

# STUDY OF LEWIS AND CLARK COUNTY GOVERNMENT

January 25, 2024

Lewis and Clark County was established on June 6, 1865, as one of the original nine counties of the territory of Montana. It was named Edgerton after the first territorial governor of Montana. The county was renamed Lewis and Clark County in 1868, for explorers Merriwether Lewis and William Clark.

## **Government Structure, Governing Power, Election types, Elected officials, Appointed Officials**

**A commission form** of government structure was established for Lewis and Clark County in 1915. The commission form has executive and administrative functions. The Commissioners share the administrative function and make all appointments of department heads, adopting creating and executing policy. The commissioners appoint a presiding officer who is the chair of the commission and has the executive function, runs meetings, appoints committees and boards.

**Governing Power:** Montana is not a home rule state. Home rule limits the power of the legislature in local powers. Montana is a shared power state. There are two types of Governing powers allowed in Montana, General and Self-Governing. Lewis and County Government operates under General power. The state legislature defines general power. The County only has those powers provided or implied by state law and is dependent on the legislature to pass laws that meet the needs of local governments.

**Election Types:** A ballot issue to support nonpartisan elections was passed by the voters in 2018. nonpartisan elections in the county became official in 2019. In 2020 the first non-partisan county commissioner was elected in District 2.

**Elected Commissioners and elected offices:** There are three elected full-time commissioners who represent one of the three commission districts in the county. Commissioners are elected for six-year staggered terms of office. District one commissioner has served since 2007, District two since 2020 and District 3 since 2022. The seven County elected officials serve four-year terms, they are Clerk of the District Court, County Attorney/Public Administrator, County Commission Coroner, Justice Court, Sheriff, Superintendent of Schools, Treasurer, Clerk and Recorder.

### **Number of employees in the County:**

In 2020, the county had 304 employees, with an average annual salary of \$49,626. The highest salary in Lewis and Clark County in the year 2020 was \$141,627. Lewis and Clark County average salary is 6 percent higher than the USA average. <sup>1</sup>

**How does the number of employees compare with other local governments in communities this size? And what are county population trends?**

The only comparable county is Gallatin. The County seat is in Bozeman. The population is over 50,000. The two other large counties are Missoula, and Flathead with populations over 100,000. The remainder of the counties in Montana are much smaller than Lewis and Clark County.

County	2020 (pop)	2022	# of employees	Type of Govt
Lewis and Clark Co.	70,973	73,832	304 (2020) Avg annual salary: \$49,626	3 Commissioners
Cascade County MT	84,413	84,498	286 (2021) Aas: \$38,963	3 Commissioners
Grand Forks Co. ND	73,169	72,512	650 Aas: \$27,356	5 Commissioners
Ward Co. ND (Minot)	69,933	69,437	334 (2018) Aas: \$41,159	5 Commissioners
Lincoln Co. SD (Canton)	65,165	67,995	<b>28 (2021)</b> <b>Aas: \$70,853</b>	5 Commissioners
Bannock Co. ID (Pocatello)	87,017	88,349	537 (2022) Aas: \$39,518	3 Commissioners
Natrona Co. WY (Casper)	79,955	79,660	467 (2021) Aas: \$48,710	5 Commissioners
Broomfield Co. CO (city county)	74,105	75,375	<b>23 (2018)</b> <b>Aas: \$75,708</b>	10 Council members
Garfield Co. CO (Glenwood Springs)	61,688	62,195	580 (2017) Aas: \$48,620	3 Commissioners

**Most of these counties have 3 or 5 member commissions with staggered 4-year terms. The outlier number of employees and salaries are distorted for different reasons. They were included because the countries are similar to L&C County in population, growth, climate, and amenities and may be useful for comparison for other types of information. (Aas-average annual salary) <http://govsalaries.com/salaries>**

**Salaries:** The average salary of elected officials in Lewis and Clark County in 2023 is \$100,475.00. Commissioners serve full-time. The average Commission salary is \$94,023. Longevity benefit for commissioners amounts to \$2,000 annually. Most elected officials receive a \$2,000 annual bonus in their base pay on top of the longevity pay.

County employees received a 4% cost of living raise in 2023. The county is hiring 4.5 full-time employees according to the 2023 budget

The medium per capita income in Montana is \$32,463 in 2023.

**What is the final County Budget number?**

The budget for 2023-2024 lists expenditures at \$130M with revenue of \$97M. This is a 45% increase in actual expenditures and a 1% increase in revenue from the 2023 budget. Personnel costs have risen more than \$36.25M and account for 28% of the expenses.

**The growth/decline in L&CC government budgets over the past 10 years**

Year	Expenses	%+/- from previous year
FY 2023-24	\$129,571,140	+5
FY 2022-23	\$123,380,921	+13.4%
FY 2021-22	\$108,792,381	+19%
FY 2020-21	\$ 91,506,600	-10%
FY 2019-20	\$102,005,198	+5%
FY 2018-19	\$ 97,233,112	+18%
FY 2017-18	\$ 82,496,093	+1%
FY 2016-17	\$ 81,641,056	-1.9%
FY 2015-16	\$ 83,296,231	+4.3%
FY 2014-15	\$ 79,843,719	+2.4%
FY 2013-14	\$ 77,966,603	

Note that the additional COVID money the county has had in the past 3 years accounts for why expenses have grown. We expect as projects are completed and that all the projects have been appropriated, we should see much smaller increases going forward.

