

AGENDA
ANACONDA-DEER LODGE COUNTY
STUDY COMMISSION SPECIAL MEETING
6 P.M. THURSDAY, JUNE 25, 2015

Community Service Center – 2nd Floor Conference Room

Present: Heather Edwards, Dan Tocher, Linda Sather, Ex-Officio Member – Commissioner Hart

Absent: Adam Vauthier

Others Present: Julie Hoffman, Secretary; Rose Nyman

Heather Edwards called the meeting to order at 6:07 p.m. and the Pledge of Allegiance was recited.

Prior to discussion starting regarding the Tentative Report, Linda Sather voiced concern regarding the minutes from the June 11th meeting not being available to be approved. Heather Edwards informed all the members of the Study Commission that since this was a special meeting to discuss only the tentative report, the minutes from the June 11th meeting would be approved at the regular Study Commission meeting scheduled for July 9th.

Old Business

A. Drafting of Tentative Report

Linda Sather began the discussion by stating comments were made on the surveys that the CEO, Chief of Law Enforcement and Clerk & Recorder should be elected. She stated out of those three positions, she would choose the Clerk & Recorder position to be elected. She stated she has heard from people in town that they want the CEO and Chief of Law Enforcement to be elected because they don't want their right to vote taken away.

Terry Galle asked what the Clerk & Recorder does. Linda Sather informed him the Clerk & Recorder is responsible for claims, payroll, tracking of vital records and the budget. In addition, this person is also in charge of elections.

Heather Edwards stated people commented on the surveys that they want qualifications set for the CEO position. However, she stated the Study Commission cannot set qualifications for elected positions. Linda Sather stated the City of Dillon set qualifications for its Mayor, which is an elected position. Linda stated she would contact Dillon and have them fax this information to Heather.

Heather Edwards focused the discussion on what the group is going to put into the Tentative Report. She stated the Study Commission needs to be as clear and concise as possible, get the information in front of the public and ask for public feedback.

Linda Sather stated she thought it would be important to note in the tentative report that members of the Study Commission met with various civic groups in the community. She also stated it would be beneficial to have a simple check box on the ballot for people to simply select "elect" or "appoint." Commissioner Hart stated he did not know if the State will allow simple ballot language and noted that all ballot language must be approved by the Secretary of State's Office.

Terry Galle had several questions pertaining to how the Clerk & Recorder is hired/appointed. Heather Edwards explained the procedure and noted that the recommendation for hire from the CEO is put before the Commission for final approval.

Rose Nyman – 121 E. 3rd: Ms. Nyman noted a candidate was hired for the Clerk & Recorder position in December 2011. However, she did not accept the position because the salary was too low. The second choice for the position accepted and the salary was increased. Ms. Nyman questioned whether the position should have been re-advertised if the salary was increased. She stated she is hesitant to see the Clerk & Recorder position elected because the workload is so specialized. However, she believes if the question was posed to the voters, the voters would choose to have the position to be elected.

Commissioner Hart cautioned the Study Commission to consider the option of the Clerk & Recorder becoming an elected position. He stated as it is currently considered a department head, the Study Commission would need to consider whether all department heads should become elected positions. He added if department heads would be elected, no qualifications for the positions could be set.

Discussion then centered on the separation of powers within our form of government, Commission vacancies, and the advantages and disadvantages of having an elected vs. appointed CEO and Chief of Law Enforcement.

Commissioner Hart pointed out that each person has their role in government, whether it is in the Executive, Legislative or Judicial branch. As an example, he stated the Commission cannot give a directive to the Road Foreman as this is the CEO's responsibility.

Terry Galle stated he did not recall any public interviews taking place to fill Robert Pierce's vacancy on the Commission.

Rose Nyman – 121 E. 3rd: Ms. Nyman informed the Study Commission she was present at two hearings to fill the vacancy. She recalls the CEO preparing some questions but she does not recall those questions being asked. She stated there was no scoring. Ms. Nyman added that her interpretation of the Charter is that the Commission does not control the CEO. Commissioner Hart stated with the separation of powers, the CEO does not answer to the Commission.

Terry Galle stated he is all for someone that has Anaconda at heart. He honestly believes if someone is running for the spot of CEO or Chief of Law Enforcement, they are not in it for the money.

Commissioner Hart expressed concern that an appointed CEO or Chief of Law Enforcement may see the opportunity as a stepping stone and something to put on a resume and not have Anaconda's long-term interests at heart.

Terry Galle stated the individual running the county should have qualifications. However, he stated if the person running the county has to hire someone else to do the budget, it is an issue. He added whether it stays an elected position or becomes an appointed position we could end up with the right or wrong person.

In terms of the Chief of Law Enforcement becoming an appointed position, Linda Sather stated she would hate to see good people get bumped off if someone from out of town was appointed. She expressed concern that someone from out of town may put our officers in harms' way

because they will not know the lay of the land. She stated she would like to see the Chief of Law Enforcement elected.

Heather Edwards stressed the importance of focusing on the tentative report and what needs to be included in it. She suggested inviting previous Study Commission members to an upcoming meeting to get their input. She also suggested inviting Becky Guay and Gene Vuckovich to the July 9th meeting.

Dan Tocher suggested inviting Ken Weaver from the Montana Local Government Center, and Terry Galle suggested inviting Jack Haffey as he was instrumental in writing the Charter.

New Business

No new business was discussed.

Miscellaneous

No miscellaneous.

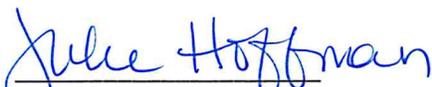
Public Comment

Rose Nyman – 121 E. 3rd: Ms. Nyman expressed concern about Adam Vauthier's attendance at recent meetings. She feels he should resign if he is unable to attend the meetings.

Dan Tocher expressed concern about the lack of public involvement at the Study Commission meetings. He stated that approximately 150 people showed up at the School Board meeting to support a coach but hardly anyone comes to the Study Commission meetings.

Adjournment

The meeting adjourned at 7:54 p.m.


Julie Hoffman, Secretary


Heather Edwards, Chair