

COMMISSIONERS APPROVAL

IMAN   
CHILCOTT   
FOSS   
STOLTZ   
KANENWISHER 



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

Date.....November 1, 2011

- ▶ Minutes: Glenda Wiles
- ▶ Commissioner Chilcott was in Washington D.C. attending a Transportation Research Board meeting.
- ▶ The Board met at 9:03 a.m. for various administrative matters. Present was Citizen William Menager and RCEDA Director Julie Foster.
  - Commission correspondence on web – Joe and Glenda explained how the Commissioners correspondence is posted for citizen review in the Clerk & Records Office. It was noted the correspondence page has not worked since the State took the Web Site over and the Commissioners Staff never posted correspondence on a correspondence page, rather some correspondence was posted as a “Hot Topic” for citizen review. Currently some citizens would like the correspondence posted on the web for easier review, but that page is not built yet by the state. Joe stated a new program could be developed, as Glenda posts the correspondence on the county server it could be transported onto the web in an easier manner. He indicated the cost could be several hundred dollars for this program and he can check into it. Commissioner Kanenwisher indicated this correspondence is meant for the Commissioners and if posted on the web it may become “a blog” and begins a life of its’ own. Commissioner Foss stated there is a small group of citizens manipulating the workings of county government who want this correspondence out on the web. She stated if they want to review the correspondence they can use the computer in the Clerk & Records Office to do so. Commissioner Foss also felt if correspondence is posted on the web, many citizens won’t want to send a letter to the Commissioners because readers will mis-represent the contents. Commissioner Kanenwisher suggested they remove the Correspondence Page on the Commissioners Web site and make it a “Commissioners Corner” and the Board can have Glenda post certain information the Commissioners think is important. The Board concurred to leave the correspondence on the two computers in C & R Office.

- Due to the recent reduction in Commission Staff, Commissioner Stoltz suggested when Glenda is absent the Board allow Planning Staff Danielle Senn the ability to post the Commissioners Agenda. Joe stated he can work with Danielle giving her Commission calendar rights. **Commissioner Kanenwisher made a motion to have Danielle Senn be the secondary agenda setter when Glenda is absent. Danielle will place items on the calendar only when directed to do so by the Commissioners and will write the exact language as directed by the Commissioners. Commissioner Stoltz seconded the motion and all voted “aye”. (4-0).** It was also agreed to place a ‘read only’ on the email of [commissioners@rc.mt.gov](mailto:commissioners@rc.mt.gov) for the Commissioners review and Glenda will continue to manage the email address.
- Rail Link Services – The Board held a discussion with Julie Foster on the rail link services in the south end of the county that will be discontinued by Montana Rail Link. Discussion included what part the county can play in this continued service due to flooding damages to the rail. It was agreed Commissioner Kanenwisher will work with Julie in order to get up to speed on the issue.
- Draw #3 Ironhaus CDBG monies – Julie presented a request for draw on this Community Development Block Grant project in the amount of \$53,579.10. **Commissioner Kanenwisher made a motion to have this Draw signed by proper signatures. Commissioner Stoltz seconded the motion and all voted “aye”. (4-0)**
- Draw #2 – Neville’s Log Home – Julie also presented draw #2 which closes out the Neville log Home CDBG Project. It was agreed to place this on the agenda for signature when proper notice is given.
- Minutes - **Commissioner Stoltz made a motion to approve the minutes of October 3 – 7, 2011 as corrected. Commissioner Foss seconded the motion and all voted “aye”. (3-0)** Commissioner Kanenwisher not present for this vote.
- Agreement with DNRC for Forest Division Fire Control Work (Equipment agreement) – **Commissioner Foss made a motion to sign this cooperative agreement with DNRC. Commissioner Stoltz seconded the motion and all voted “aye”. (3-0)** Commissioner Kanenwisher was not present for this vote.
- DPHS Task Order for Immunizations – It was noted this is for vaccination services and will be split for fiscal/calendar year payments. **Commissioner Kanenwisher made a motion to execute this Task Order. Commissioner Stoltz seconded the motion and all voted “aye”. (4-0)**
- **Commissioner Stoltz made a motion to continue the administrative matter until after the Human Resource Director update. Commissioner Kanenwisher seconded the motion and all voted “aye”. (4-0)**

