commission from city staff members and the Montana Local Government Center at Montana State University.

RESPECTFULLY SUBMITTED,

John Piper, Chair (Ex-Officio Member)

Roger Hopkins, Vice Chair

Connie Konopatzke, Member

Susan Nicosia, Member

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III. INTRODUCTION

Montana's Constitution adopted in 1972 provided Montana voters the opportunity to review their local governments' structures every ten years. The review occurs when voters in the local government authorize convening a study commission. If voters elect to have their form of government reviewed, citizens seek election to the commission.

On June 4, 2024, Columbia Falls voters narrowly approved review of the city's form of government. Only one candidate, Roger Hopkins, filed for election to the three-member study commission, resulting in the cancellation of the November 2024 election of commissioners. It fell to the city council to seek letters of interest to fill the other two seats. Connie Konopatzke and Susan Nicosia submitted letters and on October 21, 2024, the council appointed Hopkins, Konopatzke and Nicosia to the commission. The council also named Councilor John Piper as the official council liaison and ex-officio, non-voting member of the study commission.

All appointed study commission members were administered the Oath of Office as Study Commissioners by the City Clerk and attended the Montana Local Government Center regional training in Whitefish on December 10, 2024.

As defined in state law, the role of the commission is “to study the existing form and powers of local government and procedures for delivery of local government services and to compare them with other forms available under the laws of the state.” The commission's review is limited to the form of government and not the internal operations, personnel or administration of the city.

As the commission learned from surveying community members, this distinction was not well understood. Many of the concerns reported by citizens in their survey responses had to do with city council and administration responsiveness, transparency of operations, and sufficiency of services. These are all matters beyond the scope of the study commission's review, but nevertheless of interest and value to Columbia Falls City Manager Eric Hanks who was hired mid-way through the commission's study and has been helpful and attentive to the review process.

Pursuant to state law, upon completion of this study the commission may: recommend amendments to the existing plan of government; recommend a new plan of government; draft a charter; recommend municipal-county consolidation; recommend disincorporation; or submit no recommendation. On September 10, 2025, commissioners Hopkins and Konopatzke voted to recommend amending the city's existing plan of government, replacing the current authority for general government powers with self-government powers. Commissioner Nicosia opposed the commission requiring a vote on the amendment. She proposed giving the council the authority to seek citizen approval of self-governing powers if, and when, such a need arises.

At both the October 22, 2025 meeting and following the November 19, 2025 public hearing, Commissioner Nicosia voted with the majority to approve the Draft Tentative Report but reserved her right to submit a minority report. Her report was included in the final report reviewed at the commission's December 16, 2025 meeting. Also at that meeting the commission called for a meeting January 21, 2026, at which the final report would be approved for delivery to the council.

In the interim Commissioner Hopkins asked for a workshop to receive input for the final report. At the workshop, held January 12, 2026, Hopkins read a prepared statement concluding that he had changed his position and agreed with Commissioner Nicosia that the decision to call for an election should be left to the council. The January 21, 2026 meeting was cancelled and another workshop was scheduled for January 28, 2026, where a revised draft report to citizens and the council would be reviewed for presentation at another public hearing February 25, 2026.

IV. REPORT SUMMARY

A. Findings and Summaries of Study Commission meetings.¹

January 8, 2025. The study commission began its work after the first of the year with the first meeting on January 8, 2025. The commission formally organized, selecting Councilor John Piper, non-voting member, as Chair. The commissioners reviewed the required bylaws and a timeline as well as the scope of the commission's study. The commission also reviewed the current Commission-Manager form of government with general powers.²

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February 12, 2025. The commissioners adopted bylaws and a timeline and scheduled for March 12, 2025 the first public hearing to obtain public input. Whitefish Government Study Commissioner Scott Wurster attended the meeting and provided public comment regarding his interest in observing the Columbia Falls Commission and evaluating ways in which the two cities might collaborate in their reviews. He noted that Whitefish is reviewing their charter form of government, which is not applicable to Columbia Falls current form of government.

The commission reviewed historical Columbia Falls local government review records although the city staff were unable to locate the 1976 minutes or final report. The commission updated the 2014 Community Survey form and requested Interim City Manager Mark Shrives to have the survey prepared and returned prior to the March 12, 2025 public hearing.

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March 12, 2025 public hearing. As with the 2014 Study Commission, the 2024 Study Commission was disappointed with the lack of public interest in the review process after the voters approved of the review. No one wished to comment at the public hearing.

Interim City Manager Shrives presented a staff report with the different forms of government available to Columbia Falls. The commission held an in-depth review of the charter form of government and read the Whitefish City Charter. The consensus of the commission was that the charter form does not provide the city with anything significantly different from the current form of government. Shrives, formerly a city manager in Polson, offered his opinion that the charter government, operating with self-governing powers, offered no specific advantages.

¹ Further documentation of the study commission's work product and deliberations as recorded in meeting minutes and newspaper articles reported by the Hungry Horse News is available for public review online and at city hall.

