



**Ethics Committee Agenda**  
**2 Park Drive South, Great Falls, MT**  
**Rainbow Room, Civic Center**  
**September 18, 2023**  
**3:00 PM**

The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>.

Public participation is welcome in the following ways:

- Attend in person.
- Provide public comments in writing by 12:00 PM the day of the meeting: Mail to City Manager's Office, PO Box 5021, Great Falls, MT 59403, or via email to: [kartis@greatfallsmt.net](mailto:kartis@greatfallsmt.net). Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the Ethics 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 TO ORDER**

### **ROLL CALL**

Seana Westcarr-Gray - Chair  
Justin Grohs - Vice Chair (Alternate Member)  
David Sneddon  
Jordyn Rogers

## **RECOGNITION OF STAFF**

## **COMMITTEE AGENDA ITEMS**

1. Approval of Meeting Minutes, January 19, 2022.
2. Review Rules and Procedures for Governing the Ethics Committee – City Attorney David Dennis
3. Miscellaneous Reports or Announcements from Ethics Committee Members.  
*(Items under this section may be discussed in order to decide whether or not to schedule an item for discussion and/or vote on a subsequent agenda)*
4. Appointment of Officers.

## **PUBLIC COMMENT**

*Public Comment on any matter and that is within the jurisdiction of the Ethics Committee. Please state your name and either your address or whether you are a City resident and keep your remarks to a maximum of five (5) minutes.*

## **ADJOURNMENT**

Regular Ethics Commission Meeting

Virtual Meeting by Zoom

**CALL TO ORDER:** Interim Vice-Chairperson Justin Grohs called the meeting to order at 10:00 AM.

**ROLL CALL:** Ethics Committee Members (CM) participated electronically via Zoom: Carmen Roberts, Seana Westcarr-Gray, and Alternate CM Justin Grohs.

**RECOGNITION OF STAFF:** City Clerk Lisa Kunz and City Attorney Jeff Hindoien.

The format of the Ethics Committee meeting was held in a virtual video-conferencing environment. To honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), public participation was welcomed as follows: Register in advance to attend the virtual meeting utilizing Zoom: <https://us02web.zoom.us/j/89254074379?pwd=S1BrOHhRSFhvTnd5MzhOaW9uK0Zpdz09>

- Provide written public comments. Comments may be sent by mail to the City Manager's Office, PO Box 5021, Great Falls, MT 59403 or by email to: [kartis@greatfallsmt.net](mailto:kartis@greatfallsmt.net) and must be received before 8:00 A.M. on Wednesday January 19, 2022. Due to tracking and dissemination requirements, written communication must be received by that time in order to be shared with the Ethics Committee and appropriate City staff for consideration during the agenda item 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. 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.

**1. APPROVAL OF MEETING MINUTES - - June 9, 2021.**

**CM Roberts moved, seconded by Alternate CM Grohs, that the Ethics Committee approve the meeting minutes of June 9, 2021 as presented.**

Interim Vice-Chair Grohs asked if there was any discussion amongst the Committee or comments from the public. Hearing none, Interim Vice-Chair Grohs called for the vote.

Motion carried 3-0.

**2. CONSIDER RECOMMENDATION ON APPOINTMENT OF A MEMBER TO THE ETHICS COMMITTEE.**

Interim Vice-Chair Grohs reported that Katrina Stark's term ended December 31, 2021. One application was received from David Sneddon.

**CM Roberts moved, seconded by CM Westcarr-Gray, that the Ethics Committee**

**recommend the appointment of David Sneddon to the Ethics Committee.**

Interim Vice-Chair Grohs commented that the recommendation of David Sneddon to the Ethics Committee would be for a three-year term through December 31, 2024.

Interim Vice-Chair Grohs asked if there was any discussion amongst the Committee.

Interim Vice-Chair Grohs commented that it seemed like a solid application and that Mr. Sneddon would be a great addition to the Ethics Committee.

CM Roberts agreed and added he had an interesting background.

Interim Vice-Chair Grohs asked if there were any comments from the public. Hearing none, Interim Vice-Chair Grohs called for the vote.

