



**Ethics Committee Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
August 12, 2020
11:00 AM**

UPDATES CONCERNING PROCESS OF MEETINGS

Due to the COVID-19 health concerns, the format of the City meetings may be modified to accommodate Committee member attendance in person, via a remote location/virtual meeting method, or to appear telephonically. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation. Public participation is welcome in the following ways:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the meeting room according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 8:00 AM on Wednesday, August 12, 2020, to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and an address. Due to tracking and dissemination requirements, written communication must be received by that time in order to be shared with the Committee and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.
- Call-in. The public may call in during specific public comment periods at [406-761-4786](tel:406-761-4786). All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.
- The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on government access channel City-190, cable channel 190; or online at <https://greatfallsmt.net/livestream>.

CALL TO ORDER

ROLL CALL

Carmen Roberts
Carl Rostad
Katrina Stark

RECOGNITION OF STAFF

COMMITTEE AGENDA ITEMS

1. Approval of Meeting Minutes, November 6, 2019.
2. Consider Recommendation on Appointment of an Alternate Member to the Ethics Committee.

3. Consider a change to the Rules and Procedures for Governing Ethics Committee related to address requirements for public comment during Ethic Committee meetings.

PUBLIC COMMENT

Public Comment on any matter and that is not on the agenda but within the jurisdiction of the Ethics Committee. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and address for the record.

ADJOURNMENT

(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.)

Assistive listening devices are available for the hard of hearing, please arrive a few minutes early for set up, or contact the City Clerk's Office in advance at 455-8451. Wi-Fi is available during the meetings for viewing of the online meeting documents.

Ethics Committee meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Meetings are re-aired on cable channel 190 the following Friday at 3 p.m.

Regular Ethics Commission Meeting

Civic Center, 2 Park Drive South,
Commission Chambers Room 206, Great Falls, MT

CALL TO ORDER: 2:00 PM

ROLL CALL: Ethics Committee Members (CM) present: Carmen Roberts and Katrina Stark. Committee Member Carl Rostad appeared via Skype.

RECOGNITION OF STAFF: City Attorney Sara Sexe and City Clerk Lisa Kunz.

1. APPROVAL OF MEETING MINUTES - - May 17, 2019.

CM Stark moved, seconded by CM Rostad, that the Ethics Committee approve the meeting minutes of May 17, 2019.

Chairperson Roberts asked if there was any discussion amongst the Committee or comments from the public. Hearing none, Chairperson Roberts called for the vote.

Motion carried 3-0.

2. CITY CODE UPDATES.

City Attorney Sara Sexe reviewed changes made to the Official Code of the City of Great Falls (OCCGF) Title 2, Chapter 21, Sections 080, 090 and 100, pertaining to the Code of Ethics.

In summary, Ordinance 3201 amended Section 080 to add an alternate Ethics Committee member in the event that a member is unable or unavailable to serve; and, Ethics Committee duties in Section 100 were amended to provide that the Ethics Committee may refer complaints that appear to be substantiated to the Cascade County Attorney, or to the supervisor of a public employee who may be the subject of the complaint, for disposition.

Ordinance 3203 amended the committee meeting schedule in Section 090 to meeting on an as needed basis, no more frequently than once a month, after a matter has been referred to the Committee by direction of the City Manager or City Attorney.

There was no discussion amongst the Committee or comments from the public regarding the ordinance changes.

3. CONSIDER RECOMMENDATION ON REAPPOINTMENT OF MEMBER TO THE ETHICS COMMITTEE.

City Attorney Sara Sexe reported that the Ethics Committee was established with staggered terms. In accordance with the OCCGF, the recommendation is that the Ethics Committee consider reappointment of Committee member Carmen Roberts.

Chairperson Roberts asked if the Committee had any questions of staff pertaining to this recommendation. Hearing none, Chairperson Roberts asked the will of the Committee.

CM Rostad moved, seconded by CM Stark, that the Ethics Committee recommend the reappointment of Committee member Carmen Roberts for a three-year term through December 31, 2022.

Chairperson Roberts asked if there was any discussion amongst the Committee or comments from the public. Hearing none, Chairperson Roberts called for the vote.

Motion carried 3-0.

4. CONSIDER RECOMMENDATION ON APPOINTMENT OF AN ALTERNATE MEMBER TO THE ETHICS COMMITTEE.

City Attorney Sara Sexe reported that, based on the City Commission's adoption of Ordinance 3201, OCCGF § 2.21.080 was amended to provide for an alternate member to serve on the Ethics Committee, as previously discussed. The availability of the alternate position was posted, and two individuals provided applications. Staff recommends the Committee consider appointment of one of the two applicants, or choose not to recommend appointment and ask staff to continue advertising for the alternate position.

Chairperson Roberts asked if the Committee had any questions of staff.