² Rather than wait for the 1994 government study review cycle, a committee wrote a petition seeking voter approval to change from the Commission (Council)-Mayor to the Commission (Council)-Manager form of government. Voters approved the change in 1992, which included electing city council members at large as opposed to election from districts or wards. The new government and city manager took office in January 1994.

Shrives presented the results of the first Study Commission Survey.³ There were 123 respondents. In response to the most relevant question, number 10, half (61) said they would keep the city government the same or make a few changes. Forty-eight respondents (39%) said they would “make major changes (or) completely change the form and powers of the City government,” while 9% (11) had no opinion.

Forty-nine respondents provided comments or recommendations for the study commission. The majority of the comments were not related to the study commission’s scope of review but rather responded to the suitability of services. Also noted was that only 70% of respondents indicated they live within the city limits.

The commission and Interim City Manager Shrives felt that the survey results provided better information for the city manager and city staff than the study commission. The commission asked Interim Manager Shrives to send out a new survey to Columbia Falls citizens seeking more specific input to the commission. This survey was mailed to every utility billing customer emphasizing that the study commission was seeking the community’s views on the city’s current form of government.

Also at its March 12 meeting the commission reviewed current interlocal agreements for services between the city and other local governments. These include building code inspections with the City of Whitefish, Flathead County Animal Control and Drug Task Force, and a youth recreation program with School District No. 6. Additionally, the city council appoints city representatives to the Flathead City-County Health Board and Flathead County Solid Waste Board.

Prior to its dissolution the city participated in the county-wide Flathead Regional Development Office that provided planning and zoning services to the county and all three cities. In the early 2000s, Flathead County opted to separate county and city zoning, and the three cities formed the Tri-City Planning Office. Planning demands in Kalispell and Whitefish drove those cities to disband Tri-City Planning and form their own individual planning offices in 2005. Since then Columbia Falls has used contract planners to supplement city staff for planning and added the title of Planning/Zoning Administrator to the city manager.

In addition to these formal relationships, city administration, staff, and elected officials maintain open and frequent conversations with Flathead County and “sister” city officials. Commissioner Hopkins said he would attend the next Whitefish Study Commission meeting and report back to the Columbia Falls Study Commission.

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April 16, 2025. The Study Commission reviewed the results of the second commission survey,⁴ which included a few comments about wasting our time with a second survey. Of the 110 respondents: 50% indicated that they had voted for voter review; 75% reported satisfaction with the current Commission/Council-Manager form of government; 52% felt that the current form ensures efficient and smooth operations (25% were unsure); 50% felt the mayor’s role was effective (but again 27% were unsure); 62% responded that they were aware of the current review effort. The Study Commission took note of the community response indicating general satisfaction with the current form of government.

³ See Work Product, page WP1.

⁴ See the commission's Work Product Report, page WP .

Commissioner Hopkins reported on his attendance at the Whitefish Study Commission meeting on April 2, 2025.⁵ Their commission is exploring amendments to their charter. He mentioned his interest in reviewing the benefits of a charter or self-government powers without a charter. Commissioner Hopkins proposed amending the study commission timeline to form a “working subcommittee” on service consolidation and interlocal agreements, specifically with Whitefish. The consensus of the Study Commission was that the issue of service consolidation and interlocal agreements could be reviewed by the city managers of both municipalities.

Commissioner Hopkins recommended holding a workshop in May with Dan Clark, Director of the Local Government Center at Montana State University, to discuss charters and self-governing powers. Clark and his staff at MSU are Montana's recognized experts in local government and are helping cities and counties that have elected to review their forms of government this year. Mr. Clark had scheduled a meeting for May 14th with the Whitefish Review Commission to go over the city's charter. The commissioners changed their regular May meeting to a workshop on May 15th to meet with Clark.

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May 15, 2025. The workshop was informative as Mr. Clark indicated he no longer recommends adopting charters. He said while there are some exceptions, charters do not significantly enhance governance and can, in fact, hamstring local governments as communities grow and change. The commission thoroughly vetted the topic of self-governing powers with Mr. Clark. While he is no longer a strong advocate of charter governments, he said there are potential advantages for cities to have self-governing powers outside of a charter: "There's no downside to having self-governing powers," he said, because the city would still have all the general government powers by which it currently functions.

Commissioner Hopkins said while neither he nor any of the commissioners propose a charter form of government, adopting self-governing powers could give the council and administration a tool it doesn't currently have to address future problems. Commissioner Konopatzke offered a report she prepared on cities and towns with self-governing powers. Her review revealed that of Montana's 129 cities and towns, 83 have general government powers, 33 have charters with self-government authority, and nine have self-governing authority without a charter. She asked what is it that those cities and towns with self-governing authority are able to do that Columbia Falls cannot? There was no response to her question.

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June 18, 2025. Discussion focused on presenting a recommendation to the city council for the council to put to a vote of the citizens of Columbia Falls the adoption of self-governing powers. While the commission did not identify a current or anticipated need for self-governing authority commissioners agreed the power of self-government could offer future flexibility to address currently unforeseen challenges and opportunities for the city council.