**Current population of Lewis and Clark County**

The July 1, 2022, the population for Lewis and Clark County is 73,832. (<http://lccountymt.gov> )  
The April 1, 2020, census lists the population of Lewis and Clark County as 70,973. The population on April 1, 2010, was 63,395. That is an average 1.2% annual growth between 2010 and 2020, and a 2% annual growth between 2020 and 2022.

**Boards and Commissions:** Lewis and Clark County has thirty special purpose districts and thirty-one boards, 9 fire districts, 4 fire service areas, 12 water and sewer districts, 1 soil conservation district, irrigation district, hospital district and community council. Each is governed by an elected board or council.

**Citizens Advisory Council:** The Citizens Advisory Council was formed in 2010 to act as an advisory group to the Criminal Council (CICC). The primary purpose of the Citizens Council is to solicit citizen input and make recommendations as a part of the CICC’s responsibility to study and then make improvements to the local criminal justice system in order to achieve the highest level of public safety and program costs effectiveness.

**Marijuana Tax:** Local governments in Montana have limited sources of revenue. The marijuana tax money collected by the state in 2022 was \$157,000. The money was set to stay at the state level. Lewis and Clark County voters passed a local option tax of 3% on marijuana and medical marijuana on October 1, 2022. The tax dollars collected are allocated with 50% going to the

county, the state also gets a share. Both Helena and East Helena also get a share of the tax money.

**COMPARABLE ALTERNATIVE FORMS OF COUNTY GOVERNMENT**

Lewis and Clark County was established as a commission form of government in 1915.

Alternative Forms of Government

**Council/Mayor:** Council and mayor are both elected. The mayor carries out the responsibility for all departments.

**Commission/Manager:** Commission is elected and hires a manager who oversees staff and departments. The manager gets directives from the council.

**Commission:** The most common form of county government is commission. It has both branches of government, administrative and executive. The commission makes all appointments of department heads, adopting, creating, and executing policy. A presiding officer is appointed who is the chair of the commission, runs meetings, appoints committees and boards. The commission executive function is carried out by the presiding officer. The presiding officer could also be called mayor if the commission chooses to do so.

**Commission/Presiding Officer:** The voters elect the council, and the council elects the mayor who is the presiding officer and has additional responsibility of the executive function.

**Town Meeting:** Citizens are the policy makers, they meet at least once per year, pass a budget, set policies, and select a citizen mayor to carry out policy that the citizens want for the ongoing year.

**Lewis and Clark County Government experience with the ten-year local review elections over the past fifty years.**

Year	Primary: For/Against Review	Existing Form	Vote for Existing Form	Vote for Proposed Form	Proposed Form
2014	42%/58%				
2004					
1994-1996		Commission	7,844	5,903	Charter
			8,843	4,114	Elected or appointed executive
2009			3,817	8,998	Partisan or nonpartisan elections
1984					
1974					

### **Opportunities for citizens to participate meaningfully in county government**

Citizens can write letters to commissioners, attend commission meetings, and provide comments during the public comment portion of the meeting. Commission meetings are also live on Helena Civic Television. Citizens can also apply to serve on various county boards and committees as well as special district board.

### **Local government processes, policies, and records available to citizens**

Information on the county website needs expansion. Residents can call the county offices and ask for the administrative office. County staff are very friendly and helpful. Adding zoom meetings would provide the public with an opportunity to participate in county government meetings.

### **Additional considerations:**

**Since 2015, the state legislature has passed twenty-five bills taking away local control. The 2023 legislature added five more bills to the list.**

- Residents need to be involved and understand the day-to-day operation of cities and counties.
- There is a distrust of government at all levels. Local elected officials are the most trusted and need to engage with the public and voters. More visibility.
- Expertise at all levels of government from elected to appointed personnel is a challenge. Day-to-day duties for all levels of government have become more complex. Professional managers are needed to help with administration.
- Adding two administrative meetings to the Lewis and Clark County meetings schedule, in addition to the two formal meetings, would provide an opportunity for the commissioners to discuss issues of local concern with citizens attending.
- It has been recommended that counties in Montana adopt a charter with self-rule. Lewis and Clark County would benefit by following this recommendation.
- The state requirement that cities and counties can only raise their taxes by ½ of the inflation is a problem for their budgets when the inflation rate is 10%. Elected officials believe that the rate should be increased.
- People are moving into Montana from everywhere. Immigration in the past has only impacted specific areas not the entire state. Cities and counties are facing the impact of providing services for the new residents.
- State government pay is higher than city and county government rates. Employees are lost to the state. The high cost of living, lack of affordable housing and shortage of workers has led to recruitment issues around the city and county.
- Office space and storage space are also a county challenge. The County offices are out of room in their existing building. The 2023-2024 budget includes funding for a remodel of the Law and Justice Center second floor to create more office and storage space.

- Inflation and the supply chain has made it difficult to do projects and purchase needed equipment. Projects are over budget and equipment such as snowplows can take over a year to acquire.

**This study of Lewis and Clark County Government was prepared by the Local Government Study Committee of the League of Women Voters of the Helena Area in preparation for the ten-year review of the structure of Montana Local Governments. Resources are listed in the companion document, “Ten Year Review of Montana Local Governments.”**

**Local Government Study Committee Members:** Mary Harlow, Sharon Haugen co-chairs, Sue Hoell, Barbara Harris, Clare Kearns, Pat Bik, Paul Pacini, Cherri Jones, Anne Stites Hausrath, Felomina Genilla-Garvin.