CM Rostad inquired why was it that the Committee chooses the alternate, whereas the Commission chose the current members.

City Attorney Sexe clarified that the Committee is making a recommendation for appointment for Commission consideration.

CM Stark moved, seconded by CM Roberts, that the Ethics Committee consider applicant input for agenda item 4.

Chairperson Roberts called for the vote.

Motion carried 3-0.

Chairperson Roberts asked if there were any applicants present wishing to provide input for Committee consideration.

Tysen Sigglin, 809 49th Street North, commented that she applied because she is interested in local government. She is employed by the Montana Electric Cooperatives Association, and is the acting secretary for committee meetings of the Association.

CM Stark moved, seconded by CM Rostad, that the Ethics Committee recommend the appointment of Tysen Sigglin as an alternate member to the Ethics Committee for a three-year term through December 31, 2022.

Chairperson Roberts asked if there were any comments from the public. Hearing none, Chairperson Roberts asked if there was any discussion amongst the Committee.

CM Rostad noted applicant John Hackwith's long history in government employee service.

CM Stark commented that she is delighted that a younger person in the community is interested in government, and that perspective could be a gift to the Committee.

CM Roberts noted that the guidelines for committee membership is that the members shall have experience and/or training in public administration, governmental operation, political practices, or legal practice, as is reasonably possible. The long history in government service of the other candidate is compelling if following the guidelines that were set for this Committee.

There being no further discussion, Chairperson Roberts called for the vote.

Motion failed 1-2 (CM Rostad and CM Roberts dissenting).

CM Rostad moved, seconded by CM Roberts, that the Ethics Committee recommend the appointment of John Hackwith as an alternate member to the Ethics Committee for a three-year term through December 31, 2022.

Chairperson Roberts asked if there were any comments from the public or any discussion amongst the Committee. Hearing none, Chairperson Roberts called for the vote.

Motion carried 3-0.

5. REVIEW OF ETHICS DISCLOSURE FORM AND PROCESS.

City Attorney Sara Sexe reported that there is no Committee action required for this item. The items were included for review and to inquire if the Committee believed there needed to be any changes to the form itself. With regard to process all City officers, whether employed, elected or appointed, are requested to complete and return the Conflicts Disclosure Statement form to the City Clerk or City Manager's Office. The forms are then reviewed for issues that potentially could raise a conflict.

There were no changes suggested by the Committee.

6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM COMMITTEE.

None.

PUBLIC COMMENT.

None.

ADJOURNMENT.

There being no further business to come before the Committee, CM Rostad moved, seconded by CM Stark, to **adjourn the regular meeting of November 6, 2019, at 2:23 p.m.**

Motion carried 3-0.

Carmen Roberts, Chairperson

Acting Secretary – City Clerk Lisa Kunz

Minutes Approved: August 12, 2020



Ethics Committee Meeting Date: August 12, 2020
CITY OF GREAT FALLS
AGENDA REPORT

Item: Consider Recommendation on Appointment of an Alternate Member to the Ethics Committee

From: City Manager’s Office

Initiated By: City Commission

Presented By: Sara Sexe, City Attorney

Action Requested: Consider Recommendation on Appointment of an Alternate Member to the Ethics Committee for the remainder of a three-year term.

Suggested Motion:

1. Committee Member moves:

“I move that the Ethics Committee recommend the appointment of _____ as an Alternate Member to the Ethics Committee for the remainder of a three-year term through December 31, 2022.”

2. Presiding Officer requests a second to the motion, public comment, Committee discussion, and calls for the vote.

Summary:

On June 18, 2019 the City Commission adopted Ordinance 3201 which revised the Official Code of the City of Great Falls (OCCGF) §2.21.080 by adding one alternate member to serve on the Ethics Committee in case of a member being unavailable or unable to attend a meeting.

2.21.080 Committee Membership.

A. Subject to the provisions provided in Subsection (B.) of this part, the Committee shall consist of three (3) members and one (1) alternate member, who shall be appointed and ready to serve in the event that a Committee member is unable or unavailable to serve. The members and alternate shall be appointed by the City Commission for not more than three (3) consecutive, three-year terms. Members shall be qualified electors and residents of the City. Members shall not be City employees. As is reasonably possible, the members shall have experience and or training in the following:

1. Public administration;
2. Governmental operation;
3. Political practices; or
4. Legal practice.

B. The first appointee to the Great Falls Ethics Committee shall serve an initial term of three (3) years, the second appointee shall serve an initial term of two (2) years, and the third appointee shall serve an initial term of one (1) year. Following the expiration of these initial terms, the provisions of Subsection (A.) of this part shall apply.

City Commission, at the recommendation of the Ethics Committee, appointed John Hackwith on November 20, 2019 to serve as the Alternate Member. Mr. Hackwith was recently appointed to the Police Commission and has resigned from the Ethics Committee. Advertisement was done through the City’s Website and the local media with two applications being submitted.

