COMMISSIONERS APPROVAL

IMAN JR

CHILCOTT

FOSS

KANENWISHER

STOLTZ

PLETTENBERG (Clerk & Recorder)

Members Present..... Commissioner J.R. Iman, Commissioner Greg Chilcott, Commissioner Suzy Foss, Commissioner Matt Kanenwisher and Commissioner Ron Stoltz

Date.....February 15, 2011

►Minutes: Beth Perkins

►The Board met for discussion and decision on the RFQ for engineering services for the Airport at 9:00 a.m. Present were Airport Manager Page Gough, David Hedditch, George Marshall, William Menager and Administrative Assistant Glenda Wiles.

Glenda Wiles stated the five year contract with Robert Peccia & Associates is expiring and will need to go out to RFQ (request for qualifications) for engineering services. She discussed the previous RFQ with the Board for contents. Commissioner Kanenwisher expressed his concern with Peccia creating the RFQ. He noted it is easy to met criteria when you are the one who wrote it. Page Gough stated just because Peccia writes the RFP, it doesn't guarantee selection. **Commissioner Chilcott made a motion to direct Peccia to prepare an RFQ for review for Airport engineering services. Commissioner Kanenwisher seconded the motion and all voted "aye".**

Commissioner Kanenwisher noted for record, the Leonardi Property is full of equipment. He would like to review the lease for any provisions for a clean up of the property. Commissioner Foss expressed her concern with weeds on the property. The property is a mess and needs to be cleaned up and maintained. Commissioner Kanenwisher asked if all buildings are to be utilized in the contract. Commissioner Iman replied no. The house, garage and grainery are not within the contract. Page will discuss cleaning up the property with Brien Weber and Ron Hale.

►The Board met for the following administrative matters at 9:30 a.m.:

- **Approval of the minutes for January 21-27**: Commissioner Chilcott made a motion to approve the minutes of January 21 through January 27, 2011 as amended. Commissioner Kanenwisher seconded the motion and all voted "aye".

- **Approval of the East Fork Road Rehabilitation project**: Commissioner Chilcott made a motion to accept the East Road Rehabilitation project as complete. Commissioner Kanenwisher seconded the motion and all voted "aye".

- **Approval of request for speed study for Golf Course Road**: Commissioner Iman read a request for a speed study due to a recent accident between a golf cart and a vehicle. The area of concern is the hill before the golf course. **The Board directed David Ohnstad to investigate signage and then conduct a speed study.**

- **Approval of indigent burial request for Timothy Schaff**: Commissioner Foss made a motion to approve the indigent burial request for Timothy Schaff in the amount of $1,200 for Whitesitt Funeral Home. Commissioner Chilcott seconded the motion and all voted "aye".

- **Decision on Aging Plan Re-designation**: Commissioner Iman read the request and referred it to Commissioner Foss and Commissioner Kanenwisher for further investigation of options.

- **Decision on material modification to Roger Russ Subdivision**: Commissioner Iman read the request for Commissioner Action from Planner Aaron Wilson to the Board. **Commissioner Chilcott made a motion to approve the final plat for the Roger Russ Subdivision. Commissioner Foss seconded the motion and all voted "aye".**

►The Board met for an update with Human Resource Director Robert Jenni at 10:00 a.m.

►The Board met for an update with Chief Financial Officer Klarryse Murphy at 10:30 a.m.

►The Board met for an update on the Juvenile Detention budget at 11:00 a.m.

►The Board met for an update with Treasurer Mary Hudson-Smith at 11:30 a.m. Present were Civil Counsel Karen Mahar, H.R. Director Robert Jenni and several citizens. Treasurer Mary Hudson-Smith was not present.

Commissioner Iman stated the Treasurer has resigned as of 2/28/11 and read the resignation to the Board.

Civil Counsel Karen Mahar visited with Clerk & Recorder Regina Plettenberg for resignation of an elected office under MCA 2-16-502 with the provision of County Officers. The submission of the resignation becomes effective after 72 hours.

Commissioner Iman asked Robert Jenni for clarification of the resignation.

Robert stated the Chief Deputy will be appointed to fill the role of Treasurer until the end of the month. Karen stated this meeting was noticed as an update and will need to be scheduled as a public meeting. Under MCA 7-4-2206, vacancies are filled by the County Commissioners unless the vacancy is a County Commissioner. The appointee will hold the office until the next general election in 2012. This was confirmed by the Secretary of State for the procedure. She recommended scheduling a public meeting to discuss the process for appointing a replacement for the interim period of time. Commissioner Chilcott asked if the applicants must meet the candidacy requirements. Karen replied it is not specified however, she recommended the Board hold the applicants to the candidacy requirements. Commissioner Kanenwisher asked if the Chief Deputy could remain interim Treasurer until an appointee could be found. Karen replied the Board could have an interim plan to satisfy the requirements of the office until an appointee could be found. She explained the appointee would serve until 2012 and then run in the general election for the remainder of the four year term (two years). Commissioner Iman asked if the office of Treasurer has the ability to designate within the office. Karen replied the County would be much better served to find a qualified applicant than worry about a timeline. Commissioner Chilcott asked about the chain of command. Karen clarified the Chief Deputy would answer to the Commissioners and would be the supervisor for the employees.