► The Board met with Robert Jenni for an update at 10:40 a.m. Robert presented some Employee Action Forms for review. Present for this discussion was Clerk of Court Debbie Harmon and Deputy Clerk of Court Mary Sawyer to discuss the .875 position within the Clerk of Court Office. This position was a 40-hour per week employee and with the recent reduction in work force this position was cut to a three quarter position. Robert noted Debbie has \$1,700 in overtime funds as well as other line item funds that can be utilized for this position to keep it at 40 hours per week. Commissioner Kanenwisher stated that this person has continued a 40-hour work week without Commissioner Approval and he noted a recent letter written by the employee was copied

to a private attorney which causes him some concern. Discussion included the need to have a budget transfer within the Clerk of Court in the amount of \$1,700 in order to fund that position for the remainder of the year which will include the previous three weeks. Debbie indicated the monies could come from other line items within the Clerk of Court (overtime, telephone, registration, capital reserves, etc.). Commissioner Foss cautioned Debbie that if they utilize the monies from other Clerk of Court line items, she does not want the Clerk of Court budget to come up short towards the end of the year. A budget transfer will be prepared, reviewed by Accounting and then set for agenda.

► The Board then resumed the administrative items:

- STEP agreement with Department of Transportation for seat belt and DUI Patrols in the Sheriff's Office – **Commissioner Kanenwisher made a motion to approve of this agreement in the amount of \$5,000 with the Department of Transportation for STEP services. Commissioner Foss seconded the motion and all voted "aye". (4-0)**
- Pay request # 3 for Intoxilizer Room in the amount of \$21,643.03. Glenda noted the Contractor did not calculate the amount correctly as it is .28 cents short and the Engineer did not catch the error before it was notarized. When she addressed it with the Engineer he indicated the .28 cents could be included in this pay request or made up on the last pay application that is forth coming. Glenda indicated she would prefer to have this pay request done with the correct amount. The Commissioners concurred. **Commissioner Kanenwisher made a motion to have the Chair sign this pay request. Commissioner Foss seconded the motion and all voted "aye". (4-0)**
- Safety Committee update – Glenda indicated due to the lack of time she will simply address the need for a by-law change for the Safety Committee and have an update at a later date. She noted within the by-laws it states the Committee will make a yearly review of all accidents in the county. She has been Chair of this committee for at least three years and they have never done that yearly review. She checked the previous minutes back by several years and found no such review. Since this Safety Committee was part of the Montana Safety Cultural Act she checked with the Insurance of Record Fred Thomas and found the by-laws could be changed to reflect a review of accidents on an as needed basis. Currently Glenda brings accidents of employees and citizens to the Safety Committee as they occur or on as needed basis. **The Board concurred to have the Safety Committee change the by-laws to reflect they will review the accidents as brought forth by the Commission Staff and the Human Resource Director.** Glenda will address that with the Safety Committee at the next meeting.

► The Board met at 1:05 p.m. with Department Heads and Elected Officials to discuss budget shortfalls. Commissioner Iman indicated the Commissioners have deferred the decision of a further reduction of workforce until after this discussion today. Commissioner Kanenwisher stated while this is a public meeting, it is for the Commissioners to meet with the Department Heads, but at some point in the meeting the public will be allowed to make comment.

Human Resource Director Robert Jenni stated due to the recent ruling by District Court Judge Langton in regard to the Justice of Court Employees, the budget will be short approximately \$48,000. While any funding might be short term for this budget cycle, future budget cycles

might require a reduction in work force. Robert stated he could forgo training in his budget this year and save \$650.00. That might be a start for this amount of money.

Commissioner Foss stated she does not feel this is the Department Head's decision and or problem, it is the Commissioners. She stated she does not know why the Commissioners are meeting with the Department Heads today, she understands each department has worked hard to get their budgets down to the level they are.

Under Sheriff Johnson asked what the Commissioners are looking at in regard to the reduction in work force.

Commissioner Kanenwisher stated they are looking at a reduction in work force for a half time position in Environmental Health and a full time position in the Treasurer's Office. He stated there was also some conversation about GIS and funding positions with grants, as well as a conversation concerning the maintenance department.

Commissioner Iman stated they have looked at some job sharing within departments, certain work within departments that are seasonal which might allow an outside contractor performing the work etc., in order to balance this shortfall but no decisions have been made yet.

County Attorney Bill Fulbright stated his office could utilize the vacancy savings from Karen Mahar's departure. He felt that would be about 2 months worth of budget savings.