Background:

The Ethics Committee was established through Ordinance 3169 and adopted by the City Commission on October 17, 2017. The purpose of the Ethics Committee is to ensure that all City officers and employees are performing their duties in compliance with the provisions of Montana Code Annotated, Title 2, Chapter 2 and the provisions of the Official Code of the City of Great Falls (OCCGF) Title 2, Chapter 21.

Committee Duties listed below were also clarified and amended through Ordinance 3201 on June 18, 2019:

2.21.100 Committee duties.

The Committee shall meet and be presented testimony regarding matters referred to it. When considering an ethics complaint, the Committee shall determine whether a complaint appears to be substantiated based on the information and testimony presented. If the Committee determines that a complaint appears to be substantiated, it may refer the matter to the Cascade County Attorney, or to the supervisor of a public employee who may be the subject of the complaint, for disposition. The Committee shall make written findings of its decision, which will be filed with the City Clerk.

Current terms for Committee members are:

Carmen Roberts	1/2/2018 – 12/31/2022
Carl Rostad	1/2/2018 – 12/31/2020
Katrina Stark	1/2/2018 – 12/31/2021
John Hackwith	11/20/2019 – 12/31/2022 (resigned 7/9/2020)

Alternatives:

The Committee could choose not to recommend appointment of one of the applicants and ask City Staff to continue advertising for the alternate position.

Attachments/Exhibits:

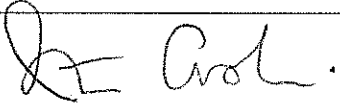
Application – Justin Grohs
 Application – Kenneth E. Engelhardt



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Ethics Committee - alternate		Date of Application: 07-20-20
Name: Justin Grohs		
Home Address: 1825 2nd Ave N		Email address: jgrohs@gfes.net
Home Phone: 406-868-3158	Work Phone: 406-453-5300	Cell Phone: 406-868-3158
Occupation: General Manager		Employer: Great Falls Emergency Services
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
Related experiences or background:		
Educational Background: Middlebury College, Middlebury, VT B.A. in Classical Studies Kennebec Valley Community College, Fairfield, ME, Paramedic certification		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: Medical Planning Group - Montana Special Olympics State Games 2018-2020 Private Sector Ambulance Rep - Montana State Trauma Care Committee Past President - Montana EMS Association Vice-Chair, Government Affairs Committee - American Ambulance Association		
Previous and current public experience (elective or appointive): In approx 2004 I served on a group in Choteau, MT to determine the best form of local government for the town.		
Membership in other community organizations: Board of Directors - Great Falls Community Food Bank Past Patrol Director - Great Falls Ski Patrol		

<p>Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?</p>	
<p>Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?</p>	
<p>Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?</p>	
<p>Are you currently serving on a Board? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, which board?</p>	
<p>Great Falls Community Food Bank</p>	
<p>Please describe your interest in serving on this board/commission? Civic duty and to be involved in the community</p>	
<p>Please describe your experience and/or background which you believe qualifies you for service on this board/commission? As the GM for GFES, I frequently need to assess company actions to ensure the company is adhering to ethical standards promulgated by our national associations and both state and federal government oversight.</p>	
<p>Additional comments:</p>	
<p>Signature </p>	<p>Date: 7/29/20</p>

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

Return this form to:
City Manager's Office
P.O. Box 5021
Great Falls, MT 59403

Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)**

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: Ethics Committee		Date of Application: 07/31/2020
Name: Kenneth E. Engelhardt		
Home Address: 3605 Second Street Northest, Great Falls, MT 59404		Email address: kengelhardt@aware-inc.org
Home Phone: 406-453-4674	Work Phone: 406-868-7398	Cell Phone: 406-868-7398
Occupation: Licensed Mental Health Therapist		Employer: AWARE Inc
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)		
<p>Related experiences or background:</p> <p>Served in the US Air Force for 26 years. Investigated child abuse and neglect with DPHHS for 4.5 years. Managed a Therapeutic Group Home for teenagers. Currently serving as a Licensed Clinical Professional Counselor with AWARE at Mountain View Elementary School. I have a great deal of experience in supervising, planning, organizing, and decision-making. I have traveled the world extensively in peace and war, and have learned to appreciate diversity in all things.</p>		
<p>Educational Background:</p> <p>Master's Degree, Counselor Education, Montana State University Northern Bachelor of Science Degree, Sociology, minor in Management, University of Maryland Associates of Applied Science, Security Administration, Community College of the Air Force Non-Commissioned Officer Academy, Kadena Air Base, Okinawa, Distinguished Graduate Non-Commissioned Officer Leadership School, Ellsworth, South Dakota, Distinguished Graduate High School graduate with honors, South Park High School, South Park PA</p>		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
<p>Previous and current service activities:</p> <p>PLEASE REFER TO ATTACHED RESUME</p>		
<p>Previous and current public experience (elective or appointive):</p> <p>PLEASE REFER TO ATTACHED RESUME</p>		
<p>Membership in other community organizations:</p> <p>Founding member of the Electric City Educators, a division of the great Falls Uptown Optimist Club.</p>		