The study commission's consensus was to provide the recommendation to the city council with a “future election” reference that allows the council to call for the election as provided in MCA 7-3-149. Nicosia volunteered to draft the tentative Final Report for the next meeting in July. The commission also amended the timeline to provide for a public hearing on the tentative report in September and projected adoption of a final report in November.

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⁵ See Hopkins' report to the commission, page , commission Work Product Report.

July 16, 2025. Commissioner Nicosia submitted her draft Tentative Final Report shortly before the start of the 5 p.m. meeting. The commissioners thanked her for her initiative and effort to write the report. Upon review the commissioners offered no proposals for substantial changes to the Introduction or Report Summary as presented. Much of Commissioner Nicosia's work on those sections has been incorporated into this report.

The commission's discussion focused primarily upon the report's recommendation, in which Commissioner Nicosia wrote, "The Study Commission found no significant community interest in amending the existing form of government. However, the Study Commission assessment did indicate that the City may benefit from the implementation of self-governing powers." By unanimous vote the commission adopted Commissioner Nicosia's recommendation: **"The 2024 Columbia Falls Study Commission formal recommendation is to pursue, by a future election, self-governing powers without identifying a specific current need for them. The Study Commission acknowledges that the City Council has the authority in 7-3-149, MCA to call for an election."**

While the commissioners agreed that the language of the commission's recommendation was accurate, the report should explain the rationale behind the recommendation for the city to adopt self-government powers. Commissioner Konopatzke proposed adding that the pursuit of self-governing powers would "allow for future flexibility and address currently unforeseen challenges and opportunities for the City Council."

The commissioners questioned the appropriateness of Commissioner Nicosia's personal recommendation for the "City Council (to) direct the reservation of funds from the Study Commission Special Revenue Fund when the fund is closed into the General Fund in compliance with state statute." The commissioners agreed there was no harm in leaving that recommendation in the report.

Also discussed was Commissioner Nicosia's explanation that while she was not formally dissenting, she "acknowledged the difficulty in asking for self-governing powers without providing the public with a clear need for the powers. Mr. Clark had reported that the City of Havre held elections for self-governing powers four times before it passed on the fifth try as the Council had identified a specific need (the ability to amend State Building Codes) for the self-governing powers." The commission decided the reference to the Havre effort to acquire self-governing authority was not needed but agreed to retain Commissioner Nicosia's concern regarding lack of a currently expressed need for the city to adopt self-governing powers.

A day after that meeting Commissioner Hopkins took a deeper dive into the report and the Commission's statutory requirements. He grew concerned that if the study commission stays with the recommendation as written, "at best the commission would shirk its responsibility, or at worst not follow the law, by punting the decision to the council to set a date for an election on the recommendation." Hopkins believed if the commission recommends a change in the plan of government, in this case adopting self-government powers, it is the commission's responsibility to set the date for an election on that recommendation.

Hopkins suggested seeking review of the recommendation and the commission's responsibilities by Dan Clark and/or the Columbia Falls City Attorney. City Manager Eric Hanks, having been alerted to the discussions between Commissioners Hopkins and Nicosia, sought guidance from Dan Clark and Columbia Falls City Attorney Justin Breck.

City Manager Hanks wrote a staff report⁶ to the commissioners that was included with the agenda packet for the September 10, 2025 commission meeting. In that report he summarized the options facing the commission, either of which would be legally permissible. He said the first option, as stated in the draft report, recommends that the city council consider adopting self-government powers and call for an election at a future date, ostensibly at such time that the council sees a need for this authority. The second option: if the commission recommends a change in the plan of government to adopt self-governing powers without recommending the council do so at some future date, then the commission sets an election date for voters to decide the fate of the recommendation. The council's only authority is to officially call for the election by Resolution, the means for putting the question on the ballot.

City Manager Hanks encouraged the commission "to deliberate on the two statutory options, weigh their respective efficacy, and clearly document its final recommendation in the Final Report. A clear and unambiguous recommendation will ensure consistency with statutory requirements and minimize confusion for the City Council and the public," he wrote.

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September 10, 2025. The commissioners met with City Manager Hanks and City Attorney Breck to discuss the options and to vote on the alternatives. Commissioner Hopkins' said when Commission Nicosia's draft report was reviewed by the commission he didn't fully understand the nuance of her recommendation. He said his goal is to give the citizens a decisive opportunity to chose self-government authority now, before an issue requiring flexibility in city ordinance should arise.

Granting that there is no immediate perceived need for this power, Hopkins said with all the rapid changes that are occurring: development and deployment of Artificial Intelligence, usurping of local government control by the state Legislature, pending growth and development in the city, upending of federal government services with changing budget priorities, layoffs and firings of federal employees, it could serve the citizens of Columbia Falls if the city council and city administration had greater flexibility to respond sooner than later to community needs caused by these changes.