Commissioner Iman opened public comment.

Chris Hockman asked if the outgoing Treasurer would designate a replacement. Commissioner Iman stated the designation is made by the Commissioners for an absence, resignation, or sickness. The Treasurer will hold office until February 28, 2011. Chris Hockman questioned the oversight by the Commissioners and the Finance Office and requested the oversight continue. Karen suggested including the request in the next meeting.

Grace Knowles asked about the Montana Code of resignation being effective within 72 hours and how the Treasurer can name the date of February 28, 2011. Karen replied a resignation can be given for a time in the future for transition time. After 72 hours, the resignation cannot be revoked.

Earla Johnson stated this is a unique situation since the Treasurer changed her political affiliation on her candidacy application. Commissioner Iman called for a point of order since the statement was off topic.

Ron Wilkins asked what would happen if the Treasurer withdraws her resignation. Commissioner Iman replied it is unlikely but that may happen.

Ken Clark asked Karen if there is anything in the MCA that the previous Treasurer cannot fill the vacancy. Karen replied prior official cannot contract but there is nothing to say the Board could not appoint her.

Chris Hockman asked in the event of a recall election would the Board have to appoint someone or have another election. Karen replied it would be the same process but there is a specific provision included for a recall. Commissioner Iman stated the Board is not anticipating events that have not happened.

Commissioner Iman closed public comment.

Commissioner Iman stated this is an unfortunate event. It is with regret we accept this resignation by the Board. Commissioner Kanenwisher thanked the Treasurer for placing the concerns of the citizens and the office before her own needs with her resignation. Commissioner Foss agreed with Commissioner Kanenwisher. Everyone involved in County business must understand the first priority is the commitment to the citizens. **Commissioner Chilcott made a motion to schedule a meeting this Friday at 1:30 p.m. to devise a transition plan for this office. Commissioner Kanenwisher seconded the motion and all voted "aye".**

►Commissioner Foss attended the Transportation Policy Coordinating Committee meeting in Missoula at 1:30 p.m.

►The Board met to review the MACo JPIA Property & Liability/Worker's Compensation Pool Programs at 2:00 p.m.

►Commissioner Stoltz attended the Investment Committee meeting at 2:00 p.m.

►Commissioner Iman attended the All Valley Fire meeting in Corvallis at 6:00 p.m.

Agenda for Treasurer's Update
February 15, 2011; 11:30 p.m.
BCC meeting room

1. Treasurer resignation effective 2/28/11 (Robert Jenni)

2. Designation of Chief Deputy as liaison with Commissioners/Finance Office (Robert Jenni)

3. Legal effect of resignation (Karen Mahar)
   MCA 2-16-502
   Submission to Clerk & Recorder
   Effective 72 hours after submission

4. Filling vacancy of public office (Karen Mahar)
   MCA 7-4-2206
   filled by appointment by the BCC
   appointee serves until next general election

5. Procedure to follow (Karen Mahar)
   Schedule public meeting no sooner than 2/18/11
   Establish reasonable process for appointing Treasurer until 2012
   Schedule subsequent public meetings as needed with Chief Deputy

6. Public comment

7. BCC discussion & decision on subsequent meeting times

8. Public comment on items not on agenda.

SIGN IN SHEET – COMMISSIONERS MEETING ROOM

****PLEASE PRINT YOUR NAME LEGIBLY****

THANK YOU!

DATE: 2/15/10

MEETING: _____

George Marshall	CAROL JAMES
DAVID R HEDDITCH	NORMAN JAMES
KEN CLARK	Crystal Johnson
BILL CONWAY	Earla Johnson
Bonnie Dugan	Ken L [illegible]
William Menager	LaVonne Kuhlle
Jennifer Dedrick	Trace Taylor
Jai Summer	Maggie Wright
GUEST	Pete Miller
GUEST	Bob Kaphammer
Guest	Linda Oeters
RON WILKINS	Shawna Koch
Dean Walvod	Laurie Klein

SIGN IN SHEET – COMMISSIONERS MEETING ROOM

****PLEASE PRINT YOUR NAME LEGIBLY****

THANK YOU!

DATE: 02 15 10

MEETING: _____

BOB GRALER	
Rhonda King	
F. KEMP	
B. KEMP	
[illegible]	
CAROLINE RENNAKER	
Karyn Johnston	