

**BEFORE THE BOARD OF COMMISSIONERS
CASCADE COUNTY, MONTANA**

**AN ORDINANCE ESTABLISHING PROCEDURE IN
CASCADE COUNTY FOR THE ANNUAL SELECTION
OF THE PRESIDING OFFICER OF THE CASCADE
COUNTY BOARD OF COMMISSIONERS**

ORDINANCE 23-01

WHEREAS, pursuant to MCA Section 7-3-401, Cascade County has an elected commission form of government, and

WHEREAS, under MCA Section 7-3-111, Cascade County is required as an elected form of government to follow MCA Section 7-3-414(1) in electing a Presiding Officer (f.k.a. Chair) of its Board of County Commissioners, and

WHEREAS, MCA Section 7-3-414(1) states that the members of the commission must select a Presiding Officer in one of three ways, and

WHEREAS, County Ordinance 21-01 (R0403503) provides a process whereby each member of the Commission will serve as Presiding Officer during the fifth and sixth year of their term of office, and

WHEREAS, the current rotation was intended to reduce issues with the grant cycles and minimize disruptions to the timing of the Chair serving on the Policy Coordination Committee of the Metro Transportation District, and

WHEREAS, the Commission has determined that the current rotation unnecessarily limits the flexibility and authority of the Commission in their ability to make annual decisions regarding the determination of which Commissioner may serve as Presiding Officer, and

WHEREAS, County Ordinance 21-01 describes a rotation of Presiding Officer which conflicts with this proposed Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF CASCADE COUNTY, STATE OF MONTANA:

The Cascade County Ordinance 21-01 is hereby rescinded and replaced by this Ordinance.

That during the first Commission meeting following the effective date of this Ordinance and thereafter during the first Commission meeting of each new calendar year, the members of the Cascade County Commission will elect a member to serve as Presiding Officer (f.k.a. Chair) from their own number for a one-year term.

FURTHER, IT IS HEREBY RESOLVED:

Pursuant to Mont. Code Ann. § 7-5-105, the above-enacted Ordinance shall be effective thirty (30) days from the date of the second reading and final adoption of this ordinance.

Passed on first reading this 14th day of November, 2023 by the Board of Cascade County Commissioners, Cascade County, State of Montana.

**BOARD OF COUNTY COMMISSIONERS,
CASCADE COUNTY**

Oppose

Rae Grulkowski, Chair

James L. Larson

James L. Larson, Commissioner

Joe Briggs

Joe Briggs, Commissioner

ATTESTED this 14th day of Nov., 2023

Sandra Merchant by deputy M. Johnson

Cascade County Clerk & Recorder



Passed on the second and final reading this _____ day of _____, 2023 by the Board of Cascade County Commissioners, Cascade County, State of Montana.

**BOARD OF COUNTY COMMISSIONERS,
CASCADE COUNTY**

Rae Grulkowski, Chair

James L. Larson, Commissioner

Joe Briggs, Commissioner

ATTESTED this ____ day of _____, 2023

Cascade County Clerk & Recorder

* APPROVED AS TO FORM:
Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY

* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.