Commissioner Hopkins said the only downside he could see to a recommendation to change the city's plan of government is the cost of the election. City attorney Breck noted that in the alternative, if the commission chooses to recommend that the city council decide when or if to seek self-governing authority, it would have to do so by petition. If the petition passes, the proposal would still require a vote of the citizens.

Commissioner Konopatzke said she believes it is the commission's responsibility to make the decision whether to recommend adopting self-government powers. It shouldn't be left to the city council. Having that tool available when needed is better than waiting for the need to arise and hoping the citizens adopt the change. She said citizens voted for the review and the study commission should see it through as the funding as been levied and appropriated.

Commissioner Hopkins made a motion for the Columbia Falls Government Review Commission to recommend a change in the City of Columbia Falls plan of government to adopt self-

⁶ See commission Work Product Report, p .

government powers, seconded by Commissioner Konopatzke. Commissioners Konopatzke and Hopkins voted yay. Commissioner Nicosia voted no. Commissioner Hopkins volunteered to draft a new Tentative Report.

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October 22, 2025. The commission reviewed Commissioner Hopkins' draft Tentative Report and discussed several edits and clarifications. The two most significant changes included making it clear that if voters approve adoption of self-government powers, the city retains all the current powers granted to local governments by the Legislature. Secondly, Commissioner Nicosia said she is still thinking about her vote in opposition to the recommendation: "I am still searching for a reason to recommend this change without an immediate need for it."

Commissioner Nicosia voted with Commissioners Konopatzke and Hopkins to approve the amended draft Tentative Report, reserving the right to include a minority report following the public hearing and prior to publishing a final report.

The Commissioners also reviewed the timetable for publishing notice of the upcoming public hearing on November 19, 2025. Commissioner Hopkins thanked Commissioner Konopatzke for her proposed changes, and Commissioner Nicosia for her original draft report, which he said helped significantly in writing the new draft Tentative Report.

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November 19, 2025 public hearing and meeting. The public hearing scheduled for the evening drew two citizens: Darin Fisher, chair of the Columbia Falls Planning Commission and City Councilor Paula Robinson. Fisher said he read the tentative final report and saw that space was reserved for a minority report. He asked if Commissioner Nicosia was still intending to have one. She said she was waiting to hear from the public at this hearing to help form her final position, adding she's exhausted her efforts to find a reason to put the question to voters. Thus far the city has been able to govern effectively with just general government powers. Unable to find a specific reason to ask voters to approve self-governing powers she believes the proposal will be defeated. Without a compelling and immediate need for this change she will have a minority report recommending that the council seek adoption of self-governing powers by ordinance if such a need is identified in the future.

Commissioner Konopatzke read a statement in opposition to that minority view. She said while there is not a current situation requiring self-government powers there are advantages to having them. The city will retain all its current authority while having flexibility to be proactive if future needs arise. There is no downside to adopting this change. Doing as Commissioner Nicosia suggests, recommending that the council propose self-governing powers by ordinance if and when the need should arise, would be more costly and time consuming, requiring more public engagement and another election. Voters have already approved financing for this election. Adopting self-government powers will enable the city to become more effective in its own problem solving and governing process.

Commissioner Hopkins said he agrees this is an opportunity to be proactive rather than reactive to concerns the city may face as the result of unforeseen impacts of technology, rapid growth and changing federal government priorities. However, without an immediate acknowledged need for this change, voters may be more likely to vote it down. Should it be defeated, and a need arise in the future, a negative vote now may doom a future council from seeking the power from voters. Secondly, as the proposal for this change came midway through the commission's study, without

posing the question of self-governing powers in our citizen surveys, we haven't done our due diligence in getting citizen feedback. We've held no meetings with constituent groups such as the chamber board and others, or a work session with the city council. This engagement would have better informed our views as well as the public's. He asked if we should we take more time to meet with these groups.

Chairman Piper, while acknowledging as the representative from the council that he is a non-voting member and rarely shares his opinion, agreed that without knowing what, exactly, the commission is trying to sell, it will be hard to win in an election.

Additional discussion involved amendments and additions to the final report. Commissioner Hopkins moved adoption of the tentative final report with the proposed amendments. Commissioner Nicosia seconded. The motion passed unanimously.

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December 16, 2025. The commissioners met to review additions and edits to their draft final report in preparation for approval of a final report the January 21, 2026 meeting. Commissioner Konopatzke asked if new business could be discussed before digging into the report. Commission Chairman Piper asked for and received concurrence from the other commissioners to do so.

Commissioner Hopkins reviewed a proposal for a recommendation that the city council pass an ordinance establishing community councils. He said the commission's survey of citizens revealed a desire to know and understand more about how the city functions, how decisions are made, and how to engage with the city administration and city council to steer future growth and development. Additionally nearly half the respondents complained the city is unresponsive to their needs.

Hopkins suggested that these informal advisory groups could provide a way for citizens to understand how the city functions and to study issues coming up for council action, as well as provide a mechanism for community members to bring forward concerns and suggestions without the constraint of appearing before the council. The councils could meet at places and at times convenient to their members. Hopkins said it is not always convenient for citizens to attend council meetings, especially parents with children, as well as those with work schedules that do not allow attendance at meetings. He added that from his own personal experience, it can be intimidating to stand in front of the council and voice concerns. In a written report to the commission Hopkins cited examples of community councils in other cities that could provide a model of adoption in Columbia Falls.

