

COMMISSIONERS APPROVAL

FOSS 

KANENWISHER

CHILCOTT 

IMAN

STOLTZ 

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

Date.....May 29, 2012

Minutes: Glenda Wiles

► The Board met at 8:30 a.m. with County Attorney Bill Fulbright regarding actions of Commissioner Iman and a discussion of the Surplus Policy. (See attached) Attorney Fulbright stated this investigation focused on whether standards of conduct for a local official were violated, and what actually happened in each of these situations. They do not want to be embroiled in a political controversy, particularly in light of other Commission Boards and volunteer board participation. There was no disagreements for those involved in what transpired. Attorney Fulbright noted his memo makes some suggestions in regard to the surplus property policy. He feels Commissioner Iman met the standards of conduct but the surplus property policy could have been followed better.

Commissioner Kanenwisher stated one of the reasons there were not different stories is because Commissioner Iman immediately understood the issues, worked with County Attorney to make everything available and should be commended for that. He was chair at the time and was looking into an employee's actions, therefore it was important that he report these concerns to the County Attorney. Commissioner Kanenwisher stated this was not a witch hunt nor was it a cover up, the facts needed to be investigated. The findings show no statute was violated, no action warranted from County Attorney's point of view but we should look at what we should or should not ask of a subordinate, i.e., because an employee's perception is also important. Also in regard to the Surplus Property Policy, employees and elected officials have no more right to the property than a citizen does. Sometimes it is a issue of establishing a value of the property particularly in the trailer issue. The policy is not clear the way it is written, and should be changed. Honest mistakes are made and everyone makes them, so while no punitive actions are deserved, some policies need review.

Commissioner Foss stated Commissioner Iman simply offered an piece of equipment to the county because of its benefit. She stated Commissioner Iman was a gentleman about this review and we understand it was hard to be reviewed publically.

Commissioner Chilcott stated this has become an issue of perception and some people are inclined to find facts that might support their perception. He appreciates the County Attorney's investigation of the facts and their legal opinion and appreciates Commissioner Iman's response to this issue.

The Board concurred to review the surplus and procurement policy for the county as well as make an adjustment to the budget process and always include a Department Head for certain issues.

Commissioner Iman stated the process of being a commissioner is different than in private business. In regard to the mower it was an opportunity to help the county out, but the perception was different for some people. There is always an opportunity for correction, Chair brought the issue up which was correct and investigated by the County Attorney. He sees this as a way to do a better job under the process established as well as make the policies clearer. While this has been uncomfortable for him personally, it was necessary and he understands the process.

Public comment:

Terry Phillips of Corvallis thought the county attorney's opinion was suppose to be on the web and he looked and did not see it. The issue should be transparent.

Jan Wisneiski stated since April 19th he has been asking for information about this. He was referred to County Attorney's Office and they referred him back to Commissioners. He was told the attorney memo was on the web and it is not. He made two requests of information to Glenda Wiles (Administrative Assistant to the Commissioners) as well as to the Chair and was told only the County Attorney could give this information out.

Marlin Foss asked if the other Board members knew about the snow plow, trailer and mower. This is not about people/personalities, it is about democracy/republic and those elected have an oath of office for integrity, honesty and trust. He felt the County Attorney talked a 'whole much about nothing but that everyone one was in agreement'. He is not comfortable about this, and feels it has been swept under the carpet. He sees it as collusion, because none of these things have really been answered.

Jim Pearson felt the Commissioners are working hard to make the truth come out, but he does not have the attorney memo to see that for himself. When he gets that document he can make a judgment. He understands it is different in government than in the private sector and he understands that.

Wayne Dunkin discussed gray areas stated they are developed to 'cover their butts'. If one has integrity it leads us to skip the gray area, and there are too many gray areas in our local government.

Commissioner Kanenwisher stated the gray area is in the interpretation of a policy. He wrote the complaint up and sent it to the County Attorney and nothing is being swept under the rug. There

was no collusion and no considerations for the upcoming election. This discussion is occurring in public.

Commissioner Chilcott stated if you are looking for a cover up you will confuse yourself into one of them. He noted as well there were no attempts to hide anything. Jan meets with Commissioner Stoltz frequently and if things were not obtainable he could have asked anyone of us. Commissioner Chilcott sees no remedy is necessary because the tax payers are not harmed. The County Attorney memo will be made available.

Commissioner Foss stated there are some strong comments being made about hiding things when if the person had questions about documents they could have asked any time they were down the hall. She stated shame on that citizen for making those accusations, the Commissioners moved the issue forward and some of the things in the request were not available nor did they exist, our Administrative Assistant was not even in town when certain accusations were made about her.

► At 9:40 a.m. Administrative Assistant Glenda Wiles received Commissioner Kanenwisher's resignation from the Commission Board. (See attached)

► The Board met at 9:45 a.m. with Road Administrator Eric Anderson for a road update as well as to approve the Agreement for the use of salvaged milled materials. Eric noted the County Attorney has reviewed this contract (see attached). **Commissioner Chilcott made a motion to approve the Agreement for the use of Salvaged Milled Materials with MDOT. Commissioner Stoltz seconded the motion and all voted "aye" (4-0).** Commissioner Kanenwisher was not present for this meeting.

► The Board met at 1:00 p.m. to have a discussion on the procedure for developing the Natural Resource Policy. Commissioner Chilcott stated he would like to have a weekly schedule for this public process to keep them on track. It was also suggested to have planning staff present to track the requested changes/alternatives.

Forest Supervisor Julie King was now present to address the time lines of the Travel Management Plans and other projects they are working on.

#### Public Comment:

Larry Campbell suggested the Commissioners look at the public comments to the Travel Plan to see what local residents think. He is wondering if he should even get involved in the Natural Resource Plan because it would lend legitimacy to it. He sees factual errors in the plan in regard to litigation issues and there are preconceived notions based on opinions rather than fact. He disagrees with the whole interpretation of coordination, so any participation is a dilemma for him.

Russ Lawrence suggested they settle whether they want a plan or a policy. A plan would be massive. A policy would be much simpler, dealing with the goals of the county. He fees the Forest Service and other Federal agencies allow public participation, thus the interest of the

citizens is being met. He did note the county's interest is the general safety and welfare of the residents. That is different from the citizen's interest or comments.

The Board concurred it should be a policy.

Pam Erickson stated she has a problem that the Commissioners would have more sway with the Forest Service than a public citizen.

Nancy Ballance stated the plan was intended to represent the goals and objectives of the county which is different than a federal agency. The two policies should be used together with the process of coordination.

Kelsey Milner asked if the Bitterrooters for Planning produced a document would the Commissioners have a sincere desire to look at what they present? A lot of us care about this, we just have different ways of looking at it.

It was agreed to have the first meeting on June 18th, then July 9th and every other Monday after that with the goal of adopting this as a policy.

► The Board met at 2:00 p.m. for a continuation of the discussion of the budget presentations.