<p>Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?</p>	
<p>Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?</p>	
<p>Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?</p>	
<p>Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?</p>	
<p>Please describe your interest in serving on this board/commission?</p> <p>I chose to live in Great Falls 13 years ago. I have a strong desire to improve the conditions for my fellow residents. I see unlimited potential in the people, businesses, and most importantly, the children of Great Falls. I have lived a life of service and want to continue doing what I can to help others.</p>	
<p>Please describe your experience and/or background which you believe qualifies you for service on this board/commission?</p> <p>Through my service in the military from 1981-2007 and my life since, I have been faced with making ethical decisions daily. Although my decisions have not always been popular at the time, the results were consistently in the interest of what is right and what is best for others.</p>	
<p>Additional comments:</p> <p>I would be honored to serve in this position and appreciate the consideration of this application.</p>	
<p>Signature</p> <p>Kenneth E. Engelhardt</p>	<p>Date:</p> <p>07/31/2020</p>

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

Return this form to:

City Manager's Office
P.O. Box 5021
Great Falls, MT 59403

Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net

KENNETH E. ENGELHARDT

3605 2nd Street Northeast
Great Falls, Montana 59404
(406) 868-7398
kengelhardt@bresnan.net

Objective: To secure a volunteer position as a member of the Ethics Committee on the Great Falls City Commission. As a 26-year military Veteran, Investigator with the Child and Family Services Division, Therapeutic Group Home Manager, and Licensed Clinical Professional Counselor in a public school, I believe my life experiences and breadth of knowledge will be an asset to Great Falls City Commission.

HIGHLIGHTS OF QUALIFICATIONS

- Licensed Clinical Professional Counselor, working for the past five school years as a Therapist with AWARE, where I created two school therapy programs from scratch, serving children and families.
- Managed a Therapeutic Group Home for teenagers, bringing a lackluster facility up to the highest standards seen by state licensing officials, referral agencies, and mental health providers.
- Worked as a Child Protection Specialist for over four years, conducting over 300 investigations into allegations of child abuse and neglect, and working with families to overcome safety issues.
- Served honorably in the US Air Force for 26 years as a police officer and shift supervisor. Managed and supervised teams of 30-125 people for over 22 years, earning individual and team awards. Counseled subordinates, conducted mission critical training, and resolved personnel issues.
- Previously employed by the University of Great Falls as Adjunct Faculty Member, Fall 2014.

EXPERIENCE

2014 – Present, Treatment Service Clinician, Roosevelt/Mountain View Elementary Schools, AWARE Inc.

- Provides individual, group, and family therapy to at-risk students and their families. Performs crisis counselling as needed during the school day. Conducts comprehensive clinical assessments, diagnoses clients in accordance with the DSM-V, prepares treatment plans and case notes. Works closely with public school teachers and staff to provide a nurturing atmosphere of trust and safety for students suffering from severe emotional disturbances.

2012 – 2014 Program Manager, Portage Place Group Home Kairos Youth Services

- Responsible for the daily operations of a six-bed therapeutic group home for severely emotionally disturbed adolescents. Directly supervised eight direct-care staff members, coordinating all scheduling and personnel issues as needed. Conducted group counseling, individual counseling, and family therapy for residents as required. Managed all financial operations in the facility.

2007 - 2011 Child Protection Specialist Department of Public Health and Human Services

- Investigated reports of child abuse and neglect. Interviewed children, family members, and service providers to determine if allegations are substantiated. Prepared legal documents and testified in court regarding child safety concerns. Worked with families and provided guidance/referrals to improve conditions for children and assisted parents in providing an environment free of abusive or neglectful conditions.

2000 - 2007 Flight Chief 341st Security Forces Squadron, Malmstrom AFB, Montana and
31st Security Forces Squadron, Aviano Air Base, Italy

- Managed and supervised 35-100 person teams charged with securing nuclear weapons and protection of the base populace. Responsible for training and proficiency of security forces protecting US and host nation personnel and resources. Wrote and reviewed performance appraisals, incident reports, disciplinary actions, and official correspondence. Provided mentorship and career guidance to enlisted military personnel.

2003 - 2004 Operations Superintendent Karshi-Khanabad Air Base, Uzbekistan

- Directly supervised 44 Airman deployed in support of Operation Enduring Freedom. Conducted and managed airborne security missions into Afghanistan, Pakistan, and other allied countries. Senior enlisted security manager responsible for security, training, and welfare of deployed forces.