The commissioners discussed the specifics of how these community councils would function with scheduled meetings of members appointed by the city council, the merits of the proposal, and how the recommendation would be included in the final report. Hopkins moved to include the recommendation to the council as Section V part B. Seconded by Nicosia and passed. Any commissioner who supports the recommendation could also sign onto it.

Commissioner Konopatzke asked for a financial report. Discussion followed regarding what has been spent of the tax levy and what was remaining. Konopatzke offered an observation about how the commission might have been better served by beginning its work with a closer review of the statutes putting forth the process and responsibilities of the commission. She observed

specifically the requirement that the study commission sets the date for the election and vote on the commission's recommendation along with the certificates setting forth the ballot language.

Commissioner Hopkins reported on his communication with MSU Local Government Center Director Dan Clark regarding the flexibilities of the commission and individual commissioners to explain and potentially market the commission's recommendation to the public prior to the election. He presented a copy of his email communication with Mr. Clark, which discussed the fine line between advocating for the proposal and educating the public about the proposal. The commissioners discussed the problem raised by Commissioner Nicosia and Chairman Piper about "selling" the proposal to the public without a specific need. Commissioner Konopatzke asked Commissioner Nicosia if by her minority report she wanted the recommendation to voters to fail. She replied that she didn't want it to fail but said she believes it will fail. Commissioner Konopatzke said that is an assumption, adding there is no downside to giving the city the power of self-government now, even without a specific need at this moment. There is, however, a downside if the vote fails and a need arises for the city to seek voter approval for self-government as there is a three-year moratorium on conducting another election.

Commissioner Hopkins said he shares Commissioner Nicosia's concern, adding that the commission's proposal feels like a solution in search of a problem and that it would be helpful if we had a crystal ball and could see into the future. Even without one, Hopkins said conditions are changing so rapidly with growth, technology, federal policies and funding that it would serve the city to be proactive and have the tool of self-governing powers available to solve problems we can't identify right now.

The commissioners discussed ways to educate the public and develop a plan to do so: postcards, flyers, newsletters, social media, attending meetings of local boards and service clubs, etc. The date of an election was considered. Commissioners agreed a November election would be too late, even though the cost for that election would be less than in June. The deadline for submitting the ballot language to the county for the June 2 primary would be March 9. This will require council voting to call for the election no later than the council meeting March 2.

The commissioners discussed the format of the final report. Commission member Konopatzke moved and the commissioners voted to eliminate the appendices from the final report. Commissioner Nicosia moved to add a paragraph to the final report, page 13, stating that the commission's final work product, including but not limited to minutes and surveys, are available for review at city hall.

The commission reviewed the final report for typographical and grammatical edits. A motion was made and passed unanimously to prepare a final report for January 21 with the changes discussed.

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January 12, 2026 commission workshop. Commissioner Hopkins read a prepared statement explaining his decision to change his recommendation for the city to adopt self-governing powers. He said he regretted changing his stance but upon further reflection he has concluded the proposal will be defeated without a specific need for the authority or unanimous support for the proposal from the commission. Due to the commission's failure to engage the community by meeting with community and business leaders and discussing the proposal with city council

members and city staff, there is no constituency supporting the recommendation other than Commissioner Konopatzke and me.

(pending additional commentary...)

B. Self Government versus General Government Powers

The successful vote in November 1992 on the petition to change from the Commission(Council)-Mayor to the Commission(Council)-Manager form of government ushered in a significant change to the city's administration. The petition also proposed changes to the governing body, specifically proposing to eliminate council elections by ward and calling for the mayor to vote on every action and not just to break a tie vote. Additionally, voters chose to continue appointing a city judge instead of having the judge elected.⁷

When proposing the change in government the petitioners opted not to select self-government powers, choosing to maintain general government authority. Without knowing the reason for this decision it is safe to assume that convincing voters to approve a dramatic change in how the government operated was enough to ask the citizens of Columbia Falls to approve.

The 2014 Study Commission also reviewed the question of a charter form of government with self-governing powers along with studying the current form of government. Their final report recommended no change to the current form of government.

Throughout the course of the 2024 Study Commission review commissioners found no significant community interest in amending the existing form of government. When commissioners began a review of self-governing powers there was consensus that writing a charter offered no specific benefits. However the commission's study and review did suggest the city may benefit from the implementation a change in the plan of government by adopting self-governing powers without a charter.

In 2015 MSU's Local Government Center prepared a report on the differences between self-government and general government authority. As cited in that report, the power of municipalities with general government authority is limited to the activities allowed by Montana law, specifically MCA 7-1-4123 and 4124. These statutes enable any municipal government to protect the public health, safety and welfare within their community. The statutes also provide that a general-powers municipality may perform any function, provide any service and exercise any power authorized by state law.