Commissioner Kanenwisher stated they need to visit with CFO Murphy about the vacancy payouts to employees before they think about utilizing that type of monies. He also does not like to reduce training as that might actually cost the county more money in the long run because employee training is important for efficiency etc. Klarryse stated they factored in the vacancy of Karen in the adoption of the FY2012 budget so there would not be any vacancy savings.

Bill also addressed the possibility of the County Attorney collecting a past due settlement in the amount of \$5,000 (civil enforcement action by way of judgment that is three years old) for a Board of Health issue. Bill stated that collection is speculative however.

Commissioner Iman addressed the upcoming quarterly budget updates and any changes that might come about from each department.

Public Health Director Judy Griffin addressed the low morale in the county. She has worked here for over 20 years and this is the first time she has noticed such a low morale with county employees. She does not like the 'rumor mill' as she hears things about her department and her employees. She stated she use to like to come to work every morning, now she does not. She asked the Commissioners to really consider the employees when they look to further layoffs.

Commissioner Kanenwisher stated he has not heard anything about the Public Health Nurses Department, and advised Judy that every Department Head has a responsibility to address this difficult budget year and provide employees with solid direction.

Commissioner Foss stated the Department Heads have a responsibility to the Commissioners and their staff. She stated if they hear a rumor, come and ask the Commissioners. She stated the Commissioners know there is a moral problem and they have tried to address that issue with the Human Resource Director, but things are busy. She stated it is ridiculous to keep people in agony just from a rumor.

Sheriff Hoffman stated the letter he wrote to the Commissioners (in regard to juvenile detention) also addressed the budget process and how the Department Heads and Elected Officials felt cut out of that process. He also noted the discussion by the Commissioners about cutting out the payment of insurance coverage for family members did not sit well with him and others.

Commissioner Kanenwisher stated they as a Commission cannot talk about something until they actually come in and talk about it. They receive complaints about that, yet all they are doing is talking about it. A good example is the insurance. He stated the Board simply discussed the possibility of looking at how coverage is given for family coverage. He also stated the budget process this year was the same as last year, it is just that people don't like the results of the budget process.

Sheriff Hoffman stated he has been part of the budget discussions for eight years and he disagrees. The Department Heads could have been brought in to have the discussion on the reduction of work forces. He stated it was important to bring them in sooner so they know what the potential might be. The outcome could have been mitigated a little had we been brought in for that discussion. Instead the Commissioners did the layoffs, and then we were told. As a Sheriff he has a mandate, and as a department head he wants to be kept in the loop on those decisions.

Commissioner Kanenwisher asked how the Commissioners could warn Department Heads before they have those deliberations.

Under Sheriff Johnson addressed the previous process of meetings with the Commissioners in regard to the budget and the impacts they might have. The questions between the Commissioners and the Department Heads were "what do you think" will work for your department. He stated it feels to him like the Department Heads were discarded in this process. The Department Heads might have had some opportunity to offer something, but it was only after the budget was adopted that we were then asked. In the Sheriff's Office they started to move personnel around based on this budget year, thus staying within the budget in order to be part of the solution. He stated he likes to have a continued dialog.

Sheriff Hoffman stated he knew before last year's budget deliberation was over what his office needed to do.

Commissioner Foss stated when the new Commissioners took office they found the condition of the county to be worse than they thought. She also felt some employees and people had wrong perceptions of them and expected the worst from them. She would like more communication with Department Heads, but they followed the process that was established. The Commissioners can make the process different next year.

Commissioner Kanenwisher stated today's meeting is to bridge the \$48,000 gap. Sheriff Hoffman stated they should have had this conversation with the gap was \$400,000.

Commissioner Kanenwisher asked the Sheriff if he is not willing to come up with ideas now, why would the Commissioners expect anything back then.

Sheriff Hoffman stated he is now reticent to come up with any ideas, because it might 'push one of his employees under the bus' and they would be the next lay off.

Commissioner Kanenwisher commented to the Sheriff that he could have helped with the \$400,000 gap and chose not to? Sheriff Hoffman stated that is not what he stated.

Commissioner Foss stated during the budget process the Commissioners expressed the situation to the Department Heads and there was no other option (other than the layoffs). She stated every Department Head came in and told the Commissioners how "hard their employees worked and how precious they all were".

Sheriff Hoffman stated the Commissioners never came and asked him what that 1.5 position would cost his department. Commissioner Kanenwisher stated the Sheriff did tell them what those positions did.