1999 - 2000 Superintendent of Evaluations 8th Fighter Wing, Kunsan Air Base, South Korea

- Led and managed a 125-person Exercise Evaluation Team, comprised of senior experts from all aspects of the wing's F-16 fighter mission. Scripted, orchestrated, and assessed base defense and readiness exercises. Worked directly for the Inspector General to properly prepare the wing for war.

1995 - 1999 Flight Sergeant 319th & 320th Missile Squadrons, FE Warren AFB, Wyoming

- Managed a 36-person armed security response team for Intercontinental Ballistic Missiles through a 23,000 square mile missile complex. Responsible for training, proficiency, and safety of forces.

1991-1994 Quality Control Evaluator/Security Supervisor, 374th Security Police Sq., Yokota AB, Japan

- Administered written, verbal and practical evaluation tests to over 150 personnel. Served on the Base Exercise Evaluation Team, evaluating unit performance in routine and emergency situations. Supervised police officers performing security, law enforcement, and customs operations. Provided on- scene command and control during emergency operations and daily police duties.

1991 Operations NCO 3rd Security Police Squadron, Clark Air Base, Philippines

- Co-authored and executed evacuation plans for 15,000 people during the Mount Pinatubo volcanic eruption. Developed and secured evacuation routes key to the success of the Operation Fiery Vigil.

1989 - 1991 Resource Manager/Fire Team Leader 839th Missile Security Sq. Malmstrom AFB, Montana

- Managed unit budget, purchased operational supplies, and conducted cost-benefit analyses for mission requirements. Monitored fitness of security forces under the Personnel Reliability Program. Led a four-person armed response force through the 35,000 square mile Minuteman Missile complex. Provided security supervision for nuclear weapons in transit and in maintenance status.

1983 - 1986 Desk Sergeant 406th Security Police Squadron, Zaragoza Air Base, Spain

- Dispatched and managed police forces in a joint US-Spanish environment. Controlled access to critical alarmed facilities, completed accident/incident reports, and supervised assigned personnel.

1981-1983 Security Controller/Security Force Member 5072nd Air Base Group, Galena Airport, Alaska
320th Security Police Sq, Mather AFB, California

Controlled and dispatched response forces guarding alert F-15 fighter aircraft. Monitored alarm equipment and accomplished all security reports, police blotters and incident reports. Provided security and armed response to B-52 aircraft on alert and the nuclear weapons storage area.

EDUCATION

- Masters Degree, Counselor Education, Montana State University Northern
- Bachelors of Science Degree, Sociology, minor in Management, University of Maryland
- Associates of Applied Science, Security Administration, Community College of the Air Force
- Non-Commissioned Officer Academy, Kadena Air Base, Okinawa, Distinguished Graduate
- Non-Commissioned Officer Leadership School, Ellsworth, South Dakota, Distinguished Graduate

PROFESSIONAL LICENSES

- Licensed Clinical Professional Counselor, State of Montana, September 2016, #19127

AWARDS AND RECOGNITION

- Air Force Meritorious Service Medal, with two Oak Leaf Clusters
- Air Force Commendation Medal with four Oak Leaf Clusters
- Air Force Achievement Medal with one Oak Leaf Cluster
- Joint Meritorious Unit Award with one Oak Leaf Cluster
- National Defense Service Medal with one Service Star
- Global War on Terrorism Expeditionary Medal
- Armed Forces Service Medal
- Military Outstanding Volunteer Service Medal with one Service Star
- Humanitarian Service Medal with one Service Star
- 2005 Senior Non-Commissioned Officer of the Year, 341st Security Forces Group
- 1999 Wing Staff Agency Senior Non-Commissioned Officer of the Year, 8th Fighter Wing

PROFESSIONAL REFERENCES

Cody Harvey, LCPC
 Licensed Clinical Professional Counselor
 (406) 318-4008

Riki Johnson Lackey, LCPC
 School Counselor, Giant Springs Elementary
 (406) 268-7055

Sally Seidel, LCPC
 CSCT Therapist, AWARE-Inc
 (406)799-0424



Ethics Committee Meeting Date: August 12, 2020
CITY OF GREAT FALLS
AGENDA REPORT

Item: Consider a change to the Rules and Procedures for Governing Ethics Committee related to address requirements for public comment during Ethic Committee meetings.

From: City Manager’s Office

Initiated By: City Commission

Presented By: Sara Sexe, City Attorney

Action Requested: Change to address requirements for public comment during Ethics Committee meetings.

Suggested Motion:

1. Committee Member moves:

“I move that the Ethics Committee (accept/not accept) a change its rule regarding requiring addresses for public comment during meetings and allow speakers to provide either their address or state whether they are a City resident for the record.”

