



SO YOU WANT TO BE A COUNTY COMMISSIONER...



A PUBLICATION BY THE MONTANA ASSOCIATION OF COUNTIES (MACo)
FOR THOSE CONSIDERING RUNNING
FOR THE ELECTED OFFICE OF COUNTY COMMISSIONER.

BEFORE WE BEGIN...

WHO IS MACo?

The “Montana Association of County Commissioners” was formed in January 1909, for the purposes of providing advocacy on behalf of its members at the State Legislature. In 1973, the Association was reorganized as the “Montana Association of Counties” to allow for the creation of a permanent office and authorized the hiring of an Executive Director and appropriate staff. Today, MACo provides advocacy, training, pooled risk-sharing services, guidance, and other resources to aid counties in their daily functioning. As a member services organization, we respond to the needs of our locally elected officials.

MACo’S MISSION

Our mission is to serve the member counties of Montana by monitoring legislative issues that impact them while also providing a forum for discussion of various local concerns and issues, as well as supplying the counties and their personnel with education and assistance.

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SO YOU WANT TO BE A COUNTY COMMISSIONER...

Today, citizens depend on county government more than ever before, which makes it more important than ever that qualified, dedicated people run for the office of county commissioner.

The work of an elected county official involves a more complex environment than your predecessors faced a generation, or even a few years ago. Most counties today are involved in far more than such traditionally mandated services as public records, law enforcement and tax collection. Today's county government juggles priorities and concerns in such areas as housing, environmental protection, transportation and economic development.

The intent of this pamphlet is to explain some of the responsibilities of a county commissioner and to help you decide whether you want to be one. The following pages answer some of the questions that probably come to mind as you think about the job of a county commissioner.

BUT FIRST, HERE IS A QUESTION TO ASK YOURSELF:

Why Do I Want to Become a County Commissioner?

Check the answers that apply to you. Then read the pamphlet to help you decide whether running for county commissioner is a good idea.

- Concern over a particular issue
- Others are urging me to run
- Would like to apply the ability that made me successful in business to the business of running the government
- Supplement my income
- Opportunity to advance my career
- Prestige
- Steppingstone to higher office
- Desire to build a better future for my county
- Other _____

WHAT KIND OF BACKGROUND DO I NEED, AND ARE THERE ANY SPECIAL REQUIREMENTS TO RUN FOR COUNTY COMMISSIONER?

Commissioners in Montana come from a variety of backgrounds. County Commissioners come from all walks of life. No particular job experience or education is known to be the best preparation for success as a commissioner. Familiarity with some aspects of government, budgeting, personnel management, communications, and the law can be useful. But no one expects a commissioner to be an expert in every facet of the job. In fact, the job is so diverse that no one is likely to have experience in every area a commissioner must cover. There are two things that are essential requirements for being an effective county commissioner though - knowledge of your community and ethical behavior.

Montana law places only a few requirements on who may run for this office. Generally, a candidate must have resided in the county and commissioner district for at least two years preceding the general election, be a registered voter, and be at least 18 years of age (7-4-2104, MCA). Other State requirements concern ineligibility related to holding a federal office, improper holding of public money, felony convictions, and mental incapacity to hold the office. To find the facts for your county, call the clerk and recorder's office.

Montana has many restrictions on how campaigns are conducted and how contributions are collected and reported. These regulations can be found in Montana Code Annotated, Title 13, Chapters 35 and 37 or from the Commissioner of Political Practices in Helena.

Once elected, Montana county commissioners are encouraged to attend training to become familiar with the job. The Montana Association of Counties (MACo) in conjunction with Montana State University's Local Government Center, provides annual elected official training and this is a great opportunity to learn from experienced peers within the Association.

WHAT ARE THE POWERS AND RESPONSIBILITIES OF THE COUNTY COMMISSION?