In short, local governments with general government authority may only exercise powers specifically granted by the state. If the state Legislature has not delegated the power to a municipality to provide a service or perform a governmental function, a municipal government with general powers is not authorized to do so. In contrast, **Article XI, section 6, of the 1972 Constitution** says that in addition to the powers granted by the state Legislature, local governments with self-government authority "may exercise any power not specifically prohibited by the Constitution, state law, or (a) local government charter."

⁷ The city affirmed that method with an Attorney General's Opinion (AGO Vol. No. 45 Opinion No. 15) on October 22, 1993.

As noted by the Local Government Center, over time the Legislature has forbidden local governments from exercising certain powers. MCA 7-1-111 lists 30 such prohibitions as of 2023. It's likely when the 2025 Montana Code Annotated is published municipalities will find even more legislative prohibitions. Despite these prohibitions the LGC asserts, "possession of self-government powers may well enable a municipality to act in the best interests of its citizens under circumstances where a general powers government would not be able to act.

"The availability of self-government powers to a municipal government will not, in and of itself, solve community problems or improve local government performance. At best, self-government powers will enable a community and its local government to become more effective participants in their own problem solving and governing processes." ⁸

C. Recommendations to the City Council.

1. Commissioner Hopkins' recommendations.

- a. **That the city council, by ordinance, prior to August 10, 2026, call for an election on the question of adopting self-governing powers for the city of Columbia Falls.**

As noted in the meeting summary for the commission's September 10, 2025 meeting, Commissioner Hopkins made a motion for the Columbia Falls Government Review Commission to recommend a change in the City of Columbia Falls plan of government to adopt self-government powers. The motion was seconded by Commissioner Konopatzke. Commissioners Konopatzke and Hopkins voted yay. Commissioner Nicosia voted no.

That recommendation carried through the commission's October 22, 2025 meeting, the November 19 public hearing and meeting, and the commission's Dec. 16, 2025 regular meeting as the final report was being finalized. At a workshop January 12, 2026, following the January 5, 2026 City Council meeting, Commissioner Hopkins notified the commission that he had reconsidered his support to recommend that voters decide whether to adopt self-governing authority at the June 2 primary election. ⁹ As a result he was now of the opinion that with limited time to engage the public he believes, along with Commissioner Nicosia, that the vote will fail.

However, in further considering the value of self-governing authority, the effort expended by the commission to give thoughtful consideration to the proposal, and the commission's prior recommendation for the voters to adopt the powers on behalf of the city, Commissioner Hopkins makes the following recommendation:
That the city council, by ordinance, prior to August 10, 2026, call for an election on the question of adopting self-governing powers for the city of Columbia Falls.

⁸ See commission's Work Product Report page [REDACTED], MSU Local Government Center "E-Brief: General vs. Self-Government Powers" (2015).

⁹ Commissioner Hopkins' statement, read to the commission January 12, 2026, is part of the meeting minutes appearing in the commission's Work Product Report.

Such a call for the election will engage the council in considering the proposal, potentially developing more support for the idea than the study commission has garnered thus far. A vote of the council to put it on the ballot, without being required to do so by the study commission, would lend credibility to the idea from the city's elected officials.

Additional benefits for this proposal include:

- the availability of resources to pay for the cost of putting the question on the ballot without having to draw from the general fund should a need arise for self-governing powers before the next decennial review;
- a lower cost for ballots printed in the general election as opposed to the primary election;
- a requirement for public hearings on the proposal when initiated by ordinance;
- a larger constituency for public support and education should council members and community members support the proposal as a result of the council's initiative.

Should the council see no benefit bringing forth the proposal to the public by ordinance, that lack of support from an important constituency for seeking self-governing powers would demonstrate a lack of faith in the measure passing. However, if the council supports the idea and asks staff to prepare an ordinance for a public hearing and hears objections from the public or finds insufficient support to put the measure on the ballot, the ordinance can be voted down.

Vice Chairman Hopkins

- b. **Explore, and potentially create by ordinance, community councils to better engage the community in city government and bring forth the concerns from the community.** The current form of government allows the council to establish, by ordinance, "community councils to advise commissioners [MCA 7-3-317 (2)]. Creating these advisory groups could provide a way to engage citizens in the business of their local government in a manner that offers flexibility for citizens. Community councils can meet at times convenient to the members and bring forward concerns and suggestions without the constraint of appearing before the council during rigidly scheduled and time-limited public comment periods shortly after 7 p.m. on the first and third Mondays of the month.

Adoption of community councils does not require a vote of the citizens of Columbia Falls. Several municipalities and counties in Montana have adopted community councils and could serve as examples for establishing a structure that suits Columbia Falls. Even the Flathead County Commissioners have established a community council: Lakeside Community Council.

Examples of municipal community councils include Great Falls' "neighborhood councils," established by ordinance. A Neighborhood Council Handbook is available at <https://greatfallsmt.net/neighborhoodcouncils/neighborhood-council->

handbook. In Helena, the establishment of "citizens councils" came through the city's charter, language for which can be found at <https://www.helenamt.gov/Government/Helena-Citizens-Council>.