Motion carried 3-0.

### **3. APPOINTMENT OF OFFICERS.**

Interim Vice-Chair Grohs reported that the last action item on the agenda is the appointment of a Chairperson and Vice-Chairperson. At the June 9, 2021 committee meeting, Katrina Stark was appointed as Interim Chair. Her term has ended and she is no longer on the Ethics Committee. He was appointed as Interim Vice-Chair until appointments of officers could be added to the next agenda, which is this agenda. His appointment to the Ethics Committee was as an alternate member to participate when there is not a third member present. Pursuant to the Rules and Procedures for Governing the Ethics Committee, at the first regular meeting in each year, the Ethics Committee will elect from its members a Chairperson and Vice-Chairperson.

Interim Vice-Chair Grohs asked if there were any volunteers for Chairperson.

CM Roberts commented that she had served as Chairperson for four years and will abstain from volunteering.

CM Westcarr-Gray inquired if there was anything preventing Alternate CM Grohs from being nominated as Chairperson.

City Clerk Lisa Kunz responded that Alternate CM Grohs could be appointed as a Vice-Chair, but not as Chairperson.

City Attorney Jeff Hindoien added that the Ethics Committee designated three members and one alternate. Pragmatically speaking, it would be difficult for an alternate to serve as Chair because the alternate is really only in the position to serve on the Committee when one of the three members is unable or unavailable.

After a brief discussion, CM Westcarr-Gray volunteered.

**Alternate CM Grohs moved, seconded by CM Roberts, that the Ethics Committee appoint Seana Westcarr-Gray as Chairperson of the Ethics Committee effective at the next Ethics Committee meeting.**

Interim Vice-Chair Grohs asked if there was any discussion amongst the Committee or comments from the public. Hearing none, Interim Vice-Chair Grohs called for the vote.

Motion carried 3-0.

Interim Vice-Chair Grohs asked the will of the Committee with regard to appointment of a Vice-Chairperson.

After a brief discussion, Alternate CM Grohs noted he would be happy to continue in that role.

**CM Roberts moved, seconded by CM Westcarr-Gray, that the Ethics Committee nominate Justin Grohs as Vice-Chairperson of the Ethics Committee.**

Interim Vice-Chair Grohs asked if there was any discussion amongst the Committee or comments from the public. Hearing none, Interim Vice-Chair Grohs called for the vote.

Motion carried 3-0.

**PUBLIC COMMENT.**

None. [There were no public attendees at this Zoom meeting.]

**ADJOURNMENT.**

There being no further business to come before the Committee, CM Roberts moved, seconded by CM Westcarr-Gray to **adjourn the regular meeting of January 19, 2022, at 10:16 a.m.**

Motion carried 3-0.

\_\_\_\_\_  
Justin Grohs, Interim Vice-Chairperson

\_\_\_\_\_  
Acting Secretary – City Clerk Lisa Kunz

Minutes Approved: \_\_\_\_\_, 2022

Jurassic Parliament

Masterin meetings using Robert's Rules

## Approving minutes if you were absent

By Ann Macfarlane | September 27, 2016

Is it all right for you to vote to approve minutes of a meeting if you were absent? Robert's Rules of Order gives a resounding "yes" as the answer to this question.

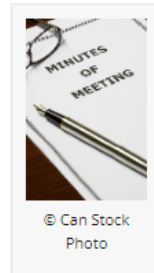
When you vote to approve the minutes, you are expressing your confidence in the veracity of the secretary, the actions of your colleagues, and the correctness of the minutes preparation process. You are not making a personal eyewitness statement that "you were there."

The body needs an official record of its actions, and all members may approve that record. This means that you should not abstain from voting to approve minutes of a meeting if you were absent from that meeting.

*Robert's Rules of Order Newly Revised, 12<sup>th</sup> edition says this:*

*It should be noted that a member's absence from the meeting for which minutes are being approved does not prevent the member from participating in their correction or approval. 41:11.*

In the same vein, a newly elected member may vote to approve minutes, and a member who was not present at a meeting has the right to move approval of the minutes of that meeting.



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## 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 either their address or whether they are a City Resident 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.