2. Presiding Officer requests a second to the motion, public comment, Committee discussion, and calls for the vote.

Summary: On July 7, 2020 the City Commission adopted Resolution 10359 amending Rule 10.1 of the City Commission Rules of Conduct and Procedure of Commission Meetings. All City Boards, Commissions, Councils and Committees are being encouraged to review their meeting procedures and consider a change to their requirements.

This excerpt from the Rules and Procedures for Governing Ethics Committee identifies in part the procedures for Public Participation:

PART VII. Guide for Public Participation

Section 7.01 Guidelines for Public Participation. The following guidelines shall serve to ensure reasonable and fair public participation in the decisions of the Ethics Committee.

1. The public shall be invited to speak on any item under consideration by the Committee after and only after recognition by the presiding officer.
2. The speaker should step to the front of the room, and for the record, give his or her name and address and, if applicable, the person, or organization he or she represents.

...

Staff is recommending a change to Item 2 to allow the speaker to provide either their address or whether they are a City resident.

Background:

On November 19, 2019, the City Commission adopted Resolution 10322, which consolidated its meeting rules into one reference document – City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings. After a request from a citizen during a recent Commission meeting, the City Commission requested that Staff review the requirement that speakers provide their addresses for the record when they speak at public meetings.

Montana’s Constitution and laws require that the local government decision making process be conducted openly and with reasonable opportunities for citizens to participate. Proper decorum for City meetings requires management of time, place, and manner of public participation to facilitate the work of the governing body on all matters that impact the City.

Staff reviewed the issue and researched other cities’ policies. In light of the balancing of citizens’ privacy and interests or claims thereof, Staff recommended that Rule 10.1 of the City of Great Falls Rules of Conduct and Procedure of Commission Meetings be amended to provide speakers the option to either provide their address or state whether they are a City resident for the record, when addressing the City Commission at public meetings. The identification of residency would not be provided to prohibit persons from public comment.

The Ethics Committee determines its own rules and order of business. If the Committee agrees with the staff recommendation, Section 7.01.2 would read: “The speaker should step to the front of the room, and for the record, either provide their address or state whether they are a City resident for the record, and, if applicable, identify the person, or organization he or she represents.”

Alternatives: The Committee could choose to keep the current rules and procedures.

Attachments/Exhibits:

Rules and Procedures for Governing Ethics Committee
Resolution 10359

Rules and Procedures for Governing Ethics Committee

PART I. General Provisions

Section 1.01 Purpose. The purpose of this policy is to establish the rules of procedure for the conduct of meetings and the transaction of business by the Great Falls Ethics Committee (Committee). These rules of procedure are intended to ensure that the Committee can accomplish its work efficiently, openly and with reasonable opportunity for the public to participate in the deliberations and decisions of the City's governmental agencies.

Section 1.02 Authority. These rules of procedure are promulgated pursuant to and supplement Title 2, Chapter 21, of the Official Code of the City of Great Falls, as well as Mont. Code Ann. Title 1, Chapter 1, Part 41; Title 7, Chapter 5, Part 41; Title 2, Chapters 2 and 3.

PART II. Public Participation

Section 2.01 Policy. It is the policy of the Committee that the public shall be afforded reasonable opportunity to participate in its operation prior to the final Committee decision concerning any matter of significant interest to the public.

Section 2.02 Open Meetings. A meeting of the Committee is convened whenever a quorum of Committee members will hear, discuss or act upon any matter over which it has jurisdiction. All meetings of the Committee shall be open to the public. However, the presiding officer of the Committee may close any meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and in that event, the meeting must be open.

Section 2.03 Notice. The Committee shall give timely notice of any public hearing or any meeting to discuss or act upon any matter of significant interest to the public, as prescribed by law. Additionally, the agenda of all scheduled meetings of the Committee shall be publicly posted no later than 48 hours prior to the meeting.

Section 2.03 Public Posting Board. The Committee designates as its official posting place the Great Falls Civic Center posting board and City of Great Falls website.

PART III. Procedures

Section 3.01 Quorum. A quorum of the Committee shall consist of two Committee members. No meeting of the Committee shall be convened without a quorum and no decision of the Committee on any matter shall be made except by the affirmative vote of two members.

Section 3.02 Appointment of Officers. As soon as practicable after its creation, the Board shall meet and organize by electing from its members a Chairperson and a Vice Chairperson. Thereafter, at its first regular meeting in each year, the Board shall elect from its members a Chairperson and Vice Chairperson. The Chairperson shall act as the presiding officer. The Vice Chairperson shall have authority to act as Chairperson of the Board during the absence or disability of the Chairperson.

Section 3.03 Staff Liaison. City staff from the City Manager’s Office will assist the Committee with preparing, posting and advertising Committee meeting agendas; City Clerk’s Office will assist with taking minutes, recording or televising meetings, and retention of records; and, the City Attorney’s Office will assist the Committee with the development of its recommendations.