I encourage the commission to adopt this recommendation and forward it to the city council in our final report.

_____ Vice Chairman Hopkins

c. Recommendations for future study commissions should the public approve a review in 2034 or thereafter:

- Before the next review the city should provide more public information about the review process, what it entails and what it does not, and ask voters to approve a five-member commission (three is insufficient for generating discussion and ideas).
- If voters approve another review, future commissioners should subscribe to the top tier consulting package offered by the Local Government Center in Bozeman. Those staff members are the experts in understanding local governments and the review process. Subscribing to their services, which are shared with other local government review commissions, would improve efficiency and may result in cost savings to the city.
- The commission should hire a secretary to keep minutes, attend meetings, and act as a liaison to the city for notices of public hearings and website development, etc., or acknowledge a formal relationship with a city staff member willing and able to work for the commission. Before commencing study, review in detail the requirements of a study commission as outlined in state law, MCA 7-3-171 through 7-3-193.
- Conduct one-on-one interviews with community and business leaders, city staff and city council members to explain the role of the commission and get their personal feedback on how the city government is functioning.
- When there is an insufficient number of candidates seeking election to a study commission, state law allows the governing body to appoint members. This was the situation in 2024 when only one person sought election to the commission. While the law prohibits the appointment of an elected official to sit as a voting member of the commission, it doesn't not preclude city employees or contractors to be appointed. I recommend in the future, should there be a lack of candidates, that the council seek other than a city employee person on contract with the city to fill the position.

_____ Vice Chairman Hopkins

2. **Commissioner Nicosia's recommendation(s).**

While I am in general agreement with pursuing self-governing powers, I also agreed with the plan to recommend to the City Council to pursue the powers when there became an apparent need.

The Study Commission thoroughly reviewed the topic of self-governing powers. We learned that the City of Havre held four elections before their voters finally approved the adoption of self-governing powers once they had identified the community's desire to adopt more stringent building codes to address dilapidated buildings. This power has now been provided to municipalities with general government powers in 7-1-4124 (19), MCA.

The topic of self-governing powers came from the commission members and not through the community surveys or through the public study commission meetings. Only recently a community member wrote a letter to the editor of the Hungry Horse News in support of self-governing powers. During the workshop held with Dan Clark, Local Government Center Director, only three individuals attended, one from within the city limits. The city resident expressed concern with the council having the power to adopt laws under self-governing powers. The 2014 Study Commission also reviewed the potential of self-governing powers and ultimately recommended no change to the current form and plan of government.

If the City of Columbia Falls could adopt development standards deemed appropriate by the community and the council with self-governing powers, asking the community to vote for self-governing powers would be a "no brainer," but the legislature has taken away most local control over planning and zoning.

As a general powers government, the City of Columbia Falls City Council has liberally construed powers of a municipal corporation and legislative, administrative and other powers provided or implied by law Article XI, Section 4, Montana Constitution and 7-1-4124, MCA. The general governments powers have been expanded by the legislature.

Self-governing powers are provided in Article XI, Section 6 Montana Constitution. A local government unit with self-government powers may exercise any power not prohibited by the constitution, law, or charter (7-1-101, MCA). Key to self-governing powers are the powers denied by 7-1-111, MCA.² With each legislative session, the list of powers denied grows exponentially.

Accordingly, I am opposed to recommending a change in the plan of government by recommending the adoption of self-governing powers at this time.

Susan M. Nicosia, Study Commissioner

3. **Commissioner Konopatzke's recommendation(s).**

The Citizens of Columbia Falls voted for a Local Government Study Commission (LGSC) to review the current and different forms of local government. The citizens approved a levy of \$55,000 which was reduced to \$50,000 to fund the process and election if recommended in the Final Report. Any amount left at the end of the LGSC goes back to the General Fund per state law. I believe this was levied in addition to any other mills. The LGSC held the required public hearings and meetings without much (5) attendance from the public. However, the local Hungry Horse News and Daily Inter Lake did publish what the LGSC had been discussing for awhile.

At the beginning it appeared the majority of the LGSC was leaning toward No Change in the current form of government as it has been working very well. However, as we proceeded along and looked into the different forms of government, especially self-government powers, my opinion changed, thinking we could do even better. Since the citizens of Columbia Falls voted for a Local Government Study, I felt it was our duty to explore this option.

The LGSC decided not to hire the Montana State University Local Government Center to assist in the process. It was indicated the current LGSC members, city manager and city attorney could answer any questions as needed, therefore saving money, which I note again would go to the General Fund at the end of the process. This caused, in my opinion, confusion and at times questions in following the process. It would have only cost the LGSC \$2,000 to have the MSU Local Government Center provide the needed guidance. It is my understanding \$12-\$15,000 is now being presented for reimbursement for city staff and attorney time.

