

# Lincoln County Study Commission Minutes

June 23, 2016

The meeting was called to order at 5:02 PM by Chairman Steve Curtiss. Those also present were Rita Windom, Bonnie Larson, County Commissioner Greg Larson, Clerk of Court Robin Benson, and visitor Robert Mast. Bobbie Stoken and Josh Letcher were both absent.

The first item of business was the swearing in of Bonnie Larson as a member of the Study Commission. When the oath of office was done, Robin left the meeting.

The minutes from the June 9, 2016 meeting were reviewed. After some discussion, a motion was made by Rita and seconded by Bonnie to accept the minutes as written and the vote was unanimous.

Chairman Steve Curtiss suggested the Lincoln County Review Commission title be changed to "Review Board" to differentiate the Study Commission from the Lincoln County Commissioners. Rita Windom brought out that Montana's Local Government Review Book refers to the "Study Commission" suggesting we stay with the current title. Steve Curtiss rescinded his motion. Bonnie motioned to stay with "Study Commission". It was seconded by Rita and the motion passed.

Rita Windom brought up the issue regarding the CFO Consultant Agreement made by the Lincoln County Commissioners. She addressed the consultant's qualifications, the process not procedurally followed, although the County Commissioners intent was perhaps noble and they may have needed someone outside their realm of knowledge. County Commissioner Greg Larson responded they are dealing with some sensitive issues, including personnel issues and clearly the intent of the County Commissioners is good. Rita responded that if the County Commissioners are changing the way they are doing county government as we are studying our form of government, the Study Commission should know. She then asked about weekly reports and Commissioner Larson replied he has talked and received some reports, but the County Commissioners have not had the time to go through the reports due to the three week absence of Commissioner Peck and the County Commissioners "are not trying to hide anything but are fact finding at this point."

Chairman Steve Curtiss asked, "Does government currently serve us." He stated he is working with Dan Clark and considering Harold Blattie's comments concerning Lincoln County being an Elected Official Form of government, but erroneously working with non-partisan elections and how we can correct the wrongs. Steve felt that Clark and MACO are trying to push counties into a Charter Form of government, where the voters have less power.

The discussion turned to what we have been told are our options for correcting the wrong the County has been operating under since 2009. They are:

1. Have the County Commissioners declare the 2009 vote illegal and say to right the wrong the County must return to partisan elections.

2. Study Commission could request the County's vote on the November ballot as to the choice of Elected Official Form with partisan elections, or the Commissioner Form with non-partisan elections
3. Ask the Attorney General to just "forgive" our non-compliance, or give us an official decision.
4. Get an opinion from a district judge.

As to the issue of the letter from the Republican Central Committee to the Lincoln County Commissioners, Steve reported he had been asked what the Study Commission had been doing at the LCRCC meeting in Libby timed to be before Jennifer Fielder's presentation. The Republican Central Committee resolved to present a letter to the County Commissioners requesting them to fix the problem previous commissioners had created.

Bonnie and Steve reported on their meeting earlier in the week with a District Judge. The discussion with the District Court Judge was limited in scope to bringing our county back into compliance regarding the bounds of an Elected Official Form of Government elections. Commissioner Larson said he would be willing to bring this information and meet with the Lincoln County Commissioners. The impetus to proceed will be to protect the County.

Discussion then included a couple of incidents where submitting ballots and voting in the past process may have been flawed.

Motion was made by Bonnie, seconded by Rita to allow the Study Commission to work with Attorney Amy Guth using her talent, background and expertise in working with the County to document her opinion of the process to right the wrong. Motion carried. Rita then made a motion to have a ceiling of \$1000 to pay Attorney Guth for a legal document, or opinion, we could present to our Commissioners. The motion was seconded by Bonnie and the motion carried.

After some ideas shared as what was to be done at the next meeting on July 7<sup>th</sup>, motion was made by Bonnie, seconded by Rita to adjourn. The meeting adjourned at 6:45 PM.

Respectfully submitted,

Bobbie Stoken