Powers are limited by state law, but commissioners may exercise broad authority in these and other areas:

- Build and maintain roads, bridges, and sometimes airports
- Control and care for county property
- Appoint numerous advisory and decision-making boards such as the tax appeal board, planning board, fair board, weed board, airport authority, etc.
- Prepare, review and decide on the annual county budget
- Hire and fire county employees under their supervision*
- Adopt and administer personnel policies and negotiate union contracts
- Provide for law enforcement and correctional facilities in the county
- Plan and provide for parks, playgrounds, and other recreational facilities
- Provide for solid waste collection and disposal
- Develop and enforce building codes
- Provide for the general health and welfare of county residents
- Promote economic and industrial development
- Undertake comprehensive planning, zoning and development controls, and review subdivisions

* Because a number of other county officials are elected directly by the people of the county, the commissioners cannot (do not) directly control all county policies (offices). Even though they have to budget for these offices, county commissioners have little or no say in how they are run. Many citizens do not understand that their commissioners' power is limited in this way. These are some of the other elected offices of county government: clerk of court, justice of the peace, clerk and recorder, sheriff, coroner, surveyor, treasurer. Also, school systems in Montana operate independently of the county governments.

Additional powers are available to county governments as may be specified by the legislature. Sources for more information on this topic are given on page 12.

No two counties provide exactly the same set of services. When you look at the types of services that counties choose to provide, you see a broad range, including street maintenance, garbage pickup, recycling programs, landfills, hospitals and/or nursing homes, libraries, parks and recreation, police and fire protection, and water and sewer facilities. For some counties, providing such services is relatively new and reflects the shifting responsibilities of formerly rural counties that now must meet the demands of growing suburban populations.

WHAT ARE SOME OF THE BIG PROBLEMS FACING COUNTY GOVERNMENT TODAY?

A new commissioner taking office may discover that many decisions affecting his or her term have already been made. One reason for this involves the issue of unfunded mandates.

Mandates are legal requirements imposed by the federal and state governments. Often, local government mandates are passed without funding by state and federal lawmakers. In these cases, local governments have to pay the cost of implementing them. Some examples of unfunded mandates are those setting requirements for waste management, pollution control, treatment of prisoners, providing disabled citizens with easy access to government buildings, voter registration, and training for various personnel.

When commissioners begin working on the county budget, many of the expenditures have already been determined by unfunded mandates, which must be met by certain deadlines. Because the end-of-year budget must balance, only a portion of the budget is left to pay for everything else that county citizens want. So, before promising to eliminate any program or service, make sure it is not legally mandated by the federal or state government.

Montana law limits the opportunities that counties have to raise revenue, so commissioners are not always free to take any approach that seems attractive. At the same time, commissioners need to find ways to conduct government business more efficiently and to eliminate waste so that tax dollars are spent wisely. While property taxes are a area of frustration for many citizens, county commissioners are limited in the amount of revenue they can levy in any given year.

LIABILITY

Being held personally responsible for official actions is a matter of great concern to anyone seeking public office. Sometimes, local government officials have had to learn the hard way they may be held accountable personally for injuries resulting from enforcing county policies or customs, even when they are carried out in good faith. They are often named in lawsuits. The good news is that when proper procedures are followed, the likelihood of public officials winning such liability suits is excellent.

GROWTH MANAGEMENT

Growth management is one of the toughest problems facing local governments today. Either the problem arises from too rapid growth (primarily in the western part of the state), or too little growth (primarily in the eastern part of the state).

In counties experiencing rapid growth, commissioners must grapple with how to pay for adequate infrastructure to meet increased demand, and how to preserve agriculture and quality of life. In counties experiencing slow or negative growth, commissioners are challenged to provide adequate county services with a declining tax base. Commissioners in these counties must work on economic development initiatives to stabilize their threatened economies.

In either case, growth related problems inevitably create tension in counties, and make the job of county commissioners increasingly stressful and difficult. Commissioners in counties with growth problems need to be extra vigilant to fully involve their citizens in the development of growth-related policies. These are the policies which affect the very fabric of a county.

PERSONNEL ADMINISTRATION

Montana counties are important employers for their communities. Commissioners need to develop, adopt and implement employment policies which are professional, legally defensible, and which assure that the county can attract and retain quality employees to serve the citizens effectively. Failure to administer personnel policies consistently and competently exposes the county to legal liability and an unproductive workforce. The issue of human resource management is continually rising in importance under complex state and federal employment regulations and as the demand for skilled employees increases. The complexity of the tasks required of county governments and the increasing reliance on technology to conduct business has caused an ever-increasing need for highly trained employees who have specialized expertise. You can't deliver county services without qualified staff. Attracting, retaining and motivating these employees is a fundamental responsibility of a county commissioner. Luckily, MACo can help! Contact MACo General Counsel for additional technical assistance in all personnel matters. Montana employment law is funny, and different than any other state. And Montana public employees are unique and different than private employees, so before you take action feel free to consult your friends at MACo.