Section 3.04 Agenda Preparation. Proposed reports, recommendations, and all other matters requiring discussion, or decision by the Committee shall be submitted to staff by 12:00 noon on Thursday immediately preceding the next regularly scheduled meeting of the Committee. The liaison shall arrange the matters requiring discussion or action into an agenda according to the order of business specified herein. Copies of the agenda shall be provided to each member of the Committee no later than 48 hours prior to the scheduled meeting. Copies of the agenda shall be readily available to the press and to the public at large and one copy shall be posted on the designated public posting board no later than 48 hours prior to the scheduled meeting.

Section 3.05 Order of Business. The staff shall prepare the agenda in substantially the following form which may be altered by consent of the Board:

1. Roll Call of the Committee Members
2. Approval of Minutes of the Previous Meeting.
3. Public Comment on anything not on the agenda but within the jurisdiction of the Committee.
4. Scheduled Matters, including New Business, Old Business and other items.
5. Unscheduled Matters: An item that is not scheduled on the agenda for the current meeting may be discussed during the session at the discretion of the Committee. However, the purpose of such discussion shall be to decide whether or not to schedule the item for discussion and/or vote on a subsequent agenda. As a general rule, no matter of significant interest to the public should be decided upon without prior notice to the public as a scheduled Committee agenda item.
6. Adjournment.

PART IV. Rules of Committee Participation

Section 4.01 Policy. To provide for the effective participation by all members of the Committee and to protect the right of participation by members of the public appearing before the Committee, all meetings of the Committee shall be conducted in general conformance with the provisions of the current edition of Robert’s Rules of Order, except when inconsistent with law.

Section 4.02 Rules. Committee debate shall proceed in accordance with the following rules:

1. A Committee Member desiring to speak shall address the presiding officer, and upon recognition, shall confine him or herself to the question under debate, avoiding abusive and indecorous language.
2. A Committee Member once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or as herein otherwise provided. If a Committee Member while speaking is called to order, he or she shall cease speaking until the question or order is determined, and, if in order, he or she shall be permitted to proceed.
3. Order of rotation in matters of debate or discussion shall be at the discretion of the presiding officer.

4. A motion may be made by any member of the Committee but must be seconded prior to discussion and vote. If the motion is not seconded, it shall be declared failed for lack of a second by the presiding officer.
5. A motion to reconsider any action taken by the Committee may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed and reconvened session thereof. Such a motion may only be made by a Committee Member of the prevailing side, but may be seconded by any Committee Member and it shall be debatable.
6. Nothing herein shall be construed to prevent any member of the Committee from making or remaking the same or any other proper motion at a subsequent meeting of the Committee, but the matter must be a scheduled agenda item.

Section 4.03 Suspension of the Rules of Debate. The rules of debate may be suspended temporarily by the unanimous vote of the entire Committee.

Section 4.04 Majority of Whole Committee Required. The affirmative vote of two Committee Members is required to adopt any measure.

Section 4.05 Duty to Vote. It shall be the duty of each Committee Member to vote in the affirmative or negative on each motion duly placed before the Committee by the presiding officer. A Committee Member may make a brief explanation of the reason why he or she voted in a particular way.

Section 4.06 Proxy Voting. A Committee Member who is not present in the meeting at the time a motion is put to a vote cannot vote. Committee Members shall not be permitted to vote by a proxy vote or by written vote.

Section 4.07 Conflict of Interest. Any member of the Committee who has a private interest, as defined by law or as so advised by the City Attorney, in any matter pending before the Committee shall not participate in the debate, nor vote in that matter, nor seek to influence the vote of members of the Committee, except as otherwise provided by 2-2-201, MCA. If the presiding officer has a private interest in a matter pending before the Committee, he or she shall yield the chair to the Vice Chairperson during the course of debate and decision concerning the matter in which he or she has a private interest, in compliance with the City’s Code of Ethics.

Section 4.08 Vacancies. A member of the Committee may be removed pursuant to OCCGF 2.23.020.

PART V. Presentation to the Committee

Section 5.01 Procedures. The general procedure by which items are handled by the Committee Members at other than public hearings shall be as follows:

1. The presiding officer or staff member presents the item to the Committee along with a brief summary of the matter for discussion, with or without the presiding officer’s recommendation.
2. Comments from the applicant or applicant’s representative will then be heard by the Committee.
3. For the purpose of clarification and after recognition by the presiding officer, Committee Members may direct questions about the item to the presiding officer or staff member.
4. After recognition from the presiding officer, the Committee may direct questions to the applicant.

5. The presiding officer will then invite members of the audience to present or submit testimony beginning with those in favor of the proposal, followed by those who oppose the proposal and concluding with those who neither favor nor oppose the proposal.
6. All testimony shall be directed to the presiding officer.
7. The Committee may, upon a proper motion and second, vote on the matter or table the matter until a date certain.