Under Sheriff Johnson reiterated the Commissioners heard from their office that these people were busy and what their job descriptions were. Those clerks did daily warrants, restraining orders, and critical data entry for the safety of officers. He stated just because they did not fill them, the Commissioners seem to think the Sheriff's Office did not need them. There was a discussion that we couldn't afford to get further behind. Under Sheriff Johnson also noted that at some point, with the reduction of employees, there will end up being a critical issue, i.e., the loss of a CJIN terminal, or an officer safety issue that are costly to the county and the Deputy.

Sheriff Hoffman asked the Commissioners why they are coming to the Department Heads now when the amount is \$48,000, why not when it was \$400,000.

Commissioner Kanenwisher stated they are trying to look at the smaller amount because a reduction in work force was absolutely necessary with a budget shortfall of \$400,000. He stated the county does need reserves; the law does not allow the county to operate in a deficit. And there is no way around that.

Commissioner Foss stated no one is happy right now, and the reason for all this is that the county was allowed to get into this shape. Some employees understand that the previous Commissioners brought us to this condition and it has not been good business nor has it been good management. We had to do this year what should have been done for the past several years. She stated they can improve communication with the Department Heads in next year's budget. She felt the Commissioners can run the county better by taking it back to bare bones then build it back up. This meeting today was not something she supported.

Kellieann Morris of the Weed District stated she would like to be recognized that she is the professional on weeds and how her department operates. If she would have known what needed to be done, she might have been able to manipulate her department/budget and keep those that were laid off by the Commissioners. The Commissioners need to give that option to the department heads first.

Marie Keeton stated her office is under this next lay off. When she looks at her work flow she might be able to come up with some money by reclassifying those potential lay off positions to seasonal part time positions. This would still give her 40 hours per week during high volume times, and then 20 hours during the low volume times. For the remainder of this year, it would save almost \$8,000.

Commissioner Iman stated the past Commissioners made decisions based on employees at the time, and these bad times are not unique to just Ravalli County. One year each department cut 11%, and previous budgets resulted in having lots of "stuff" cut. Some federal, state and county budgets have been cut which results in cutting many of the county's services. Some governments have actually cut departments. He stated Department Heads should feel comfortable enough to come and talk to the Commissioners, and he appreciates all employees.

Public comment was then called for.

Michael Howell, Publisher of Bitterroot Star agrees with Sheriff. He has followed the budget for 25 years, and this year's budget process was not handled the same way as in years past. The Commissioners can change their words to make them think that way, but the bottom line is the process was different and he agrees he has never seen the county morale so low. He feels this is a Commissioner problem as they are the head of the county.

Lee Tickell reiterated what he had proposed last week regarding the budget noting \$48,000 is about 1% of the county general fund. He suggested they cut the Commissioners salary and for the Commissioners not to claim their mileage which pays them to go to and from work, thereby saving \$20,000. The Planning Department personnel could be changed to save around \$53,000 per year. He also noted in years past the Commissioners have managed the budget with this percentage of reserves, so why is it such a big deal now. Many of the training sessions can be on line through the web saving lots of dollars. He also noted the Upper Wood Chuck Road repair and Geoff Mahar settlement issue will become litigation against the county due to their handling of the settlement dollars. He noted the Commissioners challenge of the Justice Court decision will also cost money.

Maggie Wright brought up last week's discussion in regard to reducing commissioner salaries and eliminating home to work mileage. And while Commissioner Chilcott cited a particular code from the MCA; she noted that refers to a City County form of government. She stated the Commissioners could save money in Planning, as the Planning Administrator is not qualified to handle both planning and administrative, so hire one person to fill both positions. The salary cut for Commissioners could be brought down to the equivalent pay of three commissioners. The Commissioners said they would be open to that challenge, so she asked them to honestly look at these requests.

Mary Barton reminded the Commissioners that last week when their mileage to and from work was discussed they were going to ask the County Attorney if they had to take the funds; \$20,000 is a lot of money in this shortfall. The current planning situation presents an opportunity to let an employee go that is on probation and that way no one else would have to be laid off. She suggested the public and Department Heads be allowed input in order to find creative ways to solve this shortfall.

Public comment closed. The meeting was then adjourned.

Public Comment for Items not on the agenda was then called for.

Michael Howell missed this morning's administrative meeting and feels it is a poor decision not to have correspondence on line.

Lee Tickell stated that correspondence has always been there so this it all mindboggling to him. The Commissioners need to be transparent.