HOW WILL I SPEND MY DAY IF I'M ELECTED TO BE A COUNTY COMMISSIONER?

Some people say that being a county commissioner is a 24-hour-a-day job, not because you need to work at it for 24 hours each day, but because you are “on call” at all hours. Some parts of the job are more time-consuming than others. County leaders must be versatile. In a single day you may find yourself leading, facilitating, convening, brokering, making tough decisions, and developing consensus. Elected officials in Montana are the only public employees considered to be salaried. While you aren't punching a time clock to track hours, you're also never, technically, off work!

Talking with constituents is a big part of the job. They may call you at home, hoping to influence your vote in an upcoming zoning controversy, collar you at the movies or at the hardware store to complain about property taxes, or expect you to help them solve a drainage problem on a Sunday afternoon. Besides responding to constituent requests, most elected officials want to be out and about, where they stay informed on what is happening in their county. You will soon learn that on controversial issues you sometimes hear from supporters, but you are certain to hear from opponents. As an elected official, you have to make a decision that is in the best interest of the entire county.

Attending meetings is a major part of the job. Your schedule will have to allow time for regular commission meetings, work sessions, executive sessions, special meetings, and public hearings. Also, as an elected official you will be expected at many unofficial gatherings from pancake breakfasts to fish fries.

Gathering information is essential to making good decisions. Citizen input from both individuals and organizations is gathered through regular constituent meetings and by reading. You rely on informal advisers; staff reports, county records, professional publications, and the news media to assure that your actions are as informed as possible.

Building consensus with the other commissioners takes time and skill. A county commissioner is a member of a team: The Board of County Commissioners. As a commissioner, you can accomplish nothing without the support of others

on your team. In addition, your life will be much easier if you are communicating with other county officials. Making the effort to know every other county elected official and what they do is worth the time. These relationships will help you get things done and provide knowledgeable leadership. You have to approve the budget for all these offices, and knowledge of their functions and responsibilities will help you in your decision-making. More importantly, extending the professional courtesy to recognize other elected officials as leaders in your organization will serve your constituents well.

Building coalitions with your colleagues on the commission, all other county and city elected officials, your staff, and leaders of major groups among the public will assure that you stay in touch with the external world, and that you build understanding for your actions and support for your decisions. You can accomplish absolutely nothing without the support of your colleagues and your community. If you don't have that support, learn how to develop it.

It is imperative that you develop working relationships with your state representatives. The citizen legislators working in Helena will have a dramatic impact on your operations and if you haven't built relationships with them BEFORE they get to Helena, you may not have the ability to influence their decisions when it comes to local issues.

Establishing relationships with the local media will help you get your message across to the public. Successful media relationships require trust on both sides, and that takes time and developing some new skills.

HOW MUCH TIME DOES IT TAKE TO BE A COMMISSIONER?

This is a question that many people new to the office wish they had asked before they ran. For commissioners in small, rural counties, the office of county commissioner is a part-time job. Although the salary is consistent with this provision, the actual time spent on commission duties may seem more like a full-time job. For commissioners in large, urban counties, the job is full-time.

The number of hours per day or week varies widely, depending on a county's size and demand for services. Commissioners may only have scheduled meetings a few days a month in the very smallest counties in Montana, but each week they may have many informal meetings. This does not account for time spent outside the office gathering information from constituents, government officials, and other sources.

One thing is certain; those first six months in office will be a period of adjustment - getting acquainted, learning about the issues as well as the day-to-day process, and learning how to juggle all the new activity in the context of family and job demands.

And remember, you don't have the luxury of meeting and discussing issues with your colleagues at your leisure. **ONLY** at a noticed public meeting can you conduct county business. If you engage in any discussion over any matter under the county's jurisdiction outside of that noticed public meeting, you need to report that out at the next public meeting. Outside of limited litigation strategy and personnel actions no exceptions exist for you and a fellow commissioner to meet and discuss county business without giving the public notice and an opportunity to participate.

WHY WOULD ANYONE WANT TO BE A COUNTY COMMISSIONER?

Of the different levels of government, local government has the most immediate effect on people's lives because it is so close to where they live. Also, citizens are apt to participate more directly in local government because their elected officials are so readily accessible. Being a county commissioner provides an opportunity to deal with people's most immediate problems, which are often the ones that affect everyone. And sometimes just providing individual constituent service, such as running an election or repairing a road, can be rewarding. A commissioner who does a good job provides a true public service and is a leader in the community.

