

HFR

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JAN 25 2018

RAVALLI COUNTY
ATTORNEY'S OFFICE

FILED
PAIGE TRAUTWEIN, CLERK

JAN 25 2018
Linda Cheaney
DEPUTY

MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT
RAVALLI COUNTY

In the Matter of the Equalization of
Commissioner Districts:

Ravalli County,

Petitioner.

Cause No: DV-17-504 / 6
Dept. No: 2

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER CONFIRMING
COMMISSIONER DISTRICTS

This matter came regularly for hearing before the Court the 18th day of January, 2018.

On the basis of the record herein, the Court makes the following:

FINDINGS OF FACT

1. On March 10, 2016, the Ravalli County Study Commission, elected November 4, 2014, issued its *Final Report*.
2. The Study Commission recommended an alteration of the plan of local government to reduce the number of county commissioners to three down from five.
3. Incorporated into the Study Commission's *Final Report* was a *Proposed Commissioner Districts Map*, which divided the county into three proposed new commissioner districts. To create the map, the Study Commission looked to the county's Geographic Information Systems (GIS) department, which created a map that divided the county into three nearly equal population

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Ravalli County Commissioners

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districts based upon population data from the last census. The Study Commission then adjusted the map to reflect recommendations from Regina Plettenberg, County Clerk and Recorder and Election Administrator, to avoid splitting precincts and district boundaries. Precincts and school district boundaries reflect natural communities with the county.

4. The final Study Commission map was made available to the public by inclusion in the Study Commission's *Final Report* and by posting in the county's Administration Building outside the office of the Clerk and Recorder in full view of the public.

5. On June 7, 2016, the electorate of Ravalli County approved the recommendation of the Study Commission to reduce the number of commissioners to three.

6. On July 25, 2017, the Board of County Commissioners approved the Study Commission's recommended *Commissioner District Map* without alteration.

7. In approving the recommended Commissioner District Map, the Board of County Commissioners found: (1) the population in each district is as even as could be calculated; (2) the areas are distributed as equal as possible; (3) the proposed district areas are as compact as possible; (4) Ravalli County is unique as the south end of the valley is sparsely populated; (5) the proposed map was created by GIS Department Head Ken Miller, who was not influenced by any Ravalli County elected officials in any manner; (6) the precinct and school boundaries were also considered in the creation of this map; (7) the Ravalli County Study Commission had this map during their deliberations and was available to the public for review; (8) the Proposed map was hung on the Clerk & Recorder entry door facing the public for review; (9) the proposed re-districting will not affect the term of any office of an elected official who has been elected to

office; and (10) the proposed re-districting map will be adopted within “more than 6 months before a primary election and the date of the general election” per Montana Code Annotated.

8. No one appeared in this action or at the hearing to object to or oppose the commissioner districts as proposed.

From the foregoing, the Court makes the following:

CONCLUSIONS OF LAW

1. The Court has jurisdiction over this matter.
2. To the extent any of the foregoing findings of fact constitute conclusions of law, they are hereby adopted as conclusions of law.
3. Under Mont. Code Ann. § 7-4-2102(1), the Board of County Commissioners is to divide the county into as many commissioner districts as there are county commissioners, and to ensure that the districts are as compact and equal in population and area as possible.
4. Under Mont. Code Ann. § 7-4-2102(2), a district court judge is required to review the action of the Board of County Commissioners to determine whether or not the action meets the requirements of Mont. Code Ann. § 7-4-2102(1).
5. The change in the plan of local government, proposed by the Study Commission and approved by the electorate, which reduced the number of county commissioners to three, required redistricting of the commissioner districts and approval of such redistricting by this Court.
6. The proposed new commissioner districts meet the legal standard of being as compact and equal in population and area as possible.

7. The new commissioner districts were approved by action of the Board of County Commissioners regularly and legally conducted.

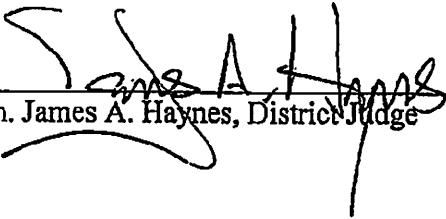
8. The new commissioner districts should be approved.

From the foregoing findings of fact and conclusions of law, the Court makes the following:

ORDER

1. The commissioner districts proposed by the Study Commission and approved on July 25, 2017, by the Board of County Commissioners are determined to comply with the requirements of Mont. Code Ann. § 7-4-2102(1) and under Mont. Code Ann. § 7-4-2102(2) are hereby approved.

Dated this 24th day of January, 2018.



Hon. James A. Haynes, District Judge

I certify that I forwarded copies of
this instrument to counsel of record

1-25-18

Paige Trautwein, Clerk



Deputy