It was nice to have the City Manager and City Clerk attend our meetings, but it was not a requirement. I feel there could have been other less costly options. I have to question the purpose of levying the \$50,000 knowing it would probably supplement the General Fund if no election was held. I doubt there will be a reduction in the General Fund Mill Levy in the future to offset the taxpayers unused revenue. As of 12-12-25 there was \$46,150. This could also be set aside for any proposed change to the local government if the need does arise. As the former city clerk, treasurer and finance officer I have always leaned toward giving back to the taxpayer for any surplus that was not used as originally intended.

The City of Columbia Falls LGSC spent 12 months and numerous meetings reviewing and discussing the current form of government, self-government powers and other allowable forms of government. As the meetings progressed, because of questions concerning Self-Government Powers versus General Government Powers, the director from the Local Government Center was asked to come and give a presentation on the different forms of government, particularly self-government powers without a charter. This would have been included in the \$2,000 MSU LGC program but was not. We had to pay \$1,204. The most important thing that came out of the presentation was that if the electors voted for Self Government Powers, the City would continue to have all the current powers it now has and would also have additional powers if future needs arose.

It was concurred by all members there was no down side to self-government powers other than there was no specific need at this time. With all the future unknowns and how fast things are changing this would allow the City Council to be progressive, proactive and have the flexibility in the future if a specific or apparent need arose; at least until the next voted upon Local Government Study Commission.

Some prior information indicated there are 43 local governments operating under self-government powers (some with Charters, some without) and 84 local governments operating under general government powers. However, even though all LGSC members agreed this would be a benefit, the minority at that time felt without an apparent need the election would most likely fail. At that point it appeared the support would not be unanimous. Many times it was noted the election would probably fail. Still the majority felt it should be pursued and presented to the public, believing that the public could find it beneficial if we were able to get the information out to them.

The Tentative and Draft Final Report, by a 2 to 1 majority vote, recommended self-government powers and a call for the election. It was also indicated the City Council could pursue self government powers by ordinance or petition with a required election in the future if a need arose. This would require a comparable timely process with city staff and cost to taxpayers. That would require paying more as the original amount for this study, appropriated by a special levy, would probably be absorbed into the General Fund. It was noted many times that the state Legislature has taken away many self-government powers, but again with future unknowns and how fast things are changing it would be beneficial to be prepared rather than reactive.

After reviewing some of our short comings as a LGSC there were many misunderstandings and in my opinion some resistance as to the LGSC requirements, allowable functions and certifications. Because of this and lack of support a change was made not to recommend Self Government Powers. It was noted the LGSC should have tried harder to educate and involve the public and groups in the process and how to go about it. Some requirements were not adhered to such as the publishing of the timeline or revisions. There were some documents not presented to the LGSC. One good thing that did come out of the process were the two surveys that have been of great use for the City Manager in overseeing city services; however, the wording could have been more concise regarding city government functions, not services.

I, for one, think it is the wrong assumption that the electors would not have supported this recommendation if the LGSC had support from within. In my summation, the lack of support from the beginning has finally defeated the purpose and efforts of the LGSC. I find it sad that the electors will not be given the opportunity to decide on this issue which they had paid for. Therefore, the current change in recommendation has been approved by a majority for "No Change" in the Current Form or Plan of Government by 2 to 1 majority with my vote being opposed. My intent of this minority report is to help future LGSCs with the legalities, support and the process to achieve future needs.

Connie Konopatzke - Local Government Study Commissioner

V. CERTIFICATION OF THE EXISTING AND PROPOSED PLANS OF GOVERNMENT AND STUDY COMMISSION RECOMMENDATION

A. Existing Form – Commission-Manager with General Powers

This government, as approved by the citizens of Columbia Falls, is governed by Title 7, Chapter 3 of the Montana Code Annotated and the following Sections:

- 7-3-301 Commission-manager form;
- 7-3-302 Nature of government. The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing:
 - (1) general government powers.**
 - 7-3-303 Appointment of manager;
 - 7-3-304 Duties of manager;
 - 7-3-305 Employees of commission-manager government;
 - (7-3-306 through 7-3-310 reserved);
 - 7-3-311 Structural suboptions. The plan of government shall define the structural characteristics of the form by 7-3-312 through 7-3-318.
 - 7-3-312 Appointment to boards. All members of boards, other than temporary advisory committees established by the manager, must be appointed by:
 - (3) the commission.**
 - 7-3-313 Selection of commission members. The commission shall be:
 - (1) elected at large.**
 - 7-3-314 Type of election. Local government elections shall be conducted on a:
 - (2) nonpartisan basis.**
 - 7-3-315 Presiding officer of commission. The presiding officer must be:
 - (2) elected by the qualified electors for a term of office** (1992 voter-selected suboption).
 - 7-3-316 Terms of commission members. Commission members shall be elected for:
 - (2) overlapping terms of office.**
 - 7-3-317 Size of commission and community councils. The size of the commission shall be seven (7), and community councils to advise commissions may be authorized by ordinance (1992 voter-approved provisions).
 - 7-3-318 Terms of elected officials. The term of office of elected officials may not exceed 4 years and shall be established when the form is adopted by the voters.