



**Item:** Reappointment to the Cascade County Conservation District Board of Supervisors

**From:** City Manager's Office

**Initiated By:** Cascade County Conservation District

**Presented By:** City Commission

**Action Requested:** Reappoint one member to the Cascade County Conservation District Board of Supervisors.

---

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission reappoint John Chase to a three-year term through December 31, 2016, to the Cascade County Conservation District Board of Supervisors.”

2. Mayor calls for a second, discussion, public comment, and calls the vote.

---

**Staff Recommendation:** It is recommended that the City Commission reappoint John Chase to the Cascade County Conservation District Board of Supervisors for a three-year term through December 31, 2016.

**Background:** John Chase has served on the Cascade County Conservation District Board of Supervisors since February of 2003. The Board of Supervisors submitted a request that Mr. Chase be reappointed to another three-year term.

Per City legal opinion by former City Attorney James Santoro, City Resolution 9962 Establishing a Policy Concerning Appointments to Boards and Commissions does not apply to the Conservation District Board of Supervisors. Therefore, Mr. Chase is eligible for reappointment to another term.

Purpose

The Cascade County Conservation District is a seven member commission, five members elected at-large at the general election, and two appointed. Conservation district officials establish and implement programs to protect and conserve soil, water, prime and unique farmland, rangeland, woodland, wildlife, energy and other renewable resources on local, non-federal lands. Member

duties include: identify local conservation needs, and develop, implement, and evaluate programs to meet them; educate and inform landowners and operators, general public, and local, state and federal legislators on conservation issues and programs; supervise other volunteers and paid staff working with the district, coordinate with cooperating agency personnel; administer the district by delegating tasks through a structure of board officers and members, committees, and others, raise and budget district funds and report on activities to the public; coordinate assistance and funding from federal, state and local government district associations and private groups. Desirable member qualifications include an interest and background in conserving renewable natural resources.

Evaluation and Selection Process

No advertising was done for this opening since Mr. Chase is eligible for reappointment and it is recommended by the Board of Supervisors.

**Concurrences:** The Conservation District has indicated support for Mr. Chase's reappointment.

**Fiscal Impact:** Not applicable.

**Alternatives:** Not applicable.

**Attachments/Exhibits:** Letter of support  
Legal Opinion



RECEIVED

OCT 29 2013

CITY CLERK

12 Third St NW, Ste 300  
Great Falls, MT 59404

Tel 406-727-3603 ext 125

Fax 406-727-4810

Email info@cascadecd.com

Web cascadecd.com

October 23, 2013

Great Falls City Commission  
Attn: Mayor Michael Winters  
PO Box 5021  
Great Falls, MT 59403

RE: Urban Supervisor Reappointment

Dear Mayor Winters:

As you know, Montana law allows the incorporated cities located within the Cascade County Conservation District to appoint a representative to the District board. This "urban supervisor" as they are known, is appointed by the City to a 3-year term as a full-voting member of the board representing the city's interests.

Mr. John Chase has served on the CCD board of supervisors as the City of Great Falls appointee for the past 10 years and is actively involved in many projects that benefit Great Falls interests including the Rivers Edge Trail. John has stated an interest in continuing in his current role as an urban supervisor with the Cascade Conservation District and therefore, we respectfully request the reappointment of John to another 3-year term. This term will commence January 2014.

Thank you for your time and prompt attention to this matter.

Cordially yours,

**CASCADE CONSERVATION DISTRICT**

A handwritten signature in blue ink that reads 'Gayla Wortman'.

Gayla Wortman, Chairman  
Board of Supervisors

*Local leadership in conservation stewardship..*





*James W. Santoro, City Attorney*

P.O. Box 5021  
Great Falls, Montana 59403  
Office (406) 455-8441  
Fax (406) 727-0005  
[jsantoro@greatfallsmt.net](mailto:jsantoro@greatfallsmt.net)

**LEGAL OPINION**

November 30, 2010

Re: The Conservation District Board of Supervisors, Cascade County

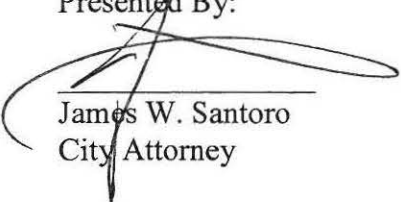
Issue: Whether Resolution No. 9484 that establishes a policy concerning appointments to Boards and Commissions applies to the Conservation District Board of Supervisors (Cascade County)?

Answer: No.

Legal Opinion: The Conservation District Board of Supervisors, Cascade County (hereinafter, the "Conservation District") is governed under the Conservation District Laws (see, MCA Title 76, Chapter 15). The Conservation District Board is a separate political entity and consists of seven (7) members—five (5) elected at large at the general election, two (2) appointed residents of municipalities within the district.<sup>1</sup> (See, Sections 76-15-301-305, MCA). The two (2) appointed resident of municipalities represent all affected municipalities; thus, a City of Great Falls resolution is not binding on other municipalities. Further, the Conservation District is not part of a City or County government--it is a Montana State Board. The Conservation District is not an advisory Board to the City and the City Commission does not maintain the Conservation District.

Conclusion: In sum, it is my opinion that Resolution No. 9484 that establishes a policy concerning appointments to Boards and Commissions **does not** apply to the Conservation District.<sup>2</sup>

Presented By:

  
James W. Santoro  
City Attorney

<sup>1</sup> The appointed residents of municipalities serve a three-year term. Under state law, there exists no term limits.

<sup>2</sup> Please delete references to Resolution No. 9484 that relate to the Conservation District on the City Web Site.