A county commissioner's efforts can have a noticeable and lasting impact on the county. Improvements such as installation of streetlights at a school bus stop, garbage pickup, or passing a sign ordinance can result in a feeling of accomplishment - a sense of serving and improving a community. Another opportunity to influence the future well-being of a county lies in helping prepare the county's comprehensive growth policy. This is a long-range master plan expressing public policy regarding the physical development of a county. Certain state grant and loan funds are available to help counties cover the cost of developing growth policies.

Being a county commissioner provides a great deal of visibility in the community. A commissioner gets to know many people in the county, and is known to even more.

Sometimes people run for office for all the wrong reasons. For example, they have one personal gripe that they want to do something about. Or they are out to make county personnel changes based on personal dissatisfaction rather than on professional evaluation of employee performance. They don't seem to be very interested in the "public good." After getting elected, they may be disappointed to find that getting what they want is not as easy as they thought. Budget constraints, federal and state law, or the priorities of other commissioners and of citizens may stand in their way. Once in office, howev-

er, they may realize that their own personal agendas are not so important compared to the rewards of knowing they can help improve life for the citizens of their community. It's not unheard of for a one-issue candidate to rise to the occasion and become a public-minded commissioner with concern for the full spectrum of public issues.

IS GOVERNMENT REALLY LIKE A BUSINESS?

You may think of government as being similar to a business. A private business has the objectives of operating efficiently and providing consumers with the goods or services they demand. In the same way, a government seeks to operate efficiently and provide citizens with the services they want. But government is different from business in certain fundamental ways. Government is designed to serve the people - all of the people, rich and poor. While private business also serves the public, its main goal is to make a profit.

In the private sector, if a product line is not popular you can discontinue it and add a line that is. In government, the products - such as running courts, maintaining roads and streets, and providing for the health care of jail inmates - cannot be dropped just because they are unpopular.

In business, decisions often can be made quickly and with little dissent. Government is different. In county government you will find that the authority to make decisions is always shared with other officials. And citizens deserve an opportunity to voice their views on public matters. Montana law requires that all government decisions be made in the public eye. The open meetings law is an area where newly elected commissioners often get into trouble. Working through an issue while being scrutinized by the public, and interpreted by the press, takes getting used to.

Reaching a compromise that partially satisfies the various segments of the population who have conflicting views on an issue is often the only way to make progress. The process may be inefficient, is certainly slow, and is often frustrating. Nevertheless, no one as yet has found a better way to run a free society. Although government can be improved to perform more efficiently in many ways, it can never be run just like a private business because of the nature of many of the services it provides, and because of the legal requirements for public participation. The government provides some services because these services are necessary, expensive to deliver, and private business does not want to provide them.

HOW CAN I FIND OUT MORE ABOUT MONTANA COUNTY GOVERNMENT?

If you want to know more about being a commissioner, attend commission meetings and learn what the issues are. Visit the courthouse and meet the finance officer, the personnel director, the clerk and recorder and others. Introduce yourself and let them know you are interested in learning about the way your local government works.

Other sources of information are the Montana Association of Counties and its newsletter, MACo News (a monthly publication for Montana county officials) and Web site (www.mtcounties.org), and the Local Government Center at Montana State University (<http://www.msulocalgov.org/>).

WE CONCLUDE WITH...

SOME GENERAL ADVICE

Before you decide to run, think about your answer to the overriding question, “Why do I want to become a county commissioner?” Discuss the job with your family to give them an idea of the responsibilities involved. Decide whether you have the time to do a good job for the county.

If your choice is to run, become familiar with the issues. Get to know the elected and appointed government people with whom you will work if you are elected. Cooperate with the media and make sure the voters know what you stand for.

Even a lifetime in government cannot prepare you for every curve ball the political world will pitch. To be ready for the challenges, you should

- Have a vision for the county’s future
- Keep an open mind
- Maintain high ethical standards
- Know the issues
- Know your constituents and the people who will work with you
- Focus on what is best for the county
- Be honest with the public, the media and other officials
- Have confidence in your qualifications
- Separate your emotions from your responsibilities.

GOOD LUCK!



ADDITIONAL COPIES AVAILABLE

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