

RESOLUTION 3170

A RESOLUTION OF THE CITY OF GLENDIVE CITY COUNCIL DESIGNATING THE JUSTICE OF THE PEACE OF DAWSON COUNTY TO ACT AS THE GLENDIVE CITY JUDGE, FIXING THE FUNDING FOR SUCH JUDGE, AND PROVIDING FOR AN AGREEMENT FOR THE PAYMENT OF COSTS, SALARIES AND TRAINING EXPENSES.

WHEREAS, Montana law, specifically 3-11-205(1), MCA, provides cities and towns the authority to designate the county justice of the peace to act as the city judge if the elected justice of the peace resides within the county where the city is situated; and

WHEREAS, 3-11-205 (1), MCA, further authorizes cities and towns to enter into agreements with counties for the provision of such services; and

WHEREAS, nothing in the City's ordinances or in Montana Law prohibits a city or town from authorizing and designating the local justice court as the official "City Court" as recorded in Glendive city Ordinances 1-9-1 through 1-9-7 chapter 9 City Court; and

WHEREAS, MCA 3-10-101 (4), further authorizes a justice of the peace may act as the city judge upon passage of a city ordinance authorizing the action and upon approval of the ordinance by resolution of the board of county commissioners. If the ordinance and the resolution are passed, the city and the county shall enter into an agreement for a proportionate payment of the justice's salary, as established under 3-10-115 and 3-10-116, and for proportionate reimbursement for the use of facilities; and

WHEREAS, Montana law, specifically 3-11-205 (2), MCA states the offices of the city judge and the justice of the peace may be combined if a justice of the peace is authorized in a city pursuant to 3-10-101, and

WHEREAS, The City of Glendive is requesting city court be combined with Dawson County Justice Court.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENDIVE, MONTANA, as follows:

1. The city has approved an ordinance stating city court and justice court be combined.
2. An inter-local agreement to determine the costs and procedures will be approved by both parties.

APPROVED at the meeting of the Glendive City Council on March 4, 2025.

CITY OF GLENDIVE

By: 

Deborah Dion, Mayor

ATTEST:

By: 

Darci Saeman, City Treasurer

ORDINANCE NO. 04-2025

AN ORDINANCE OF THE DAWSON COUNTY COMMISSIONERS AND THE CITY OF GLENDIVE TO COMBINE THE GLENDIVE CITY COURT AND THE DAWSON COUNTY JUSTICE COURT

WHEREAS, Montana law, specifically 3-11-205 (1) MCA, provides cities and towns the authority to designate the County Justice of Peace to act as the City Judge if the elected Justice of the Peace resides within the county where the city is situated; and 3-11-205 (1) MCA further authorizes cities and towns to enter into agreements with counties for provision of such services.

NOW, THEREFORE, BE IT ORDAINED by the Glendive City Council of the City of Glendive, that Montana law specifically MCA 3-10-101 (4), further authorizes a Justice of the Peace may act as the City Judge upon passage of a City Ordinance authorizing the action and upon approval of the ordinance by resolution of the board of the Dawson County Commissioners and the Glendive City Council. If the ordinance and the resolution are passed, the city and the county shall enter into an agreement for a proportionate payment of the justice's salary, as established under 3-10-115 and 3-10-116, and for proportionate reimbursement for the use of facilities. The City of Glendive is requesting the Glendive City Court be combined with the Dawson County Justice Court.

NOW, THEREFORE BE IT RESOLVED BY THE GLENDIVE CITY COUNCIL AND THE DAWSON COUNTY COMMISSIONERS OF DAWSON COUNTY, MONTANA, as follows:

1. The city has approved an ordinance stating city court and justice court be combined. The Dawson County Commissioners will approve an ordinance stating the city court and the justice court be combined.
2. An inter-local agreement to determine the costs and procedures will be approved by both parties.

APPROVED AND RATIFIED by the City Council at the 1st reading and signed by the Mayor on the 4th day of March 2025.



Mayor - Deborah Dion

ATTEST:



City Treasurer - Darci Saeman

INTERLOCAL AGREEMENT

JUSTICE OF THE PEACE/CITY COURT

THIS AGREEMENT is made and entered into on the 9th day of September, 2025, by and between DAWSON COUNTY, a political subdivision of the State of Montana, and the City of Glendive, a Montana Municipal Corporation, through its duly authorized and acting Board of Dawson County Commissioners; and through the duly authorized and acting Mayor of the City of Glendive; and the duly elected Dawson County Justice of the Peace.

Witnesseth:

Recitals

1. The Justice Court of Dawson County is located in the City of Glendive, Montana.
2. The City of Glendive is a third-class city pursuant to 7-1-4111(3), MCA.
3. Pursuant to 3-11-205, MCA, a third-class city is authorized to designate a justice of the peace to act as the city judge as long as the justice court is located within the county in which the city is situated and the judge is similarly a resident of the same county.
4. The City Council of the City of Glendive, has by ordinance number 04-2025 adopted on March 18, 2025, expressed its desire and intent to designate the Justice of the Peace and the Justice Court of Dawson County to act as the City Judge and the City Court for the City of Glendive.
5. That the parties hereto desire to set forth their agreement as to appropriate and proportional sharing of costs of operating the shared court, salaries and training expenses.

NOW THEREFORE, IT IS HEREBY AGREED that the recitals above are true and correct and accurately describe the purposes and intentions of the parties to agree as follows:

1. The Justice of the Peace and the Justice Court of Dawson County shall act as the City Judge and City Court for the City of Glendive pursuant to Montana Law.
2. The City of Glendive shall pay 50% of the following costs and expenses as such are incurred:
 - a. Costs of mandatory judicial and staff training, lodging, mileage and meals; during the period of the agreement.
 - b. Cost of one set of Montana Code Annotated (bi-annually), in book or electronic format;
 - c. Costs for miscellaneous office equipment and supplies, up to \$2,500.

The City of Glendive shall pay the above charges after receiving the bill for the City's portion of these costs. The bill will be sent to the city by September 30th of each year. The city must also pay the pro-rated costs for items numbered 1, 2 and 3 from September 1, 2025 through December 31, 2025.

3. The City of Glendive shall pay \$30,000 at the beginning of each fiscal year to help pay for the salaries of the Justice of the Peace and the Court Clerk. The Dawson County Commissioners shall determine how that money is dispersed. Dawson County shall be responsible for making reports and payment of retirement system contributions which may be paid, in part, by the city's yearly contribution.
4. The term of this agreement shall be for 2.3 years beginning Sept 1, 2025. On or after January 1, 2028, the city and county can re-negotiate this agreement.
5. The City of Glendive shall continue to receive all (100%) of the fines collected by or which would have been paid to the city court, from all violations of statutes, or ordinances, or Montana Law, that would be cited to city court, inclusive of surcharges. All fines, surcharges and restitution owed to the city shall be forwarded by the court clerk to the city clerk for proper disbursement to the city and state, pursuant to applicable Montana Law.
6. Any amendment to this agreement must be in writing and signed by all parties hereto and approved by the appropriate Council or Commission.

IN WITNESS WHEREOF, the parties have signed this agreement on this 9th day of September, 2025.

Stacey Serunian

Justice of the Peace

Joe Sharbons

Dawson County Commissioner

Dee Zile

Dawson County Commissioner

Brad Thomas

Dawson County Commissioner

Rob Nixon

Mayor, City of Glendive