PART VI. Public Hearings

Section 6.01 Procedures. The Committee shall conduct public hearings as required by law. Public testimony will be presented to the Committee in the same format as described in PART V above, except that witnesses may be required to testify under oath as provided by law in which case the Committee shall not be bound by the strict rules of evidence, but may exclude irrelevant, immaterial, incompetent, or unduly repetitious testimony or evidence. The presiding officer shall, with advice from the City Attorney/legal counsel, rule on all questions relating to the admissibility of testimony or evidence. The ruling of the presiding officer may be overruled by a majority vote of the Committee. Additionally, the following rules of procedure shall apply:

1. The proponents or opponents, their agent or attorney, may submit petitions and letters prior to the closing of the hearing and the same shall be entered by reference into the minutes and considered as other testimony received at the hearing.
2. Following the presentation of all testimony and evidence, the Committee may: (1) Continue the hearing to a date certain to allow additional information to be submitted to the Committee; (2) Close the public hearing and proceed to Committee debate of the matter; or (3) Continue the Committee debate and vote to a date certain.
3. A public hearing which has been formally closed may not be reopened. If additional information is required before a decision can be made, the Committee, upon motion duly made, seconded and passed, may call for an additional public hearing which hearing shall be duly noticed as required by law and this policy.

PART VII. Guide for Public Participation

Section 7.01 Guidelines for Public Participation. The following guidelines shall serve to ensure reasonable and fair public participation in the decisions of the Ethics Committee.

1. The public shall be invited to speak on any item under consideration by the Committee after and only after recognition by the presiding officer.
2. The speaker should step to the front of the room, and for the record, give his or her name and address and, if applicable, the person, or organization he or she represents.
3. Prepared statements are welcomed and should be given to the presiding officer and noted in the minutes of the meeting. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become a part of the permanent record.
4. While the Committee is in session, members of public must preserve order and decorum. No person shall delay or interrupt the proceedings or the peace of the Committee nor disturb any member of the public or of the Committee while speaking or refuse to obey the orders of the presiding officer of the Committee.

5. Any person who while testifying shall use indecorous or abusive language or who shall become boisterous or disruptive shall be barred from further presentation to the Committee by the presiding officer, unless permission to continue be granted by a majority vote of the Committee.

Section 7.02 Minutes and Records. The City Clerk or designee shall attend all official meetings of the Committee and document all proceedings in legally appropriate minutes as set forth in Mont. Code Ann. § 2-3-212.

All City boards, commissions, councils and committees are subject to the State of Montana records retention policy. The City Clerk or designee will handle retention of agendas, agenda packet material, minutes, and other meeting material. Correspondence, including email, and other records or documentation in written or electronic format pertaining to Committee business, shall be kept and maintained pursuant to the applicable retention laws and regulations.

RESOLUTION NO. 10359

A RESOLUTION AMENDING RESOLUTION 10322, RULE 10.1 OF THE CITY OF GREAT FALLS COMMISSION RULES OF CONDUCT AND PROCEDURE OF COMMISSION MEETINGS

WHEREAS, rules of procedure and public debate are to facilitate the transaction of public business in an orderly way; and

WHEREAS, Montana's constitution and laws require that the local government decision making process be conducted openly and with reasonable opportunity for citizens to participate; and

WHEREAS, proper decorum for City Commission meetings requires management of time, place, and manner of public participation to facilitate the work of the governing body on all matters that impact the City; and

WHEREAS, Mont. Code Ann. § 7-3-4323 authorizes the Commission to determine its own rules and order of business; and

WHEREAS, throughout the years Commission rules and procedures have been adopted in various forms, in addition to those provided for in state statute or the Charter of the City of Great Falls; and

WHEREAS, on November 19, 2019, the City Commission adopted Resolution 10322 which consolidated its meeting rules into one reference document – City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings; and

WHEREAS, at its June 2, 2020, Commission meeting (Agenda Item 16), the City Commission requested that staff research the requirement of citizens providing their street address for public comment. Based upon that research, staff recommends that Rule 10.1 of the City of Great Falls Rules of Conduct and Procedure of Commission Meetings be amended to provide speakers an option to state either their address or whether they are a City resident when addressing the City Commission at public meetings for the record.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that Rule 10.1 of the City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings is amended to read as follows:

Rule 10. Public Participation

Procedures for encouraging and assisting public participation, and established protocol and rules of decorum at public meetings held by the City Commission, are as follows:

1. Persons addressing the Commission shall come to the podium and provide for the record that person's name **and either their address or whether they are a City resident**, and, if applicable, the person, firm or organization the person represents.

BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that all other provisions of Resolution 10322 – City of Great Falls Commission Rules of Conduct and Procedure of Commission Meetings adopted November 19, 2019, remain in full force and effect.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, July 7, 2020.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney