



Ethics Committee Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
November 13, 2023
10:00 AM

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 8:00 AM 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. 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

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

RECOGNITION OF STAFF

COMMITTEE AGENDA ITEMS

1. Approval of Meeting Minutes, September 18, 2023.
2. Consider Recommendation on Appointment or Reappointment of a Member to the Ethics Committee.
3. Hearing of Ethics Complaint against Commissioner Rick Tryon filed by Jasmine Taylor.

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.

4. Miscellaneous reports and announcements from the Public.

ADJOURNMENT

Regular Ethics Commission Meeting

CALL TO ORDER: Chairperson Seana Westcarr-Gray called the meeting to order at 3:08 PM.

ROLL CALL: Ethics Committee Members (CM) present: Seana Westcarr-Gray, David Sneddon, Jordyn Rogers, and Alternate CM Justin Grohs.

RECOGNITION OF STAFF: Deputy City Clerk Darcy Dea, Executive Assistant Krista Artis and City Attorney David Dennis.

1. APPROVAL OF MEETING MINUTES - - January 19, 2022.

CM Sneddon moved, seconded by CM Rogers, that the Ethics Committee approve the meeting minutes of January 19, 2022 as presented.

Chair Westcarr-Gray asked if there was any discussion amongst the Committee or comments from the public.

Hearing none, Chair Westcarr-Gray called for the vote.

Motion carried 3-0.

2. REVIEW RULES AND PROCEDURES FOR GOVERNING THE ETHICS COMMITTEE.

City Attorney David Dennis reviewed handouts titled: "Rules and Procedures for Governing Ethics Committee" and Robert's Rules Approving Minutes if you are absent."

Alternate CM Grohs inquired about the process of submitting an ethics complaint.

Executive Assistant Krista Artis responded that once a complaint is submitted to the City Manager's Office, the City Manager and City Attorney determine whether to refer the complaint to the Ethics Committee for consideration.

City Attorney Dennis explained that a meeting of two Committee Members would be considered a quorum and subject to all of the public meeting requirements. He commented that members should not have discussions amongst each other before an Ethics Committee Meeting begins.

Executive Assistant Artis added that videos from past Ethics Committee Meetings are posted on the City's website for review of how meetings are conducted. Ms. Artis explained that Jordan Crosby is generally the outside counsel for the Ethics Committee and the City Attorney's office assists City staff. The terms for Committee Members are:

Jordyn Rogers December 31, 2025; Seana Westcarr-Gray December 31, 2023; David Sneddon December 31, 2024; and Alternate Justin Grohs December 31, 2025. Dan Clark with the MSU-Local Government Center will conduct board, commission and council training in January 2024 and would include further information about Robert's Rules. Committee Members are required to fill out Conflict Disclosure forms annually and it is the member's responsibility to inform City staff if there is a conflict of interest.

Alternant CM Grohs mentioned that at prior Ethics Committee Meetings, outside legal counsel, Jordan Crosby, has met with the committee before a hearing.

CM Rogers inquired if increasing the number of members has been considered.

Ms. Artis responded that the Ethics Committee has only met six times since it originated and things will change again before there is another Ethics Committee meeting. The members can serve on the Ethics Committee for three terms.

CM Rogers received clarification that if the Ethics Committee chooses, it could have annual meetings to review rules and procedures.

CM Sneddon received clarification that the Chairperson would be responsible for determining whether to close any meeting if determined the demands of individual privacy clearly exceed the merits of public disclosure.

3. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM ETHICS COMMITTEE MEMBERS.

Chair Westcarr-Gray moved, seconded by CM Sneddon, that the Ethics Committee meet annually starting September 2024.

Chair Westcarr-Gray asked if there was any discussion amongst the Committee or comments from the public.

Hearing none, Chair Westcarr-Gray called for the vote.

Motion carried 3-0.

4. APPOINTMENT OF OFFICERS.

Ms. Artis explained that the Ethics Committee needs to appoint officers at this meeting for 2023 and again at the next meeting in 2024, either at a hearing or at the annual meeting in September 2024.

CM Rogers received clarification that adjusting the officer's terms to two years could possibly be changed in the Rules & Procedures for Governing Ethic Committee. CM Rogers suggested that the appointment of officers take place prior to the next hearing of the Ethics Committee.

Ms. Artis recommended choosing officers at a meeting via Zoom in January 2024.

CM Snedden suggested that the Chairperson should have knowledge of Robert's Rules.

Chair Westcarr-Gray moved, seconded by CM Rogers, that the Ethics Committee schedule its first official meeting to vote on the Committee Members in January 2024.

Chair Westcarr-Gray asked if there was any discussion amongst the Committee or comments from the public.

Hearing none, Chair Westcarr-Gray called for the vote.

Motion carried 3-0.

Chair Westcarr-Gray moved, seconded by CM Snedden that the Ethics Committee open up for discussion the appointment of officers to the Ethics Committee.

Chair Westcarr-Gray asked if there was any comments from the public. Hearing none, Chair Westcarr-Gray asked if there was any discussion amongst the Committee.

CM Snedden received clarification that this appointment would be for the remainder of 2023, or until the meeting in January 2024.

CM Rogers agreed, adding that the Ethics Committee could make a motion at its January meeting to keep the officer appointments the same.

Chair Westcarr-Gray indicated that her term expires at the end of 2023 and is interested in continuing as Chairperson through the term.

CM Rogers received clarification that an alternate member can be Vice Chair but not Chair. She inquired if Chair Westcarr-Gray and Alternate CM Grohs were still interested in maintaining their positions.

Chair Westcarr-Gray responded that she would remain Chairperson unless someone else is interested.

CM Rogers stated that she has years of experience with Roberts Rules, is interested, and would be willing to serve as Chairperson or Vice Chair.

Alternate CM Grohs commented that he is fine with being the Vice Chair; however, he would defer that to anyone who has an interest in filling the role of Vice Chair.

There being no further discussion amongst the Committee, **Chair Westcarr-Gray moved, seconded by CM Snedden that the Ethics Committee appoint Jordyn Rogers as Chairperson to the Ethics Committee.**

Chair Westcarr-Gray asked if there was any discussion amongst the Committee or comments from the public.

Hearing none, Chair Westcarr-Gray called for the vote.

Motion carried 3-0.

Chair Westcarr-Gray moved, seconded by CM Rogers that Justin Grohs remain as Vice Chairperson on the Ethics Committee.

Chair Westcarr-Gray asked if there was any discussion amongst the Committee or comments from the public.

Hearing none, Chair Westcarr-Gray called for the vote.

Motion carried 3-0.

PUBLIC COMMENT.

None.

ADJOURNMENT.

There being no further business to come before the Committee, CM Sneddon moved, seconded by CM Rogers to **adjourn the regular meeting of September 18, 2023, at 4:03 p.m.**

Motion carried 3-0.

Seana Westcarr-Gray, Chairperson

Acting Secretary – Deputy City Clerk Darcy Dea

Minutes Approved: _____



Ethics Committee Meeting Date: November 13, 2023

**CITY OF GREAT FALLS
AGENDA REPORT**

Item: Consider Recommendation on Appointment or Reappointment of a Member to the Ethics Committee

From: City Manager's Office

Initiated By: City Commission

Presented By: David Dennis, City Attorney

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

Suggested Motion:

1. Committee Member moves:

"I move that the Ethics Committee recommend the (appointment/reappointment) of _____ as Member to the Ethics Committee for a three-year term through December 31, 2026."

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

Summary: Seana Westcarr-Gray was appointed to the Ethics Committee on June 7, 2021 to fill the remainder of a three year term expiring on December 31, 2023. Ms. Westcarr-Gray is interested and eligible for serving an additional term. City staff advertised for other citizen interest for the position and received one application from Ms. Atreyi Pramanik. The Committee is being provided both applications to consider making a recommendation to the City Commission for the appointment or reappointment.

The current City Policy Concerning Appointments to Boards and Commissions was adopted through Resolution 10524. A full copy of this policy is included as an attachment to this report as a reference.

The policy identifies the requirement to advertise for all vacancies and encourages Boards and Commissions to make recommendations to the City Commission regarding appointments or reappointments.

3. All board vacancies will be advertised on the City's Website and sent out to local media. In the case of a member eligible for and interested in reappointment, if the member is in good standing, his or her application shall be brought before the City Commission for consideration for reappointment along with all newly received applications. The City Commission reserves the right to accept or reject that member for reappointment.

4. Boards and commissions are encouraged to make recommendations to the City Commission regarding appointments to vacant positions on any Board or Commission, but the City Commission reserves the right to accept or reject those recommendations.

Committee Membership: These guidelines are identified in the Official Code of the City of Great Falls §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.

Alternatives:

The Committee could choose not to make a recommendation to the City Commission.

Attachments/Exhibits:

Copy of Resolution 10524

Application – Seana Westcarr-Gray

Application – Atreyi Pramanik

RESOLUTION NO. 10524**A RESOLUTION ESTABLISHING A POLICY CONCERNING APPOINTMENTS TO BOARDS AND COMMISSIONS AND REPEALING RESOLUTION 10235.**

WHEREAS, the City Commission has the responsibility, both solely and in conjunction with other units of government, for making appointments to several Boards and Commissions; and

WHEREAS, Resolution 10524 will apply to all Boards and Commissions unless federal or state law dictates otherwise; and

WHEREAS, the purpose of the City Boards and Commissions is to provide opportunity for citizen participation in government and provide assistance and recommendations to the City Commission; and

WHEREAS, the City Commission is committed to involving as many citizens as possible in the decision-making process.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that:

1. Except as provided below, or as otherwise specified by ordinance or other resolution adopted by the City Commission, the maximum uninterrupted length of service on any single board or commission shall be two consecutive terms, exclusive of the time served on any unexpired term, for each person appointed by the City Commission.

The following boards and commissions are excepted from this requirement, in the following particulars:

- a) Great Falls Housing Authority: In accordance with state law, tenant members may serve five (5) consecutive two-year terms, exclusive of the time served on any expired term [Mont. Code Ann. § 7-15-4432(2)].
 - b) Business Improvement Districts: district boards established to govern the affairs of a business improvement district may recommend to the City Commission appointments pursuant to any by-laws adopted by the recommending district. Subject to the provisions of Section 5 below, if a district board can demonstrate that its active efforts to recruit qualified and eligible new applicants to replace a board member who has served two consecutive terms have been unsuccessful, the City Commission will consider waiving the term limit for no more than one additional term.
2. Members whose terms expire shall serve until a successor is appointed and qualified.
 3. All board vacancies will be advertised on the City's Website and sent out to local media. In the case of a member eligible for and interested in reappointment, if the member is in good standing, his or her application shall be brought before the City Commission for consideration for reappointment along with all newly received applications. The City Commission reserves the right to accept or reject that member for reappointment.

4. Boards and commissions are encouraged to make recommendations to the City Commission regarding appointments to vacant positions on any Board or Commission, but the City Commission reserves the right to accept or reject those recommendations.
5. The City Commission acknowledges that some board and commissions may have adopted bylaws and/or policies to assist in the management of their affairs, and that some of these same by-laws and/or policies may contain provisions regarding appointments and tenure of board and commission members, and processes for recruitment. The City Commission is not bound by these bylaws and/or policies. Except as provided by federal or state law, the authority of the City Commission in the appointment process is paramount and supersedes any bylaw provisions and/or policies.
6. The City Commission reserves the right to interview applicants to any board or commission.
7. Citizens may not serve on two or more boards or commissions simultaneously, unless authorized to do so by the City Commission.
8. Unless otherwise provided by resolution or ordinance, all terms shall begin on the date of appointment.
9. The City Manager shall approve an internal advertising and appointment procedure for member recruitment.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 1st day of August, 2023.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney



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

Agenda # 2.

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: 4/30/2021	
Name: Seana Westcarr-Gray			
Home Address: 1313 Beargrass Dr., Great Falls, MT 59404		Email address: seana12b@yahoo.com	
Home Phone:	Work Phone:	Cell Phone: 540-842-7265	
Occupation: MPH Student at UM Missoula		Employer: n/a	
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain) No			
Related experiences or background: I have earned a Law Degree and am familiar with the rules of Eithics. While I am not an attorney, I have volunteered at the Cascade County Law Clinic, and worked in the past for the City Prosecutor's Office as an Investigator/Witness Coordinator.			
Educational Background: BS. Biology (Chemistry Minor) 1996, MS Biology (1998), JD - Juris Doctor (2009), MPH - currently enrolled at UM Missoula			
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:			
Previous and current service activities: I have volunteered for a few organizations within Great Falls, such as Meadow Lark Elementary from 2013-2020, and the Cascade County Law Clinic in 2015. All other activity has been through private employment.			
Previous and current public experience (elective or appointive): n/a			
Membership in other community organizations: n/a			

<p>Have you ever worked for or are you currently working for the City of Great Falls? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, where and when? I am a former employee of the City Prosecutor's Office. I worked as an Investigator/Witness Coordinator in 2018.</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? I am interested in serving the City of Great Falls in any way possible and giving back to my community. The Ethics Committee is of interest to me as I am familiar with the field, and I love the idea of bringing the appropriate standard of care to our citizens regardless of the industry one may be involved in.</p>	
<p>Please describe your experience and/or background which you believe qualifies you for service on this board/commission? What got me interested in serving the City of Great Falls is the Health Policy course I just completed. With my legal and science background, I was motivated to get involved in policies that may enrich my community and better serve the community. I believe the Ethics Committee would be a great place to give back as it would tap into my legal training and interest, while allowing me to delve into other areas.</p>	
<p>Additional comments:</p>	
<p>Signature <i>Seana Westcarr-Gray</i></p>	<p>Date: 4/30/2021</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)

Agenda # 2.

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: Great Falls Ethics Committee		Date of Application: 10/20/2023	
Name: Atreyi Pramanik			
Home Address: 412 36th Ave NE, Great Falls, Montana, 59404.		Email address: maiti.atreyi@gmail.com	
Home Phone:	Work Phone: 502-892-1417	Cell Phone: 502-892-1417	
Occupation: Former State Director of Research of Kentucky		Employer: KHEAA & KHESLC	
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: State document research and policy setting for the state, executive management, staff management, handling directors, attending board of director's meeting & hiring. Almost 18 years ago career began after graduated from Master degree. Also have experience in policy making and bill making for the state.			
Educational Background: B.Sc., M.Sc., MBA, EdD (pursuing)			
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:			
Previous and current service activities: Answer provided in the seperate sheet			
Previous and current public experience (elective or appointive): Answer provided in the seperate sheet			
Membership in other community organizations: Former research agenga committee member of KYSTAT(Gov.) for policy research & presented to board & former program committee member of KHEAA & KHESLC (Gov.)			

Have you ever worked for or are you currently working for the City of Great Falls? Yes ☐ No ☒ If yes, where and when?

Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes ☐ No ☒ If yes, who, which department, and relationship?

Have you ever served on a City or County board? Yes ☐ No ☒ If yes, what board and when did you serve?

Are you currently serving on a Board? Yes ☐ No ☒ If yes, which board?

Are you a Qualified Elector? Yes ☒ No ☐
(Any citizen of Cascade County 18 years of age or older who meets the registration and residence requirements provided by law is a qualified elector unless he is serving a sentence for a felony in a penal institution or is of unsound mind, as determined by a court.)

Please describe your interest in serving on this board/commission?
Answer provided in the seperate sheet

Please describe your experience and/or background which you believe qualifies you for service on this board/commission?
Answer provided in the seperate sheet

Additional comments:
I always served the given post with utmost skills, hardwork and honesty.

Signature

Atreyi Pramanik

Date:

10/17/2023

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:

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

Hand Deliver: City Manager's Office
Civic Center, Room 201
2 Park Drive South

Email:
kartis@greatfallsmt.net

Previous and current service activities:

Served as a Director of Research (senior director role) in the state Government organization KHEAA & KHSLC of the Finance & Administration Cabinet, supervised the departmental directors, monitored, and helped in conflict resolution, oversaw the administration & finance, had visionary leadership skills to achieve the organization's goal, provided primary support to the executive branch of the Kentucky state government, vice presidents, and the CEO of the organization.

Experienced in executive management, high-level confidential collaborative work with vice presidents, presidents, directors, controllers, COO, and board members elected by the governor (board of directors), attended meetings with the Vice-President of Government Relations regarding legislative sessions, discussed bills, researched bills, and provided necessary financial information to the Board of Directors and committee members for professional development and provided information to congressmen, the Senate, Kentucky House of Representatives & USA Representatives.

Forecasted the KEES scholarship for the legislative session to pass the bill. Experienced in public speaking and handling clients' satisfaction by handling their queries and concerns. Participated in the discussion of executive meetings of different governmental agencies like CPE & KYSTATS's CEO and research directors. Experienced in guiding, supervising, discussing, and providing financial research reports to other directors for publishing state-wide. Experienced in handling press and media queries.

Served as a former scientist in the Commonwealth of Kentucky, Cabinet for Health and Family Services, Department of Public Health, Kentucky. Managed several projects in a team-based environment to reach organizational goals. Experienced in working collaboratively with stakeholders, internal partners, and other groups for performing clinical operations (genetic and molecular screening), providing information about the defective patient, and responding to a question from health institutes, Mayo Clinic, hospitals, physicians, directors, and others.

Previous and current public experience (elective or appointive)

Attended board meetings and committee meetings and gave a presentation on the DEI (Diversity, Equity & Inclusion) topic that all students should get equal opportunity for getting federal education loans. Worked on Commonwealth of Kentucky's education system and training programs, education, college attainment, type of postsecondary institution students attended, socioeconomic status of the student's family, geographical location, college-going rates, student's affordability, job openings, earnings, and home values, etc.

Experienced in a senior leadership role in a higher education finance research setting and supervising the departmental directors. Experienced in keeping and verifying student enrollment records including student's confidential information like full name, GPA, address, SSN, awards details, when enrolled, how many courses completed, when courses taken, which universities/colleges they enrolled, how much funds borrowed from FAFSA, KHEAA, KHESLC and other higher education student financial aid per year, how much they returned, how the business running, investment amount each year, the number of borrowers increasing or

decreasing each year, etc. Experienced in working with the finance programs of grad students like KEES, CAP and KTG programs (student-centric) in colleges & universities. Have an understanding of investment practices. Experienced in strategic leadership, knowledge of the University, academic, research and outreach programs, and student body. Experienced in working with 5 different government organizations (partnership) like KHEAA & KHSCLC, CPE (Kentucky Council on Postsecondary Education), KYSTATS, US Census Bureau & AIKCU (Association of Independent Kentucky Colleges and Universities) in Kentucky state, especially with CEO/president, leadership team, vice presidents & director of research for discussing the confidential topic, critical issues, economic reports, financial forecasting of financial aid (FAFSA), strategic vision & financial health of the organization. Dealt with finance program of grad, undergrad (Science & Arts). Experienced in building good relationships with University stakeholders, University presidents, vice presidents, and donors.

Experienced in using AS400 Macro software for verifying students' demographic profiles and scholarship information. Experienced in preparing other annual reports like Work Ready Kentucky Scholarship (WRKS) annual report, Dual Credit Scholarship (DCS) annual report, WKDC annual report for work ready dual credit scholarship, etc. Experienced in generating KHEAA & KHSCLC annual reports like outreach survey annual reports. This report contains details about the FAFSA completion rates of students each year, what students think about going to college, their financial issues, continuing education, and reasons for not joining the college (no funds, family issues, low GPA scores, no interest, etc.). This report is published for Kentucky statewide every year. Prepared annual reports for the projected number of high school graduates for external clients like college coaches, college principals, university presidents, etc. Researched the ISIR raw confidential finance data via software programming and provided a financial forecasting report on tuition discounting (KEES financial aid & FAFSA) for 4 years grad program to a member of the Kentucky House of Representatives. Attended Pre-state-wide FAFSA meetings for FAFSA discussion where vice presidents, CEOs, and directors from all states participated to discuss FAFSA completion rates throughout the USA. Attended KYSTATS research agenda committee meetings with CEO and 2022 post-secondary Education Trusteeship conference with CPE vice-president and president. Attended "Bill signing ceremony" of Governor in Capitol Rotunda, Kentucky General Assembly, Frankfort, Kentucky. Prepared research report for legislator queries on scholarship extension up to 10 years and others. Prepared research data for forecasting the KEES scholarship for the legislative session. Experienced with executives networking, direct reporting to the CEO, budget analysis, bill analysis, etc.

Served as a scientist under the Cabinet for Health and Family Services (CHFS). Experienced in working collaboratively with stakeholders, internal partners, and other groups to perform clinical operations.

Please describe your interest in serving on this board/commission?

Have knowledge of visionary leadership to achieve the organization's goal. Experienced in executive management. Provided primary support to the executive branch of the Kentucky state government, vice presidents, and the CEO of the organization. Hence, willing to provide similar management expertise or whatever is required to provide.

Experienced with presenting internal reports, financial reports, strategic plans, business results, research results, communications, annual funds' information, and other data to the committee meeting. Hence, have the ability to understand business operations, and dispute resolutions. Also handled critical issues and legislator queries.

Expertise in developing and monitoring plans, monitoring employees' contributions and performances. Also managed partnerships with various govt agencies, external clients, universities, colleges, etc. Took senior leadership role and maintained relationships with local, state, and national partner organizations. As a whole can monitor business operations and resolve disputes. Have the ability to think of innovative ideas to expand the business.

Please describe your experience or background which you believe qualifies you for service on this board/commission?

Experience in researching bills for legislators and the House of Representatives, experienced in policy settings, familiar with how the board works, experienced in attending several boards and committee meetings, and have experience in working in the political environment. Experienced in working with public education, governmental operations, and legal operations. Hence, I can contribute my experiences and expertise to the allotted post with utmost sincerity.

ATREYI PRAMANIK, B.Sc., M.Sc., MBA.

412 36th Ave NE, Great Falls, Montana, USA, 59404. Cell: 502-892-1417, maiti.atreyi@gmail.com

Status: American Citizen

Education

Doctor of Higher Education Administration South College, TN, USA	Sep2021 - Current
Master of Business Administration (MBA)- Data Analytics / Statistics Louisiana State University Shreveport, LA	Jan.2017-Dec.2019
Master of Sciences (M. Sc.) - Biotechnology Bangalore University, IN	Jun.2003 – Jul.2005
Bachelor of Sciences (B. Sc.) - Biotechnology Bangalore University, IN	Apr.2000 – Apr.2003

Research Grant Support Experience

1. I have successfully formatted, submitted, and received a research grant of Rs.70,00000 for raising research funds (research & development program). The fund was released from DBT (Department of Biotechnology, Ministry of Science and Technology, Govt. of INDIA) to the Department of Bio-Medical Science & Management, Vidyasagar University, IN. Experienced in fundraising & academic advancement through research projects.
2. I have keenly observed how our CEO received a \$ 6000,000 grant for fundraising.
3. I have participated in the research of outreach counseling in different universities and colleges that increase the number of students receiving student loans. Indirectly helping our business to grow and make profits.

Professional Experiences

Director of Research

KHEAA & KHSLC

Finance and Administration Cabinet
KY, USA.

06/01/22 – 05/31/2023
Frankfort,

Experiences:

- Served as a Director of Research (senior director role) in the state Government organization KHEAA & KHSLC of the Finance & Administration Cabinet.
- Provided primary support to the executive branch of the Kentucky state government, vice presidents & the CEO of the organization. Experienced in executive management.
- Have knowledge of visionary leadership to achieve our organization's goal.
- Served as the primary advisor to the KHEAA & KHESLC CEO & Vice presidents on economic issues and provided important information regarding higher education and student financial aid.
- Conducted professional-level economic research, planning and analysis for KHEAA & KHESLC.
- Experienced in overseeing the Govt. organization's research, funding, advancement and development.
- Experienced in a senior leadership role in a higher education finance research setting and supervising the departmental directors.
- Experienced in keeping & verifying student enrollment records including student's confidential information like full name, GPA, address, SSN, awards details, when enrolled, how many courses completed, when courses taken, which universities/colleges they enrolled, how much funds borrowed from FAFSA, KHEAA, KHESLC and other higher education student financial aid per year, how much

they returned, how the business running, investment amount each year, the number of borrowers increasing or decreasing each year, etc.

- Experienced in working with the finance programs of grad students like KEES, CAP and KTG programs (student-centric) in colleges & universities.
- Have an understanding of investment practices.
- Expertise in high-level confidential collaborative work with vice presidents, presidents, directors, CIO, controllers, COO, CFO, and higher education board members elected by the governor (board of directors) for the progress of higher education.
- Experienced in strategic leadership, knowledge of the University, academic, research and outreach programs, and student body.
- Experienced in working with 5 different government organizations (partnership) like KHEAA & KHSLC, CPE (Kentucky Council on Postsecondary Education), KYSTATS, US Census Bureau & AIKCU (Association of Independent Kentucky Colleges and Universities) in Kentucky state, especially with CEO/president, leadership team, vice presidents & director of research for discussing the confidential topic, critical issues, economic reports, financial forecasting of financial aid (FAFSA), strategic vision & financial health of the organization.
- Experienced in executive management.
- Experienced with reporting internal reports, financial reports, strategic plans, business results, research results, business operations, communications, annual funds' information, other data & information, meeting agendas, clarifying critical issues and legislator queries to the Board of Directors & Board Chair, CEO, Vice Presidents, in the executing Board meetings and committee meetings.
- Dealt with finance program of grad, undergrad (Science & Arts).
- Experienced in building good relationships with University stakeholders, University presidents & vice presidents and donors.
- Provided annual report that contains financial information about professional colleges, Public 4-year Universities, Kentucky 4-year Private Colleges & Universities, Kentucky 2 & 4-year Proprietary Colleges & Universities, Out-of-State Colleges & Universities and various funded scholarship programs like optometry, veterinary scholarship, KEES, dual credit scholarship, Osteopathic Medicine Scholarship, Veterinary Contract Spaces, Optometry Scholarship program, governor's Scholarship program, etc.
- Generated SFA report (student financial aid information) by counties for the congressmen, generated SFA annual report for Senate, Kentucky House of Representatives & USA Representatives and provided information about the number of funds disbursed to the students under that Legislators and Senators in that county.
- Experienced in preparing other annual reports like Work Ready Kentucky Scholarship (WRKS) annual report, Dual Credit Scholarship (DCS) annual report, WKDC annual report for work ready dual credit scholarship, etc.
- Experienced in generating KHEAA & KHSLC annual reports like outreach survey annual reports. This report contains details about the FAFSA completion rates of students each year, what students think about going to college, their financial issues, continuing education and reason for not joining the college (no funds, family issues, low GPA scores, no interest, etc.) This report is published for Kentucky statewide every year.
- Coordinated with internal departmental directors to produce annual reports.
- Prepared annual reports for the projected number of high school graduates for external clients like college coaches, college principals, university presidents, etc.
- Prepared Annual FAFSA report of Internal Audit for internal clients.
- Provided Annual report to AIKCU (Association of Independent Kentucky Colleges and Universities) for quantifying the impact of KHEEA's scholarship program on their students and lottery-funded program details for keeping the records of fund disbursements.
- Expert in handling internal clients and external clients providing the annual report and answering their queries, answering legislator's queries, handling press & media queries, answering high school coaches' queries, etc. and providing the statistical research report.
- Experienced in preparing reports for presentation to the Board of directors.

and giving presentations to the Board meetings like the DEI project presentation for Equal opportunities and benefits to all races, all ages and all gender students.

- Experienced in giving research presentations to the KHEAA and KHSLC Executive Committee meetings, and Board of Directors meetings & for professional development.
- Attended and presented research presentations in the DEI (diversity equity and inclusion) meeting.
- Attended executives' meetings, Leadership team meetings with the CEO, Vice presidents, and departmental directors and provided presentations in virtual & in-person meetings.
- Participated in the discussion of executive meetings with the CEO of different governmental agencies like CPE & KYSTATS.
- Estimated existing financial programs, prepared finance reports after data analysis and presented to the Vice President & CEO/the President, discuss with controller and the director of human resources.
- Provided executive leadership and guidance for all financial programs.
- Researched the ISIR raw confidential finance data from the software programming and provided financial forecasting report on tuition (KEES financial aid & FAFSA) discounting for 4 years grad program for the member of the Kentucky House of Representatives.
- Maintained professional connections with other economists in Kentucky, state agencies and other educational groups for joint studies and generating financial reports.
- Performed duties like analysis, interpretation, and presented economic data outcomes, etc.
- Expert in data research, big data analysis, managing large data sets, SAS programming, documentation & preparing reports.
- Conducted computerized econometric models for collecting information on student financial aid.
- Experienced in using AS400 Macro software for verifying students' demographic profiles and scholarship information.
- Experienced in SAS (Statistical Analysis System) programming for data research, updating statistical values using statistical formulas.
- Served as a primary advisor on financial concerns in higher education and student financial aid.
- Experienced in providing financial information & annual report to KYSTATS (Kentucky Center for Statistics).
- Experienced in programming, researching, generating annual reports, and distributing them to different governmental organizations every year.
- Guiding, supervising, and providing statistical research reports to other Directors for publishing state-wide.
- Experienced in doing meetings with the Vice-President of Government Relations regarding legislative sessions, discussed bills, researched bills, and provided necessary (student-related financial) information.
- Attended meetings with the administrative director, outreach service director, student aid director, director of communications, CFO (Chief financial officer) & CIO (Chief Information Officer).
- Attended Pre-state-wide FAFSA meetings from all states for FAFSA discussion, FAFSA completion and outreach strategies meetings, KYSTATS research agenda committee meetings with CEO, 2022 post-secondary Education Trusteeship conference with CPE vice-president & president.
- Attended "Bill signing ceremony" of Governor in Capitol Rotunda, Frankfort, Kentucky.
- Prepared research report for legislator queries on scholarship extension up to 10 years and others.
- Prepared research data for forecasting the KEES scholarship for the legislative session and the governor's signing to pass the bill in Kentucky General Assembly.
- Experienced with academic research, developing research proposals, overseeing data collection and research plan analysis, etc.
- Experienced with executives networking, direct reporting to the CEO, budget analysis and bill analysis, etc.
- Experienced in setting research goals that aligned with the company's vision.
- Expertise in developing and monitoring research plans, maintaining a useful innovative data set, and managing research partnerships with various govt agencies, external clients, universities, colleges, etc.

- Taken a leadership role in work with partner organizations, provided leading resources and maintained relationships with local, state, and national partner organizations and maintained a meaningful partnership with analysts and other staff.
- Expertise in analyzing, documenting data to make comparisons and draw conclusions, identifying cause and effect to solve complex problems.
- Experienced in working in the political environment and executive & corporate culture.
- Knowledge of tracking bills for law (proposed by legislators) via software.

Senior Technologist

PerkinElmer, Inc.

11/01/20 – 12/31/2020

Genomics Department, Valencia, CA, USA.

Experiences:

- Completed the training in managing large data sets, documentation & reporting test results.
- Completed training in good documentation practices.
- Completed training in retention & disposition of records, reports & samples.
- Completed training with HIPPA compliance procedure.

Scientist

Commonwealth of Kentucky (KY.GOV),
Cabinet for Health and Family Services,
Department of Public Health,
Frankfort, KY, USA.

1/01/20 – 12/31/20

Experiences:

- Expert in hematology/haemoglobinopathies, molecular biology, drug development, biotech, and genetics, genetic screening of health diseases, data analysis, biostatistics & data visualization.
- Gained experience as a tenured scientist, managed several projects in a team-based environment, monitored several experiments, documented daily performance, provided reproducible and reliable results on time.
- Experienced in working collaboratively with stakeholders, internal partners, other groups for performing clinical operations, providing information about the defective child & respond to a question from health institutes, Mayo Clinic, hospitals, physicians, directors & others.
- Experienced in preparing internal audits, have knowledge of regulatory affairs (according to CLIA & GLP standards), and experienced with standard clinical regulatory documentation.
- Expertise in developing, modifying & updating protocols, QA, Validation, Regulatory and monitoring for smooth operation.
- Expertise in quality management, safety management, data management, investigating failure, resolving deviations & troubleshooting.
- Ability to plan, conduct experiments, generate reliable data, record experiments, analyze reports and provides interpretation of human genetic data.
- Expert in compiling data, drafting, reviewing, method validation protocols, preparing reports and presentations.

Pharmacy Associate

Giant Pharmacy,
1250 Cocoa Avenue, Hershey,
17033, PA, USA.

7/01/2016 - 9/30/2016

Experiences: (Part-time)

- Proficient in patient data entry, maintaining inventory records, handling cash & billing.
- Excellent verbal and writing skills & experience in writing reports with minute details.
- Helped patients with medication and advice.
- HIPPA trained for maintaining patient confidentiality.

- Have teamwork experience, ability to take initiative, ability to work under pressure.
- Experienced in public speaking & handling clients' satisfaction by handling their queries and concerns.

Associate

4/01/2016 – 9/30/2016

CVS Health,
Hershey, PA, USA

Experiences:

- Experienced in direct dealing with clients, recording banking information, billing & cash handling.
- Experienced in public speaking & handling clients' satisfaction by handling their queries and concerns.

Researcher (Research Project)

Department of Bio-Medical Science & Management,
Vidyasagar University-Midnapur, IN.

8/01/2009 - 5/31/2010

Experiences:

- While working as a researcher, I learned how to lead a research team and how to guide graduate students to do their research and complete their projects, supervise them and monitor their performance, provided instructions, and train them to enhance their performance.
- Expertise in working in team-based roles/teamwork skills, quality control, quality monitoring, regulatory, QA, process development, maintaining projects, process monitoring, monitoring product, issue resolution, investigations, and troubleshooting.
- Experienced in developing plans and strategies for research in the therapeutic area (diabetes), herbal drug development, bio-active molecule extraction, purification & anti-diabetic molecule isolation, phyto-ingredients testing in animal models, drug dosing and testing on animals, design & modify protocols as per the demand of the research, performed in vivo and invitro studies.
- Experienced in writing research grants to provide financial support. Experienced in fundraising through receiving research grants from the Department of Biotechnology, Ministry of Science and Technology, Govt. of INDIA.

Researcher (Research Project)

Department of Biotechnology, Indian Institute of Technology (IIT)
Kharagpur, IN.

07/01/2006 - 11/30/2008

Experiences:

- As a researcher, I learned how to lead a research team and guide graduate students to do their research and complete their projects.
- Experienced in writing experimental reports, writing scientific publications, gathering data from pilot experiments & assisting in writing grants.
- Experienced in developing plans and strategies for research, designing, developing & modifying protocols as per the demand of the research.
- Experienced in vivo and in vitro studies & research on animal models & transgene expression.
- Proficient in molecular biology research, especially in drug and protein development.
- Expertise in research skill, excellent skill in interpreting the laboratory results after investigating the experiments, excellent skill in research data analysis, statistical data analysis, generating research data through experiments, interpreting research data, data analysis & managing data set.

Associate

Transworks Information Services Ltd.
Bangalore, IN

1/01/2006 - 6/30/2006

Experiences:

- Experienced in executing software programming related to finance (American credit card accounts).
- Handled back-office job.
- Handled bankruptcy accounts and closing bank accounts.
- Experienced in teamwork.

Summary of Skills and Expertise

Guiding/Advising Experiences:

- Experienced in presenting seminars in protein biology.
- Experienced in guiding and advising master's degree research programs (Biotechnology & Biomedical Laboratory research work) and guiding them with research projects.
- As a Scientist, I managed teamwork (biochemistry, hematology molecular biology).
- Experienced as an MBA project leader (guide & instruct a group using online techniques).
- Experienced with Learning Management Systems (LMS/Strut learning), operating online course modules, Canvas and LMS.
- As a director of research, I supervised all the directors & provided financial information to the vice presidents & the CEO.

Computer Skill: Proficient knowledge of Microsoft Office, Macro AS400, EXCEL, Windows, PowerPoint, Outlook, internet applications, Adobe Photoshop, literature search (PubMed, MEDLINE, Google Scholar, Science Direct), maintaining the database via SAS, ANOVA & EXCEL, basic statistical analyses, data entry, a basic understanding of statistical data, ability to interpret basic statistics.

Other Skill: Excellent in executing high-load tasks by teamwork due to hit the target in time, maintaining & balance the work pressure with good understanding. Ability to learn new techniques very easily & quickly. Excellent in planning and executing the work efficiently & ability to handle multiple projects at a time.

Professional development

- Expertise in giving presentations to the Board of Directors and the Board meetings like DEI project presentations for Equal opportunities and benefits to all races, all ages, and all gender students.
- Experienced in giving research presentations to the KHEAA and KHSCLC Executive Committee meetings and Board of Directors meetings.
- Experienced in doing meetings for professional development.
- Attended and gave presentations in executives' meetings and Leadership team meetings with CEOs, Vice presidents and directors.
- Participated in the discussion of executive meetings of different governmental agencies like CPE & KYSTATS's CEO and research directors.
- Guiding, supervising, discussing, and providing statistical research reports to other Directors for publishing state-wide.
- Experienced in doing meetings with the Vice-President of the Governor's relation regarding legislative sessions.
- Attended Pre-state-wide FAFSA meetings from all states for FAFSA discussion, FAFSA completion and outreach strategies meetings, KYSTATS research agenda committee meetings with CEO, 2022 post-secondary Education Trusteeship conference with CPE vice-president & president.
- Attended executive events and meetings.
- Attended "Bill signing ceremony" of Governor in Capitol Rotunda, Frankfort, Kentucky.
- Preparing research data for forecasting the KEES scholarship for the legislative session and the governor's signing to pass the bill in the Kentucky General Assembly.
- Attended seminar.

Leadership experience

- As a director of research, I supervised all the directors under my leadership.
- As a scientist, I manage several projects in a team-based environment.
- As a researcher, I trained several groups of graduate students in research lab settings.
- Experienced in leading the research scholar team, research assistant, and students in university settings.
- Experienced in floor management while working at Transworks Information Services Ltd, IN.
- In my MBA program, I lead a team successfully to complete a critical project.

UGRIN ALEXANDER ZADICK, P.C.

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ANDREW T. NEWCOMER
JAMES R. ZADICK
SETH T. BONILLA

November 9, 2023

Our File: GR67-24

VIA EMAIL ONLY

Ethics Committee
City of Great Falls
kartis@greatfallsmt.net

RE: Jasmine Taylor Ethics Complaint
Legal Counsel Review/Recommendations

Dear Ethics Committee:

As legal counsel for the Ethics Committee, and pursuant to Section 3.05 of the Rules and Procedures for Governing Ethics Committee (hereafter "RPGEC") please consider the following as our review and recommendations related to the October 4, 2023, ethics complaint ("complaint") filed by Great Falls City resident Jasmine Taylor.

I. BACKGROUND:

On October 4, 2023, Ms. Taylor submitted a formal ethics complaint against City Commissioner Rick Tryon. See **Attachment A**. On October 20, 2023, City Attorney David Dennis wrote to Ms. Taylor requesting that she complete the Ethics Committee's official Ethics Complaint form, which he attached. See **Attachment B** at 1.¹ For Ms. Taylor's convenience, City Attorney Dennis also attached the Ethics Committee's Rules and Procedures. *Id.* at 4-8. On October 21, 2023, Ms. Taylor submitted a completed complaint form and supplemental information for the complaint. See **Attachment C**.

In her complaint, Ms. Taylor asserts two "issues" against Commissioner Tryon. First, she alleges an improper employment relationship between "Commissioner Tryon and Stray Moose Productions,

¹ The individual attachments are paginated in the lower right corner of the document for easy reference.

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which logically extends to E[-]City Beat" an entity owned and operated by Stray Moose Productions. Attach. C at 2. She contends that Commissioner Tryon's employment with Stray Moose Productions and his contributions to E-City Beat appear to violate OCCGF 2.21.050(A), (C) and (D). Attach. C at 3-4. Ms. Taylor's second issue against Commissioner Tryon asserts that Commissioner Tryon's "conduct as a contributing author on E[-]City Beat" violates OCCGF 2.21.030(B), (C), and (D). Attach. C at 7. Ms. Taylor's complaint, ends by stating:

Tryon's authorship on E City Beat has significantly undermined the honor and integrity of the commission and has diminished the respect and confidence of the public in his ability to perform his duties. It is incumbent upon the City of Great Falls to uphold its code of ethics, including fully investigating the employment relationship between Tryon and Stray Moose Productions/E City Beat. Further, Tryon's attacks on the LGBTQ+ community, the unhoused, and multiple private citizens should be considered grounds for his expulsion from the City Commission. Such conduct is not only unbecoming a public servant, but also in clear violation of the city's Code of Ethics.

Attach. C at 13.

On October 7, 2023, WTF406 issued a cease-and-desist letter to Phil Faccenda in care of Stray Moose Productions and Commissioner Tryon requesting they "cease and desist from the use of the business name, 'E-City Beat'." See **Attachment D**. The letter asserts that the business name, "E-City Beat" is registered to WTF406 and continued use of the business name violates Montana law. *Id.*

On October 18, 2023, Commissioner Tryon wrote to City Attorney Dennis and City Manager Greg Doyon. **Attachment E**. He advises that the intent of his email is to "alert you to some factual inaccuracies" in Ms. Taylor's complaint. *Id.* at 1. He states that he has a part-time employment relationship with Stray Moose Productions as a video transfer specialist. Commissioner Tryon further states he is not employed by E-City Beat blog, but volunteers as "occasional content contributor." *Id.* He also contends that E-City Beat is owned and operated by Phil Faccenda and is a separate entity from Stray Moose Productions. *Id.* Commissioner Tryon states that his employment relationship is with Stray Moose Productions, not E-City Beat, and states he receives zero financial remuneration from E-City Beat "as my tax returns and check stubs factually bear out." *Id.* Finally, Commissioner Tryon states his belief that Ms. Taylor "repeatedly and quite mistakenly" asserts as the framework of her complaint that he works for E-City Beat. *Id.* at 2.

On October 31, 2023, City Attorney David Dennis wrote to Ms. Taylor requesting that she provide copies of any documentation evidencing support for her statements that Commissioner Tryon or his immediate family received monetary or material gain from the blog posts identified in her complaint. **Attachment F**. On that same day, City Attorney Dennis also wrote to Mr. Faccenda requesting that he provide:

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1. Documentation regarding any ownership interest that Commissioner Tryon has in Stray Moose Productions or ecitybeat.com and associated documents; and
2. Information as to whether or not Commissioner Tryon has received or receives any monetary or material gain from his blog submissions to ecitybeat.com.

Attachment G. Finally, City Attorney Dennis also wrote to Commissioner Tryon and requested information regarding any conflict disclosures he has made to the Commissioner of Political Practices ("COPP") during his tenure as Commissioner and also copies of any W-2's that have been attached to tax returns for the time when he has served as a City Commissioner. **Attachment H.**

In response to City Attorney Dennis' letter, on October 31, 2023, Commissioner Tryon advised he has made no conflict disclosures to the COPP during his tenure as Commissioner. He also states:

I will not be submitting any of my private, personal financial, tax, or other documents to the City based on speculation and innuendo contained in an ethics complaint which contains allegations completely outside of my official duties as a city commissioner.

Attachment I at 1.

On October 31, Mr. Faccenda also responded. See **Attachment J.** In his letter, he advises that Commissioner Tryon "does not, nor has he ever owned an interest, stock, or other ownership position in Stray Moose Productions, Inc. or E-City Beat. Both entities are mine, and mine alone." *Id.* at 2. In addition, Mr. Faccenda states that "Commissioner Tryon has never received, and does not currently receive remuneration from his authored blog articles." *Id.* He further notes that none of the contributors to E-City Beat receive a financial benefit for their postings. *Id.*

On November 2, 2023, Ms. Taylor also responded to City Attorney Dennis' October 31 letter providing several documents. **Attachment K.** Specifically, she included a word document with each article referenced in her complaint. See Attach. K at 3-31. She also attached a letter from citizen Maribeth Wilcox, one of the individuals Commissioner Tryon allegedly wrote about as referenced in her complaint. *Id.* at 32. Also enclosed were paid advertisements contained within E-City Beat (*id.* at 33-40) and a screenshot of the E-City Beat webpage containing information for advertisers to contact it. *Id.* at 41. Finally, Ms. Taylor enclosed screenshots from Facebook posts which she asserts demonstrate that on the day Commissioner Tryon "posted his disparaging article about Ms. Alvarez, she was in active labor." *Id.* at 42-43.

On November 2, Commissioner Tryon filed his formal response to the complaint. **Attachment L.** In his response, Commissioner Tryon originally asserted a privacy right. However, upon further reflection, he later withdrew that request. See **Attachment O.** In response to the allegations of the complaint, Commissioner Tryon states, Ms. Taylor's "relies on her own speculation about what amounts

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to a 'substantial conflict,' misapprehends the import and function of the Code's 'Purpose and authority' section, and fills the complaint with inaccurate guesswork about key facts." *Id.* at 2. He asserts that allegations in the complaint address matters outside of his responsibilities as City Commissioner and are not "germane to the performance of my official public duties." *Id.* He argues that "[i]t would be an absurd result if the Code of Ethics prevented City Commissioners from engaging in vigorous public discourse about city governance." *Id.*

Finally, on November 4, 2023, Ms. Taylor again emailed City Attorney Dennis, forwarding an email from an individual "Commissioner Tryon has targeted on his blog" as noted in her complaint. See **Attachment M**.

II. COMMITTEE AUTHORITY:

In reviewing Ms. Taylor's complaint, the Ethics Committee's duties are as follows:

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.

OCCGF 2.21.100. See **Attachment N** at 5. In this instance, the Committee's purpose is to ensure that City officers "are performing their duties in compliance with the provisions of Mont. Code Ann. Title 2, Chapter 2, and the provisions" of Chapter 21 of Title 2 of the Office Code of the City of Great Falls, which is also known as the "City of Great Falls Code of Ethics" (hereafter "City Code of Ethics"). OCCGF 2.21.070, Attach N at 4. Pertinent here, "officer" is defined to include a "Member of the City Commission." OCCGF 2.21.040(F)(1), Attach N at 2.

All meetings of the Committee shall be open to the public, except the presiding officer "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." RPGE, Section 2.02. See Attach B at 4.

III. LEGAL AUTHORITY

Ms. Taylor's complaint alleges violations by Commissioner Tryon of OCCGF 2.21.050(A), (C)-(D) which provide as follows:

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2.21.050 Ethical standards.

In addition to complying with the provisions of Mont. Code Ann. Title 2, Chapter 2, officers and employees of the City of Great Falls shall comply with the following provisions:

- A. No officer or employee of the City of Great Falls shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her governmental duties;

* * *

- C. No officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to:

- 1. impair his or her objectivity or independence or judgment, or
- 2. substantially conflict with the proper discharge of officer or employee's governmental duties;

- D. No officer or employee shall undertake any private employment or service which might prejudice his or her independent judgment in the exercise of his or her official duties;...

Attach. N at 3. She also alleges Commissioner Tryon has violated OCCGF 2.21.030(A)-(D) which provides:

2.21.030 Purpose and authority.

It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct for officers and employees of the City of Great Falls shall be clear, consistent, uniform in their application, enforceable, and to provide those officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties. Such ethical standards shall inspire and stimulate each officer and employee to:

- A. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective;

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- B. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative and practical attitude toward urban affairs and a deep sense of social responsibility as a trusted public servant;
- C. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public; and
- D. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

Attach. N at 1. Applicable to these codes, are the following definitions:

“Business organization” means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, or other legal entity.

“Interest” means the ownership or control of more than ten (10) percent of the profits, assets or stock of a business organization, but shall not include the control of assets in a non-profit entity or labor union.

OCCGF 2.21.040(B), (D), Attach. N at 2.

IV. ANALYSIS AND RECOMMENDATIONS:

A. Ms. Taylor’s Request for the Ethics Committee to Investigate

In Ms. Taylor’s complaint, she states that she has provided “only a small sampling” of alleged violations, but requests that the Ethics Committee perform “a thorough examination of all [of Commissioner] Tryon’s authorship in connection with his employer[.]” Attach. C at 2; *see also* 13 (suggesting a full investigation of the employment relationship between Commissioner Tryon and Stray Moose Productions/E-City Beat). The implication of these statements are that Ms. Taylor requests the Ethics Committee perform its own investigation into Commissioner Tryon’s writings and relationships for purpose of identifying alleged violations.

Respectfully, it is not the responsibility of the Ethics Committee to carry out its own investigation. The Committee is tasked only with meeting and reviewing the information and testimony presented to it in a complaint for the purpose of deciding whether the complaint appears to be substantiated. *See* OCCGF 2.21.100; *see also* § 2-2-144(5)(a), MCA. The Committee has specific procedures that it should follow regarding the presentation of a complaint and its decision-making, including the opportunity for public participation. *See* RPGECS Section 2.01, Section 4.01, Section 5.01. We strongly recommend the Ethics Committee decline any invitation to perform its own investigation and not stray from established

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duties and procedures.

B. Issue 1: Employment Relationship Between Commissioner Tryon and Stray Moose Productions

As addressed above, Ms. Taylor asserts that Commissioner Tryon's employment with Stray Moose Productions and his contributions to E-City Beat violate OCCGF 2.21.050(A), (C) and (D). Attach. C at 3-4. Ms. Taylor raises concerns regarding Commissioner Tryon's relationship between his authorship for E-City Beat and his "ability to faithfully carry out the duties of City Commissioner." Attach. C at 4. Her position is that because E-City Beat generates advertising revenue, writing about, "[t]opics that are salacious and controversial" may bring in larger viewership, and thus "it is advantageous for authors to write in such a manner, and cover such topics, that will create the greatest amount of engagement for the business." *Id.* Ms. Taylor contends that Commissioner Tryon's writings about "multiple high-profile issues" regarding the City, is a "substantial conflict" for him "to dually vote on city actions, ordinances, and even lawsuits while also profiting from and authoring media coverage about these issues."

Ms. Taylor asserts that Commissioner Tryon's employment relationship with Stray Moose Productions is in "direct conflict" with OCCGF 2.21.050(C) because Commissioner Tryon's "employer benefits financially from increased viewership" and "[t]herefore, [Commissioner] Tryon's employment appears to directly obfuscate his objectivity, independent, and judgment." *Id.* Ms. Taylor further asserts that "it is entirely possible that a business (Stray Moose Productions) is crafting narratives about city issues, with a city commissioner as the attributed authority. [Commissioner] Tryon cannot simultaneously act independently and objectively while writing about city issues on a blog for which he works, and about issues on which he is voting." *Id.* at 4-5.

As it relates to OCCGF 2.21.050(D), Ms. Taylor cites four examples of Commissioner Tryon's writings for E-City Beat which she claims violate this ethical standard. Attach. C at 5-7. She contends that Commissioner Tryon's "writing seemingly in his official capacity as City Commissioner, on a blog which generates revenue, and appears to be owned by Tryon's employer" which she asserts are in violation of the code "which expressly forbids private employment or service which may prejudice independent judgment in the exercise of official duties." *Id.* at 5.

In response, Commissioner Tryon asserts that Ms. Taylor's complaint is factually incorrect in asserting that he has an employment relationship with E-City Beat. He confirms that his employment relationship is with Stray Moose Productions. Attach. E at 1; Attach. L at 3. He states that E-City Beat is owned and operated by Mr. Faccenda and is a separate entity from Stray Moose Productions. Commissioner Tryon further notes he is a volunteer contributor for E-City Beat and he receives no financial remuneration from E-City Beat. Attach. L at 3. Commissioner Tryon also argues that "[p]ublicly expressing my views on topics of interest to the community in no way presents a 'substantial conflict' with the discharge of my **governmental duties**, even though those views may be in conflict with the complainant's views or the views of other citizens[.]" *Id.* (emphasis in original).

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Commissioner Tryon also notes that the complaint fails to demonstrate how he has acted in his “official capacity” in violation of OCCGF 2.21.050. *Id.* He contends that “even though my views may differ from the complainant’s, there are no instances where my votes, communications, or deliberations in the *exercise of my official duties* have ever been prejudiced or influenced by any of my relationships or activities outside my role as a city commissioner. They have not.” *Id.* at 4 (emphasis in original). In conclusion, Commissioner Tryon argues that the complaint asserts actions outside his “*official public duties*” and improperly requests an investigation or probe into his “personal or professional relationships, political/policy opinions, or other matters or actions outside of the *discharge of my official public duties* as a Great Falls City Commissioner[.]” *Id.* (emphasis in original).

1. Interest and/or Employment in E-City Beat

For there to be a violation of OCCGF 2.21.050(A) and (C) it must be shown that Commissioner Tryon has an “interest” in E-City Beat (*i.e.*, ownership or control of more than ten (10) percent of the profits, assets, or stock in E-City Beat). Similarly, for there to be a violation of OCCGF 2.21.050(D), it must be demonstrated that Commissioner Tryon has undertaken private employment with E-City Beat. No evidence has been presented demonstrating that Commissioner Tryon, or his immediate family, has ownership or control of more than ten (10) percent of the profits, assets, or stock of E-City Beat. Nor has it been demonstrated that he is employed by E-City Beat. In fact, the only information presented to date demonstrates the opposite. See Attach. E at 1; Attach. J at 2; Attach. L at 3. Furthermore, the complaint fails to substantiate any claim that Commissioner Tryon profits from the blogs he authors for E-City Beat. Failure to demonstrate these critical components of OCCGF 2.21.050(A), (C), and (D) require a finding that the complaint is not substantiated.

2. Discharge of Governmental Duties / Acting in Official Capacity

Even if it is demonstrated that Commissioner Tryon has an “interest” in E-City Beat, for there to be a violation of OCCGF 2.21.050(A) or (C), it must also be established that Commissioner Tryon’s “interest” is in substantial conflict with the proper discharge of his governmental duties. Additionally, to violate OCCGF 2.21.050(A) it must be shown that Commissioner Tryon has taken part in any business,² transaction, or professional activity which is in substantial conflict with the proper discharge of his governmental duties. Similarly, even if an employment relationship is demonstrated, for there to be a violation of OCCGF 2.21.050(D), it must be shown that Commissioner Tryon’s employment with E-City Beat may prejudice his independent judgment in the exercise of his official duties.

The critical component in the above standards is the discharge of Commissioner Tryon’s governmental duties and/or exercise of his official duties. The complaint and supporting submissions lack any demonstration that the alleged violations or unethical conduct were done in the discharge of Commissioner Tryon’s governmental duties, or while he was acting in his official capacity.

² “Business” is not defined in the City Code of Ethics, but it is defined in Montana code to include “a corporation, partnership, sole proprietorship, trust or foundation, or any other individual or organization carrying on a business, whether or not operated for profit.” § 2-2-102(1), MCA.

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While “governmental duties”, “official capacity”, or “official duties” are not defined in the code, the Committee should apply the plain and ordinary meaning of these terms. See *Giancomelli v. Scottsdale Ins. Co.*, 2009 MT 418, ¶ 18, 354 Mont. 15, 221 P.3d 666 (citing *Czajkowski v. Meyers*, 2007 MT 292, ¶ 24, 339 Mont. 503, 172 P.3d 94); *Harding v. Savoy*, 2004 MT 280, ¶ 35, 323 Mont. 261, 100 P.3d 976 (providing that if “a statute fails to define a specific word, [courts] do not look to unrelated statutes but construe the word according to its plain meaning”) (citing *Sherner v. Conoco, Inc.*, 200 MT 50, ¶ 36, 298 Mont. 401, 995 P.3d 990). To determine a term’s “plain and ordinary meaning”, the trier of fact may consider dictionary definitions, prior case law, and the statutory context of the term. *Giancomelli*, ¶ 18 (applying definitions provided by *Webster’s Third International Dictionary* to determine the meaning of “exhibitor” for the purposes of Title 23, chapter 3, MCA) (citing *Colmore v. Uninsured Employers’ Fund*, 2005 MT 239, ¶ 72, 328 Mont. 441, 121 P.3d 1007; *Associated Press v. Mont. Sen. Republican Caucus*, 286 Mont. 172, 179–80, 951 P.2d 65, 69–70 (1997); *In re Mental Health of E.T.*, 2008 MT 299, ¶ 13, 345 Mont. 497, 191 P.3d 470).

The plain and ordinary meaning of the above terms relates to the duties and responsibilities of Commissioner Tryon’s position as City Commissioner. Article II, Section 2 of the Charter of the City of Great Falls outlines those duties and responsibilities. See **Attachment P**, Section 2. These are thus, the “governmental duties” or “official duties/capacity” Commissioner Tryon is expected to exercise. Accordingly, pursuant to OCCGF 2.21.050(A), (C), or (D), Commissioner Tryon is precluded from taking part in any business, transaction, or professional activity or holding any “interest” or private employment which substantially conflicts with his discharge of the duties and responsibilities outlined in Article II, Section 2 of the Charter. Absent from the pending complaint is any demonstration that in the performance of Commissioner Tryon’s official/governmental duties, he has allowed his authorship and/or written contributions to E-City Beat to impair his objectivity, independence, or judgment, or conflict with the proper discharge of such duties. Nor has it been demonstrated that such relationship prejudices or influences his exercise of his official duties. All available evidence demonstrates Commissioner Tryon was not acting in his official capacity as an author for E-City Beat.

Importantly, state law and City code requires that the Ethics Committee “substantiate” the complaint. OCCGF 2.21.100; § 2-2-144(5)(a), MCA. Stated differently, these laws require the Committee to “establish the existence or truth of (a fact, etc.), esp. by competent evidence” or “verify” the allegations before referral can occur. *Black’s Law Dictionary*, “substantiate”, 1443 Bryan A. Garner ed., 7th ed. 1999. In our opinion, the complaint makes a speculative connection between Commissioner Tryon’s writings and his governmental duties which is not sufficient to substantiate the complaint.

3. Recommendations

After considering the complaint, response and other documentation submitted, it is our opinion there is no violation of OCCGF 2.21.050. Accordingly, we recommend that the Ethics Committee find that Issue 1 appears not to be substantiated and recommend the Ethics Committee find no further action is warranted as it relates to Issue 1.

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C. Issue 2: Conduct Unbefitting the Public Trust

Ms. Taylor also contends in her complaint that Commissioner Tryon's conduct as a contributor for E-City Beat "violates other ethical standards" found in OCCGF 2.21.030. Attach. C at 7. First, Ms. Taylor contends that Commissioner Tryon violated OCCGF 2.21.030(B) and (D) by making "multiple public statements" in articles Commissioner Tryon authored for E-City Beat. Specifically, she asserts that Commissioner Tryon's articles addressing Neo Nazis flyers "on behalf of his employer" was a "direct conflict", an abuse of public trust, and disenfranchised members of the LGBTQ+ community. *Id.* Ms. Taylor contends that "[m]atters of public safety, including adherence to governmental laws regarding discrimination, are well within the purview of the city commission." *Id.* She argues that "[Commissioner] Tryon cannot 'serve the best interest of all of the people' while writing articles that ignore transphobic rhetoric, or the targeting of LGBTQ+ community members by hate groups." *Id.* at 9.

Ms. Taylor also argues that Commissioner Tryon has violated OCCGF 2.21.030(C) by "consistent targeting and harassment of local citizens that disagree with him." Attach. C at 9. She asserts that Commissioner Tryon uses his articles in E-City Beat "to disparage and humiliate citizens that disagree with him." *Id.* at 10. She provides two examples of Commissioner Tryon "naming public citizens in articles where he openly disparages them for disagreeing with him." *Id.*

Ms. Taylor contends that Commissioner Tryon has violated OCCGR 2.21.030(C) and violated public trust by including in an E-City Beat article an email sent to him from a constituent. *Id.* Ms. Taylor asserts that "unacceptable for [Commissioner] Tryon to make community members who contact him in his official role the subject of public derision." She argues that Commissioner Tryon abuses his position when he degrades those who disagree, and where he humiliates those who reach out to him in his official position. *Id.*

In response, Commissioner Tryon asserts that Ms. Taylor's reliance on OCCGF 2.21.030 is improper because this section of the Ethics Code merely lays out the "Purpose and authority" behind the code, and the ethical standards to which he and City employees should adhere are found in OCCGF 2.21.050. Attach. L at 2. Thus, he contends that Ms. Taylor's complaint regarding this section should be disregarded. *Id.* at 2.

Commissioner Tryon is correct that OCCGF 2.21.030 sets forth aspirational goals behind how the ethical standards found in OCCGF 2.21.050 should "guide and inspire" City officers and employees. No authority has been presented by Ms. Taylor, nor is the undersigned aware of any authority, which holds that OCCGF 2.21.030 was intended to establish a separate cause of action for the purposes of ethical complaints. In our opinion, it would be inappropriate for the Ethics Committee to determine an ethical violation is substantiated based on broad policy statements which are intended only to guide the City, its employees, and elected officials.

Importantly, the existence of a justiciable controversy is a "threshold requirement" for the Ethics Committee's adjudication of an ethics complaint. See *Clark v. Roosevelt Cnty.*, 2007 MT 44, ¶ 11, 336 Mont. 118, 154 P.3d 48. "A justiciable controversy is one upon which a court's judgment will effectively

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operate, as distinguished from a dispute invoking a purely political, administrative, philosophical or academic conclusion." *Id.* (citation omitted). Because the Ethics Committee lacks any ability to provide relief under OCCGF 2.21.030, any decision on Issue 2 would be merely advisory. *Id.* The Ethics Committee's duties do not allow it to render advisory opinions. See OCCGF 2.21.100. To do so would necessitate the Committee to act beyond the scope of its responsibilities and would be in error.

Furthermore, even if violations of OCCGF 2.21.030 were suitable for the Ethics Committee to hear, the plain language of the code requires that the alleged improper conduct occur in the "public duties" of a City officer or employee. As discussed above, the complaint in this instance makes unsupported and speculative conclusions about how Commissioner Tryon's writings on E-City Beat have violated the public trust without any demonstration that such conduct occurred in the discharge of his official/governmental duties. Additionally, as Ms. Taylor recognizes, "[Commissioner] Tryon undoubtedly maintains his rights to free speech while serving on the Commission[.]" Attach. C at 3. Without getting into a lengthy analysis of whether Commissioner Tryon's speech is protected, which is far beyond the scope of the Ethics Committee's jurisdiction, it is important to remember that elected officials do not forfeit their First Amendment rights when elected, even if we disagree with their statements.

After considering the complaint, response and other documentation submitted, it is our opinion that the Ethics Committee should decline to further review or make findings as to whether there was a violation of OCCGF 2.21.030 and should instead dismiss Issue 2 as moot for lack of justiciable controversy.

VI. SUGGESTED MOTIONS:

A. Issue No. 1 (*Employment Relationship Between Commissioner Tryon and Stray Moose Productions*):

1. Committee Member moves:

"I move that the City Ethics Committee find that Ms. Taylor's claims that Commissioner Tryon violated OCCGF 2.21.050(A) through his authorship for E-City Beat appears **[to be substantiated / not substantiated]**.

a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote; and

b. ***If determined not to be substantiated, proceed to A.3 below; if determined to be substantiated, proceed to the next question.***

2. Committee Member moves:

"I move that the City Ethics Committee **[refer / not refer]** Ms. Taylor's substantiated claims of Commissioner Tryon's authorship for E-City Beat under

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OCCGF 2.21.050(A) to the Cascade County Attorney for disposition.”

a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote; and

b. ***Proceed to the next question.***

3. Committee Member moves:

“I move that the City Ethics Committee find that Ms. Taylor’s claims that Commissioner Tryon violated OCCGF 2.21.050(C)(1) through his employment with Stray Moose Productions and his writings for E-City Beat appears [to be **substantiated / not substantiated**].

a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote; and

b. ***If determined not to be substantiated, proceed to A.5 below; if determined to be substantiated, proceed to the next question.***

4. Committee Member moves:

“I move that the City Ethics Committee [refer / not refer] Ms. Taylor’s substantiated claims of Commissioner Tryon’s employment with Stray Moose Productions and his writings for E-City Beat under OCCGF 2.21.050(C)(1) to the Cascade County Attorney for disposition.”

a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote; and

b. ***Proceed to the next question.***

5. Committee Member moves:

“I move that the City Ethics Committee find that Ms. Taylor’s claims that Commissioner Tryon violated OCCGF 2.21.050(C)(2) through his employment with Stray Moose Productions and his writings for E-City Beat appears [to be **substantiated / not substantiated**].

a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote; and

b. ***If determined not to be substantiated, proceed to A.7 below; if***

determined to be substantiated, proceed to the next question.

6. Committee Member moves:

"I move that the City Ethics Committee [refer / not refer] Ms. Taylor's substantiated claims of Commissioner Tryon's employment with Stray Moose Productions and writings for E-City Beat under OCCGF 2.21.050(C)(2) to the Cascade County Attorney for disposition."

a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote; and

b. ***Proceed to the next question.***

7. Committee Member moves:

"I move that the City Ethics Committee find that Ms. Taylor's claims that Commissioner Tryon violated OCCGF 2.21.050(D) through his writings for E-City Beat appears [to be substantiated / not substantiated]."

a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote; and

b. ***If determined not to be substantiated, proceed to Issue 2 below; if determined to be substantiated, proceed to the next question.***

8. Committee Member moves:

"I move that the City Ethics Committee [refer / not refer] Ms. Taylor's substantiated claims of Commissioner Tryon's writings for E-City Beat under OCCGF 2.21.050(D) to the Cascade County Attorney for disposition."

a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote; and

b. ***Proceed to Issue 2.***

B. Issue No. 2 (Conduct Unbefitting the Public Trust):

1. Committee Member moves:

"I move that the City Ethics Committee find that Ms. Taylor's claims that Commissioner Tryon violated OCCGF 2.21.030 be dismissed as moot for lack

November 9, 2023
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of justiciable controversy.

- a. Presiding officer requests a second to the motion, Committee discussion, and calls for the vote;
- b. The presiding officer will advise that written findings are required as to the Committee determinations and will be issued shortly.

VII. ATTACHMENTS/EXHIBITS:

Attachment A – Jasmine Taylor's October 4, 2023, Ethics Complaint

Attachment B – City Attorney David Dennis' October 20, 2023, Letter to Jasmine Taylor

Attachment C – Jasmine Taylor's October 21, 2023, Ethics Complaint

Attachment D – WTF 406's Cease & Desist Letter to Phil Faccenda & Commissioner Rick Tryon

Attachment E – Commissioner Rick Tryon's October 18, 2023, email to City Attorney David Dennis and City Manager Greg Doyon

Attachment F – City Attorney David Dennis' October 31, 2023, Letter to Jasmine Taylor

Attachment G – City Attorney David Dennis' October 31, 2023, Letter to Phil Faccenda

Attachment H – City Attorney David Dennis' October 31, 2023, Letter to Commissioner Rick Tryon

Attachment I – Commissioner Rick Tryon's October 31, 2023, Email to City Attorney David Dennis and City Manager Greg Doyon

Attachment J – Phil Faccenda's October 31, 2023, Email to City Attorney David Dennis with attachment

Attachment K – Jasmine Taylor's November 2, 2023, Email to City Attorney David Dennis with attachments

Attachment L – Commissioner Rick Tryon's November 2, 2023, Response

Attachment M – Jasmine Taylor's November 4, 2023, Email to City Attorney David Dennis

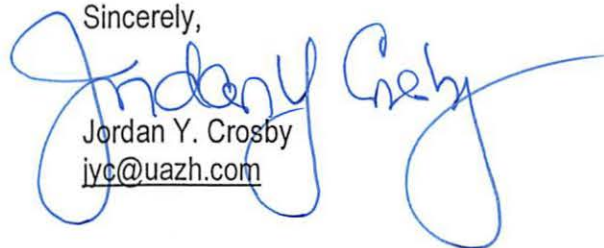
Attachment N – Title 2, Chapter 21 Code of Ethics, City of Great Falls

Attachment O – City Attorney David Dennis' November 8, 2023, Email to Jordan Crosby

Attachment P – Article II of the Charter of the City of Great Falls

Thank you for the opportunity to review this matter. I will be present at the November 13, 2023, hearing as counsel for the Committee and will be available to answer any questions the Committee may have for me.

Sincerely,



Jordan Y. Crosby
jyc@uazh.com

Encls.

Cc: David Dennis (with encls.)

ATTACH A

Please consider the following a formal complaint of potential ethics violations by City Commissioner Rick Tryon. All information contained within is based on information and belief. In the interest of brevity, I have included hyperlinks of relevant articles. The following are only a small sampling of relevant examples, however a thorough examination of all Tryon's authorship in connection with his employer should be undertaken as part of a formal investigation into this complaint.

Issue 1: Employment Relationship Between Tryon and Stray Moose Productions

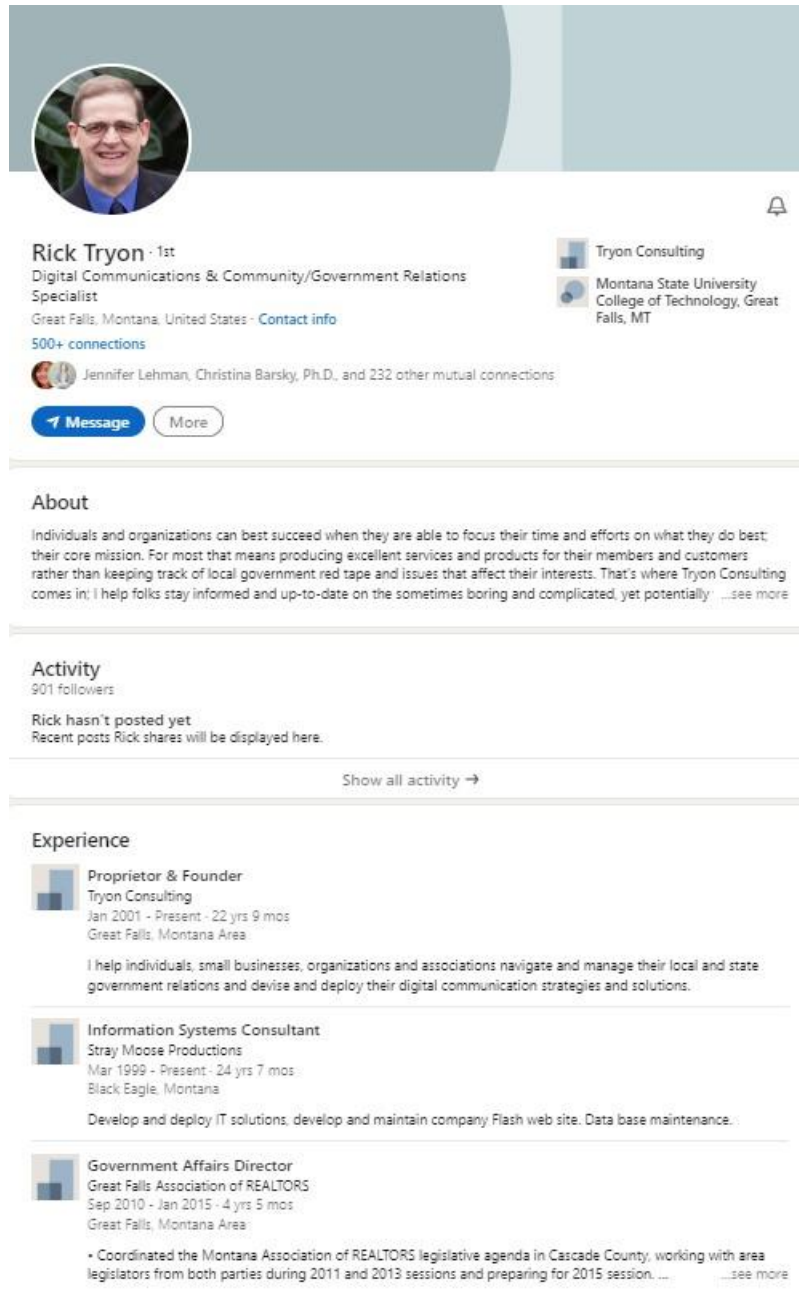
During his tenure as City Commissioner, Rick Tryon has concurrently maintained an employment relationship with Stray Moose Productions. Tryon has written numerous articles for a blog, E City Beat. Although E City Beat was not previously a registered business name in the state of Montana, it appears that E City Beat is owned and operated by Stray Moose Productions. As seen below, E City Beat's contact information indicates emails are directed to Straymoose.com.

Contact

If you have a tip or something we should know about, please drop us a line
(whistleblowers are welcome!)

You can email us at ecitybeat@straymoose.com.

Further, Tryon's LinkedIn profile lists him as an employee of Stray Moose Productions. Tryon notes that he is the "Information Systems Consultant" and has worked for Stray Moose Productions since 1999. Therefore, it appears that an employment relationship exists between Tryon and Stray Moose Productions, which logically extends to E City Beat. E City Beat allows for paid advertising on their website, and likely generates income for its owners.



Rick Tryon · 1st
 Digital Communications & Community/Government Relations Specialist
 Great Falls, Montana, United States · [Contact info](#)
 500+ connections

[Jennifer Lehman](#), [Christina Barsky, Ph.D.](#), and 232 other mutual connections

[Message](#) [More](#)

About

Individuals and organizations can best succeed when they are able to focus their time and efforts on what they do best; their core mission. For most that means producing excellent services and products for their members and customers rather than keeping track of local government red tape and issues that affect their interests. That's where Tryon Consulting comes in: I help folks stay informed and up-to-date on the sometimes boring and complicated, yet potentially ...see more

Activity
 901 followers

Rick hasn't posted yet
 Recent posts Rick shares will be displayed here.

[Show all activity →](#)

Experience

Proprietor & Founder
 Tryon Consulting
 Jan 2001 - Present · 22 yrs 9 mos
 Great Falls, Montana Area

I help individuals, small businesses, organizations and associations navigate and manage their local and state government relations and devise and deploy their digital communication strategies and solutions.

Information Systems Consultant
 Stray Moose Productions
 Mar 1999 - Present · 24 yrs 7 mos
 Black Eagle, Montana

Develop and deploy IT solutions, develop and maintain company Flash web site, Data base maintenance.

Government Affairs Director
 Great Falls Association of REALTORS
 Sep 2010 - Jan 2015 · 4 yrs 5 mos
 Great Falls, Montana Area

• Coordinated the Montana Association of REALTORS legislative agenda in Cascade County, working with area legislators from both parties during 2011 and 2013 sessions and preparing for 2015 session. ...see more

Although Tryon undoubtedly maintains his rights to free speech while serving on the Commission, he is also bound by the standards laid out in the City of Great Falls' Code of Ethics.

Tryon's employment by Stray Moose Productions and his contributions to the blog, E City Beat, appear to be in violation of the following ethical codes:

2.21.050 - Ethical standards.

In addition to complying with the provisions of Mont. Code Ann. [Title 2](#), Chapter 2, officers and employees of the City of Great Falls shall comply with the following provisions:

A. No officer or employee of the City of Great Falls shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her governmental duties;

[...]

C. No officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to:

1. impair his or her objectivity or independence or judgment, or
2. substantially conflict with the proper discharge of officer or employee's governmental duties;

D. No officer or employee shall undertake any private employment or service which might prejudice his or her independent judgment in the exercise of his or her official duties;

Regarding 2.21.050(A), and of particular concern is the relationship between Tryon's authorship for E City Beat and his ability to faithfully carry out the duties of a City Commissioner. Blog viewership generates advertising revenue. Blog contents, headlines, and stories undoubtedly draw viewership which directly affects the revenue of the blog. Topics that are salacious and controversial may draw larger viewership. Therefore, it is advantageous for authors to write in such a manner, and cover such topics, that will create the greatest amount of engagement for the business.

Tryon has discussed multiple high-profile issues occurring within the city on his blog. In fact, while Great Falls has worked to address the housing crisis, Tryon wrote multiple articles about this very topic. It is a substantial conflict for a city official to dually vote on city actions, ordinances, and even lawsuits while also profiting from and authoring media coverage about these issues. The employment relationship between Tryon and Stray Moose Productions appears to directly conflict with 2.21.050(C1-2). Tryon's employer benefits financially from increased viewership. Therefore, Tryon's employment appears to directly obfuscate his objectivity, independence, and judgement. If Tryon's articles, in which he openly identifies himself as a City Commissioner, are reviewed by his employer, it is entirely possible that a

business (Stray Moose Productions) is crafting narratives about city issues, with a city commissioner as the attributed author. Tryon cannot simultaneously act independently and objectively while writing about city issues on a blog for which he works, and about issues on which he is voting. This very same issue also conflicts with 2.21.050(D) which expressly forbids private employment or service which may prejudice independent judgment in the exercise of official duties. Below are just four examples of Tryon writing seemingly in his official capacity as City Commissioner, on a blog which generates revenue, and appears to be owned by Tryon's employer:

FUMC HOMELESS CAMP GREAT FALLS

City Press Release And Court Filing Against FUMC Great Falls 'Homeless Camp'

BY RICK TRYON MAY 31, 2022



In the interest of full transparency and in response to the dozens of complaints, comments and expressions of concern I've received over the past couple of months I am taking this opportunity to share the information made publicly available concerning the action recently taken by the City of Great Falls related to the 'homeless encampment' at the First United Methodist Church in downtown Great Falls.

Here is the full text of the press release issued by the City:

"Draft Press Release – First United Methodist Church Homeless Encampment"

Over the past six months, First United Methodist Church has been expanding its homeless outreach ministry located at 610 2nd Ave N. Initially, the church provided food and space for homeless persons. Recently, the church expanded its activities into a tent and camper encampment in violation of the City of Great Falls Municipal Code.

The City has notified Pastor Jeff Wakeley that the Church is required under the City's zoning ordinance to obtain a Conditional Use Permit to even operate any type of homeless shelter in

Here is the full text of the press release issued by the City:

"Draft Press Release – First United Methodist Church Homeless Encampment

Over the past six months, First United Methodist Church has been expanding its homeless outreach ministry located at 610 2nd Ave N. Initially, the church provided food and space for homeless persons. Recently, the church expanded its activities into a tent and camper encampment in violation of the City of Great Falls Municipal Code.

The City has notified Pastor Jeff Wakeley that the Church is required under the City's zoning ordinance to obtain a Conditional Use Permit to even operate any type of homeless shelter in the first instance. The Church has since submitted a CUP application that is currently being processed by City staff, and will ultimately be presented to the Great Falls Zoning Commission within the next few weeks.

In the meantime, the Church was also placed on notice in early May that the tent and camper encampment is a separate violation of the City's zoning code, which does not permit campgrounds in the zoning district where the Church is located. The Church did not respond to that notice by removing the tents and camping arrangements as directed, so the City has now filed a lawsuit in District Court to enforce its zoning requirements.

Finally, the City has also begun the process of reviewing and responding to several citizen complaints regarding a "public nuisance" condition on the property under City Code. That process can ultimately lead to a City Commission hearing on the matter and a possible order from the City Commission that the nuisance conditions on the property be abated.

The City had hoped that First United Methodist Church would work with the MT Continuum of Care Coalition and other existing service providers to assist the homeless. Instead, First United has sought to expand its efforts stating that the City has not done enough to support a "low barrier" shelter."

Here is a [copy of the complaint for declaratory and injunctive relief](#) filed by the City in District Court to "enforce its zoning requirements".

Previous article

Great Falls Democrat Activist Smears Cops As Racist Cowards, Calls For Defund

Next article

Slaughter Crushes Groskreutz: Three Reasons



RICK TRYON

<http://www.ricktryon.com>

Rick Tryon is an entrepreneur, a singer-songwriter, and is currently serving a four year term as a Great Falls City Commissioner. Helping Montana become an even greater place to live, play and work is Tryon's passion.



<https://ecitybeat.com/commissioner-tryons-priorities-for-2022/>

<https://ecitybeat.com/commissioner-tryon-fumc-homeless-camp-update/>

<https://ecitybeat.com/marijuana-tax-revenue-for-great-falls-commissioner-rick-tryon/>

<https://ecitybeat.com/city-press-release-and-court-filing-against-fumc-great-falls-homeless-camp/>

Issue 2: Conduct Unbefitting the Public Trust

The employment relationship between Tryon and Stray Moose Productions itself is concerning and worthy of investigation. However, even absent an employment relationship, Tryon's conduct as a contributing author on E City Beat violates other ethical standards.

The most significant ethical violations exist when examining Tryon's writing under the lens of 2.10.030 (B-D)

2.21.030 - Purpose and authority.

It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct for officers and employees of the City of Great Falls shall be clear, consistent, uniform in their application, enforceable, and to provide those officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties. Such ethical standards shall inspire and stimulate each officer and employee to: [...]

B. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative and practical attitude toward urban affairs and a deep sense of social responsibility as a trusted public servant;

C. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public; and

D. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

Examining first Tryon's conduct in relation to 2.21.030(B) and 2.21.030(D), Tryon has made multiple public statements that do not indicate a "deep sense of social responsibility as a trusted public servant." One poignant example is the below article Tryon authored for E City Beat. After Neo Nazis littered a neighborhood with antisemitic and anti-trans flyers, Tryon erroneously accused the Great Falls Tribune as mischaracterizing this literature. As seen below, Tryon clearly identifies himself as a City Commissioner at the end of his article. Matters of public safety, including adherence to governmental laws regarding discrimination, are well within the purview of the city commission. It is a direct conflict for Tryon to address such matters on behalf of his employer, and even worse to abuse the public trust and openly disenfranchise members of the LGBTQ+ community who were deeply affected by this hate literature.

GREAT FALLS GREAT FALLS TRIBUNE

Tribune Misreports That 'Anti-Trans' Flyer Was Distributed In Great Falls

BY RICK TRYON APRIL 6, 2022

0



Because I've been asked about it several times, I felt it necessary at last night's Great Falls city commission meeting to publicly correct a piece of incorrect reporting by the Great Falls Tribune last week.

The front page of the Tribune's Thursday, March 31 print addition carried the following headline, ***"'Not in my neighborhood' Anti-Semitic, anti-trans flyers distributed in Great Falls"***.

Their digital content also repeated the misinformation, see screenshot below:





The Tribune reporter either hasn't actually seen the flyer in question, is being intentionally dishonest in order to create a false narrative, or is referring to material other than what I have seen.

I know this because I have seen and reviewed the anti-Semitic flyer that was distributed in Great Falls last week and there is absolutely nothing in the content of that flyer that is "anti-trans".

The Tribune should either correct the record concerning the contents of the flyer or specify how the ugly and bigoted anti-Semitic message contained therein is "anti-trans".

The attempt by the Tribune to invent a false flag, manufacture a bigoted anti-trans smear where none exists, and then try to falsely piggyback it on an actual, dangerous distribution of hate literature serves no one.

In fact, it is a disservice to the Great Falls public.

Previous article
GFPS School Board Candidate Info

Next article
Opinion: Cascade County Elections Staff Demeanor And Behavior 'Unprofessional' And 'Alarming'



RICK TRYON

<http://www.ricktryon.com>

Rick Tryon is an entrepreneur, a singer-songwriter, and is currently serving a four year term as a Great Falls City Commissioner. Helping Montana become an even greater place to live, play and work is Tryon's passion.



Tryon's article can also be read here: <https://ecitybeat.com/tribune-misreports-that-anti-trans-flyer-was-distributed-in-great-falls/>. Tryon cannot "serve the best interest of all of the people" while writing articles that ignore transphobic rhetoric, or the targeting of LGBTQ+ community members by hate groups.

Even more concerning than Tryon's more broad discriminatory statements is Tryon's consistent targeting and harassment of local citizens that disagree with him. Tryon has continually and

consistently used E City Beat to disparage and humiliate citizens that disagree with him. Many of these citizens have never run for public office, nor would they be considered a “public figure” by an interpretation of the definition.

Below are just two examples of Tryon naming public citizens in articles where he openly disparages them for disagreeing with him.

<https://ecitybeat.com/blogger-defends-calling-sheriff-rookie-dumber-tryon-responds/>

<https://ecitybeat.com/commissioner-tryon-responds-to-homophobic-misogynistic-bootlicker-comment/>

Tryon’s actions are a clear violation of 2.21.030(C) which requires Tryon to “Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public.” Perhaps the most telling example of Tryon’s violating the public trust is Tryon’s E City Beat article in which he includes an email sent to him from a constituent. You can read the full article here: <https://ecitybeat.com/ban-gas-stoves-in-great-falls/>.

Tryon cannot reasonably maintain public trust when he is willing to share emails sent to him in his capacity as a City Commissioner for fodder on his blog. It is wholly unacceptable for Tryon to make community members who contact him in his official role the subject of public derision. Tryon clearly abuses his position when he not only degrades those who disagree with him, but also seeks to humiliate those who reach out to him in earnest. The below screenshots show Tryon’s article, in which he again clearly identifies himself as a City Commissioner.

Ban Gas Stoves In Great Falls?

BY RICK TRYON JANUARY 25, 2023

2



Image via pexels.com

Last week I received an email in my City Commission inbox from a city resident urging a phase-out of fossil fuels for cooking and heating from our homes and businesses right here in Great Falls.

Below is the text of the email as well as my response.

I'm leaving out the senders name here, even though the email is public information and available to anyone who requests it.

The Email

Dear Tryon,

The Email

Dear Tryon,

I'm writing to you today because I believe our community must urgently pass a building electrification policy and phase fossil fuels out of our homes and businesses.

Buildings are responsible for 13% of greenhouse gas emissions in the US, and recent study from the International Journal of Environmental Research and Public Health found that gas stoves are responsible for 1 in 8 cases of childhood asthma – that's on par with secondhand smoke. Burning gas in homes also generates harmful emissions of formaldehyde, methane, nitrogen oxides, and other pollutants.

As your constituent, I'm urging you to do everything in your power to ensure new buildings in our community are all-electric and help phase gas and other fossil fuels out of existing buildings.

Thank you.

My Response

Ms./Mr. — — —

Thank you for your comments and concerns, however as a Great Falls City Commissioner I have no intention of advocating in any way shape or form for banning the use of natural gas heating/cooking in our municipal building codes.

This idea is, quite frankly, completely antithetical to the common sense mainstream thinking of the folks I know and interact with daily in this community.

In addition, such a policy if implemented would be a potential disaster economically and an extra, unnecessary financial hardship for those in the lower income brackets in our community.

Sincerely,

Commissioner Rick Tryon

Tryon's authorship on E City Beat has significantly undermined the honor and integrity of the commission and has diminished the respect and confidence of the public in his ability to perform his duties. It is incumbent upon the City of Great Falls to uphold its code of ethics, including fully investigating the employment relationship between Tryon and Stray Moose Productions/E City Beat. Further, Tryon's attacks on the LGBTQ+ community, the unhoused, and multiple private citizens should be considered grounds for his expulsion from the City Commission. Such conduct is not only unbecoming a public servant, but also in clear violation of the city's Code of Ethics.

ATTACH B



City Attorney's Office
Civil Division
P.O. Box 5021
Great Falls, MT 59403
Tel: 406-455-8578

David G. Dennis
City Attorney
Rachel A. Taylor
Deputy City Attorney

Robin L. Beatty
Senior Paralegal
Rebecca M. Schultz
Legal Assistant

October 20, 2023

SENT VIA EMAIL TO jasmine.taylor.mt@gmail.com

Jasmine Taylor
Great Falls, MT 59403

RE: Ethics Complaint

Dear Ms. Taylor:

Please be advised that the ethics complaint that you asserted against Rick Tryon will be forwarded to the City of Great Falls Ethics Committee ("Committee") for review. As a preliminary matter, however, I need you to complete the Committee's official Ethics Complaint form, attached. The form, along with the Rules and Procedures for Governing Ethics Committee, are available on the City's website at <https://greatfallsmt.net/boc-ec>. For your convenience, I have also attached them to the email accompanying this letter. Please provide the completed and signed Ethics Complaint form to the City Manager's office within five business days of this letter. If you like, you may simply complete the form and attach the materials previously presented to the City Commission, or you may modify or supplement as you see fit.

The Ethics Committee will meet and hear testimony regarding matters referred to it at a public hearing that will be scheduled in the future. Anticipating your return of the Complaint Form, I am in the process of retaining independent legal counsel to represent the Ethics Committee for the purposes of the hearing.

Your completed form will be circulated to my office, Commissioner Tryon, and the Ethics Committee's counsel. If after presentation of your complaint form, you would like to have additional documentation, a statement, or other information considered by the Ethics Committee at the hearing, you must provide that information to the City Manager's office at least seven days prior to the hearing.

Jasmine Taylor
October 20, 2023
Page 2 of 2

You have the right to attend the Ethics Committee hearing, present testimony or answer Committee questions, and have your own counsel attend or present your position in the matter.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "David G. Dennis", written in a cursive style.

David G. Dennis

Enclosure



ETHICS COMPLAINT

Name of Complainant: _____

Complainant's Address: _____

Complainant's Phone Number: _____ Email address: _____

Subject of Complaint (person you are complaining about):

Name: _____

Title: _____

BASES FOR COMPLAINT: Please state in detail all laws, regulations or codes which are alleged to be violated, and provide a detailed description of the alleged violation of each law, regulation or code. Attach all documents or other information supporting your complaint.

Please write on the back of this form, or attach additional pages, if you need more space.

Please state whether you are asserting a privacy right which you believe would require a closed meeting on the matter. If you believe you have a privacy right, please state whether you are waiving that right, and if you agree to the meeting on this issue being open. If you are not waiving your privacy right, please set forth the reasons for asserting the privacy right.

_____ I am asserting a privacy right and request a closed meeting, for the following reasons:

_____ I am not asserting a privacy right and agree to an open meeting.

By signing this form, I verify that the statements in this Complaint are true and correct and that I have attached true and correct copies of any supporting documentation.

Signature _____ Date: _____

Return completed Ethics Complaint form to the City Manager's Office, Civic Center Room 201, 2 Park Drive South, Great Falls, MT 59401

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.

ATTACH C

ETHICS COMPLAINT

Name of Complainant: Jasmine Taylor
Complainant's Address: 1440 8th Ave NW Great Falls MT 59404
Complainant's Phone Number: 406-231-9995 Email address: jasmine.taylor.mt@gmail.com

Subject of Complaint (person you are complaining about):

Name: Rick Tryon
Title: City Commissioner

BASES FOR COMPLAINT: Please state in detail all laws, regulations or codes which are alleged to be violated, and provide a detailed description of the alleged violation of each law, regulation or code. Attach all documents or other information supporting your complaint.

A detailed complaint is attached. Relevant regulations are:
2.21.050(a-d) and 2.21.030(a-d) of the Great Falls
Code of Ethics. The attachment contains several examples
of likely violations but is not comprehensive of all potential
violations under these same regulations. The ethics commission can
find several relevant articles on Tryon's/Straymoose's website.

Please write on the back of this form, or attach additional pages, if you need more space.

Please state whether you are asserting a privacy right which you believe would require a closed meeting on the matter. If you believe you have a privacy right, please state whether you are waiving that right, and if you agree to the meeting on this issue being open. If you are not waiving your privacy right, please set forth the reasons for asserting the privacy right.

☐ I am asserting a privacy right and request a closed meeting, for the following reasons:

☒ I am not asserting a privacy right and agree to an open meeting.

By signing this form, I verify that the statements in this Complaint are true and correct and that I have attached true and correct copies of any supporting documentation.

Signature Jasmine Taylor Date: 10-21-23

Return completed Ethics Complaint form to the City Manager's Office, Civic Center Room 201, 2 Park Drive South, Great Falls, MT 59401

Please consider the following a formal complaint of potential ethics violations by City Commissioner Rick Tryon. All information contained within is based on information and belief. In the interest of brevity, I have included hyperlinks of relevant articles. The following are only a small sampling of relevant examples, however a thorough examination of all Tryon's authorship in connection with his employer should be undertaken as part of a formal investigation into this complaint.

Issue 1: Employment Relationship Between Tryon and Stray Moose Productions

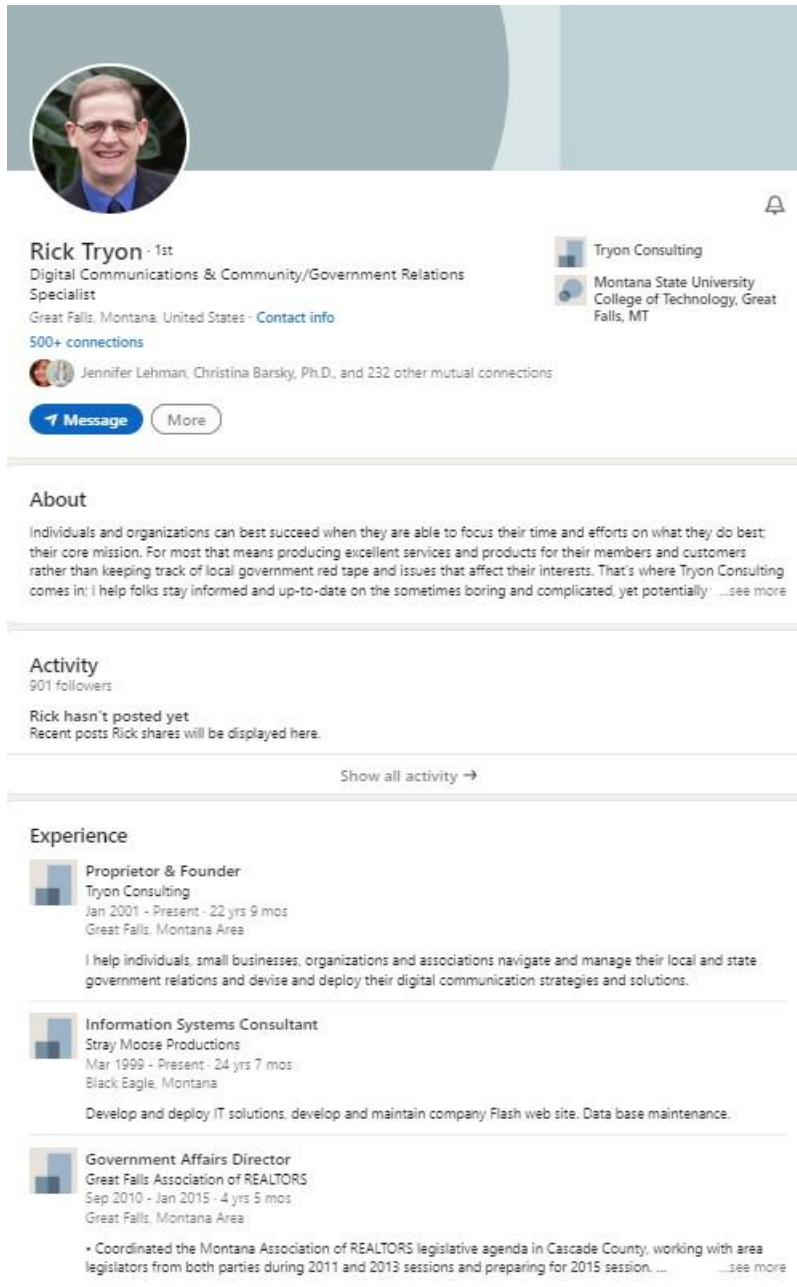
During his tenure as City Commissioner, Rick Tryon has concurrently maintained an employment relationship with Stray Moose Productions. Tryon has written numerous articles for a blog, E City Beat. Although E City Beat was not previously a registered business name in the state of Montana, it appears that E City Beat is owned and operated by Stray Moose Productions. As seen below, E City Beat's contact information indicates emails are directed to Straymoose.com.

Contact

If you have a tip or something we should know about, please drop us a line
(whistleblowers are welcome!)

You can email us at ecitybeat@straymoose.com.

Further, Tryon's LinkedIn profile lists him as an employee of Stray Moose Productions. Tryon notes that he is the "Information Systems Consultant" and has worked for Stray Moose Productions since 1999. Therefore, it appears that an employment relationship exists between Tryon and Stray Moose Productions, which logically extends to E City Beat. E City Beat allows for paid advertising on their website, and likely generates income for its owners.



Rick Tryon · 1st
 Digital Communications & Community/Government Relations Specialist
 Great Falls, Montana, United States · [Contact info](#)
 500+ connections

[Jennifer Lehman](#), [Christina Barsky, Ph.D.](#), and 232 other mutual connections

[Message](#) [More](#)

About

Individuals and organizations can best succeed when they are able to focus their time and efforts on what they do best: their core mission. For most that means producing excellent services and products for their members and customers rather than keeping track of local government red tape and issues that affect their interests. That's where Tryon Consulting comes in: I help folks stay informed and up-to-date on the sometimes boring and complicated, yet potentially ...see more

Activity
 901 followers

Rick hasn't posted yet
 Recent posts Rick shares will be displayed here.

[Show all activity →](#)

Experience

Proprietor & Founder
 Tryon Consulting
 Jan 2001 - Present · 22 yrs 9 mos
 Great Falls, Montana Area

I help individuals, small businesses, organizations and associations navigate and manage their local and state government relations and devise and deploy their digital communication strategies and solutions.

Information Systems Consultant
 Stray Moose Productions
 Mar 1999 - Present · 24 yrs 7 mos
 Black Eagle, Montana

Develop and deploy IT solutions, develop and maintain company Flash web site, Data base maintenance.

Government Affairs Director
 Great Falls Association of REALTORS
 Sep 2010 - Jan 2015 · 4 yrs 5 mos
 Great Falls, Montana Area

- Coordinated the Montana Association of REALTORS legislative agenda in Cascade County, working with area legislators from both parties during 2011 and 2013 sessions and preparing for 2015 session. ...see more

Although Tryon undoubtedly maintains his rights to free speech while serving on the Commission, he is also bound by the standards laid out in the City of Great Falls' Code of Ethics.

Tryon's employment by Stray Moose Productions and his contributions to the blog, E City Beat, appear to be in violation of the following ethical codes:

2.21.050 - Ethical standards.

In addition to complying with the provisions of Mont. Code Ann. [Title 2](#), Chapter 2, officers and employees of the City of Great Falls shall comply with the following provisions:

A. No officer or employee of the City of Great Falls shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her governmental duties;

[...]

C. No officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to:

1. impair his or her objectivity or independence or judgment, or
2. substantially conflict with the proper discharge of officer or employee's governmental duties;

D. No officer or employee shall undertake any private employment or service which might prejudice his or her independent judgment in the exercise of his or her official duties;

Regarding 2.21.050(A), and of particular concern is the relationship between Tryon's authorship for E City Beat and his ability to faithfully carry out the duties of a City Commissioner. Blog viewership generates advertising revenue. Blog contents, headlines, and stories undoubtedly draw viewership which directly affects the revenue of the blog. Topics that are salacious and controversial may draw larger viewership. Therefore, it is advantageous for authors to write in such a manner, and cover such topics, that will create the greatest amount of engagement for the business.

Tryon has discussed multiple high-profile issues occurring within the city on his blog. In fact, while Great Falls has worked to address the housing crisis, Tryon wrote multiple articles about this very topic. It is a substantial conflict for a city official to dually vote on city actions, ordinances, and even lawsuits while also profiting from and authoring media coverage about these issues. The employment relationship between Tryon and Stray Moose Productions appears to directly conflict with 2.21.050(C1-2). Tryon's employer benefits financially from increased viewership. Therefore, Tryon's employment appears to directly obfuscate his objectivity, independence, and judgement. If Tryon's articles, in which he openly identifies himself as a City Commissioner, are reviewed by his employer, it is entirely possible that a

business (Stray Moose Productions) is crafting narratives about city issues, with a city commissioner as the attributed author. Tryon cannot simultaneously act independently and objectively while writing about city issues on a blog for which he works, and about issues on which he is voting. This very same issue also conflicts with 2.21.050(D) which expressly forbids private employment or service which may prejudice independent judgment in the exercise of official duties. Below are just four examples of Tryon writing seemingly in his official capacity as City Commissioner, on a blog which generates revenue, and appears to be owned by Tryon's employer:

FUMC HOMELESS CAMP GREAT FALLS

City Press Release And Court Filing Against FUMC Great Falls 'Homeless Camp'

BY RICK TRYON MAY 31, 2022



In the interest of full transparency and in response to the dozens of complaints, comments and expressions of concern I've received over the past couple of months I am taking this opportunity to share the information made publicly available concerning the action recently taken by the City of Great Falls related to the 'homeless encampment' at the First United Methodist Church in downtown Great Falls.

Here is the full text of the press release issued by the City:

"Draft Press Release – First United Methodist Church Homeless Encampment"

Over the past six months, First United Methodist Church has been expanding its homeless outreach ministry located at 610 2nd Ave N. Initially, the church provided food and space for homeless persons. Recently, the church expanded its activities into a tent and camper encampment in violation of the City of Great Falls Municipal Code.

The City has notified Pastor Jeff Wakeley that the Church is required under the City's zoning ordinance to obtain a Conditional Use Permit to even operate any type of homeless shelter in

Here is the full text of the press release issued by the City:

"Draft Press Release – First United Methodist Church Homeless Encampment

Over the past six months, First United Methodist Church has been expanding its homeless outreach ministry located at 610 2nd Ave N. Initially, the church provided food and space for homeless persons. Recently, the church expanded its activities into a tent and camper encampment in violation of the City of Great Falls Municipal Code.

The City has notified Pastor Jeff Wakeley that the Church is required under the City's zoning ordinance to obtain a Conditional Use Permit to even operate any type of homeless shelter in the first instance. The Church has since submitted a CUP application that is currently being processed by City staff, and will ultimately be presented to the Great Falls Zoning Commission within the next few weeks.

In the meantime, the Church was also placed on notice in early May that the tent and camper encampment is a separate violation of the City's zoning code, which does not permit campgrounds in the zoning district where the Church is located. The Church did not respond to that notice by removing the tents and camping arrangements as directed, so the City has now filed a lawsuit in District Court to enforce its zoning requirements.

Finally, the City has also begun the process of reviewing and responding to several citizen complaints regarding a "public nuisance" condition on the property under City Code. That process can ultimately lead to a City Commission hearing on the matter and a possible order from the City Commission that the nuisance conditions on the property be abated.

The City had hoped that First United Methodist Church would work with the MT Continuum of Care Coalition and other existing service providers to assist the homeless. Instead, First United has sought to expand its efforts stating that the City has not done enough to support a "low barrier" shelter."

Here is a **copy of the complaint for declaratory and injunctive relief** filed by the City in District Court to "enforce its zoning requirements".

Previous article

Great Falls Democrat Activist Smears Cops As Racist Cowards, Calls For Defund

Next article

Slaughter Crushes Groskreutz: Three Reasons



RICK TRYON

<http://www.ricktryon.com>

Rick Tryon is an entrepreneur, a singer-songwriter, and is currently serving a four year term as a Great Falls City Commissioner. Helping Montana become an even greater place to live, play and work is Tryon's passion.



<https://ecitybeat.com/commissioner-tryons-priorities-for-2022/>

<https://ecitybeat.com/commissioner-tryon-fumc-homeless-camp-update/>

<https://ecitybeat.com/marijuana-tax-revenue-for-great-falls-commissioner-rick-tryon/>

<https://ecitybeat.com/city-press-release-and-court-filing-against-fumc-great-falls-homeless-camp/>

Issue 2: Conduct Unbefitting the Public Trust

The employment relationship between Tryon and Stray Moose Productions itself is concerning and worthy of investigation. However, even absent an employment relationship, Tryon's conduct as a contributing author on E City Beat violates other ethical standards.

The most significant ethical violations exist when examining Tryon's writing under the lens of 2.10.030 (B-D)

2.21.030 - Purpose and authority.

It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct for officers and employees of the City of Great Falls shall be clear, consistent, uniform in their application, enforceable, and to provide those officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties. Such ethical standards shall inspire and stimulate each officer and employee to: [...]

B. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative and practical attitude toward urban affairs and a deep sense of social responsibility as a trusted public servant;

C. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public; and

D. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

Examining first Tryon's conduct in relation to 2.21.030(B) and 2.21.030(D), Tryon has made multiple public statements that do not indicate a "deep sense of social responsibility as a trusted public servant." One poignant example is the below article Tryon authored for E City Beat. After Neo Nazis littered a neighborhood with antisemitic and anti-trans flyers, Tryon erroneously accused the Great Falls Tribune as mischaracterizing this literature. As seen below, Tryon clearly identifies himself as a City Commissioner at the end of his article. Matters of public safety, including adherence to governmental laws regarding discrimination, are well within the purview of the city commission. It is a direct conflict for Tryon to address such matters on behalf of his employer, and even worse to abuse the public trust and openly disenfranchise members of the LGBTQ+ community who were deeply affected by this hate literature.

GREAT FALLS GREAT FALLS TRIBUNE

Tribune Misreports That 'Anti-Trans' Flyer Was Distributed In Great Falls

BY RICK TRYON APRIL 6, 2022

0 0



Because I've been asked about it several times, I felt it necessary at last night's Great Falls city commission meeting to publicly correct a piece of incorrect reporting by the Great Falls Tribune last week.

The front page of the Tribune's Thursday, March 31 print addition carried the following headline, *"'Not in my neighborhood' Anti-Semitic, anti-trans flyers distributed in Great Falls"*.

Their digital content also repeated the misinformation, see screenshot below:





The Tribune reporter either hasn't actually seen the flyer in question, is being intentionally dishonest in order to create a false narrative, or is referring to material other than what I have seen.

I know this because I have seen and reviewed the anti-Semitic flyer that was distributed in Great Falls last week and there is absolutely nothing in the content of that flyer that is "anti-trans".

The Tribune should either correct the record concerning the contents of the flyer or specify how the ugly and bigoted anti-Semitic message contained therein is "anti-trans".

The attempt by the Tribune to invent a false flag, manufacture a bigoted anti-trans smear where none exists, and then try to falsely piggyback it on an actual, dangerous distribution of hate literature serves no one.

In fact, it is a disservice to the Great Falls public.

Previous article

GFP5 School Board Candidate Info

Next article

Opinion: Cascade County Elections Staff Demeanor And Behavior 'Unprofessional' And 'Alarming'



RICK TRYON

<http://www.ricktryon.com>

Rick Tryon is an entrepreneur, a singer-songwriter, and is currently serving a four year term as a Great Falls City Commissioner. Helping Montana become an even greater place to live, play and work is Tryon's passion.



Tryon's article can also be read here: <https://ecitybeat.com/tribune-misreports-that-anti-trans-flyer-was-distributed-in-great-falls/>. Tryon cannot "serve the best interest of all of the people" while writing articles that ignore transphobic rhetoric, or the targeting of LGBTQ+ community members by hate groups.

Even more concerning than Tryon's more broad discriminatory statements is Tryon's consistent targeting and harassment of local citizens that disagree with him. Tryon has continually and

consistently used E City Beat to disparage and humiliate citizens that disagree with him. Many of these citizens have never run for public office, nor would they be considered a “public figure” by an interpretation of the definition.

Below are just two examples of Tryon naming public citizens in articles where he openly disparages them for disagreeing with him.

<https://ecitybeat.com/blogger-defends-calling-sheriff-rookie-dumber-tryon-responds/>

<https://ecitybeat.com/commissioner-tryon-responds-to-homophobic-misogynistic-bootlicker-comment/>

Tryon’s actions are a clear violation of 2.21.030(C) which requires Tryon to “Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public.” Perhaps the most telling example of Tryon’s violating the public trust is Tryon’s E City Beat article in which he includes an email sent to him from a constituent. You can read the full article here: <https://ecitybeat.com/ban-gas-stoves-in-great-falls/>.

Tryon cannot reasonably maintain public trust when he is willing to share emails sent to him in his capacity as a City Commissioner for fodder on his blog. It is wholly unacceptable for Tryon to make community members who contact him in his official role the subject of public derision. Tryon clearly abuses his position when he not only degrades those who disagree with him, but also seeks to humiliate those who reach out to him in earnest. The below screenshots show Tryon’s article, in which he again clearly identifies himself as a City Commissioner.

Ban Gas Stoves In Great Falls?

BY RICK TRYON JANUARY 25, 2023

2



Image via pexels.com

Last week I received an email in my City Commission inbox from a city resident urging a phase-out of fossil fuels for cooking and heating from our homes and businesses right here in Great Falls.

Below is the text of the email as well as my response.

I'm leaving out the senders name here, even though the email is public information and available to anyone who requests it.

The Email

Dear Tryon,

The Email

Dear Tryon,

I'm writing to you today because I believe our community must urgently pass a building electrification policy and phase fossil fuels out of our homes and businesses.

Buildings are responsible for 13% of greenhouse gas emissions in the US, and recent study from the International Journal of Environmental Research and Public Health found that gas stoves are responsible for 1 in 8 cases of childhood asthma – that's on par with secondhand smoke. Burning gas in homes also generates harmful emissions of formaldehyde, methane, nitrogen oxides, and other pollutants.

As your constituent, I'm urging you to do everything in your power to ensure new buildings in our community are all-electric and help phase gas and other fossil fuels out of existing buildings.

Thank you.

My Response

Ms./Mr. — — —

Thank you for your comments and concerns, however as a Great Falls City Commissioner I have no intention of advocating in any way shape or form for banning the use of natural gas heating/cooking in our municipal building codes.

This idea is, quite frankly, completely antithetical to the common sense mainstream thinking of the folks I know and interact with daily in this community.

In addition, such a policy if implemented would be a potential disaster economically and an extra, unnecessary financial hardship for those in the lower income brackets in our community.

Sincerely,

Commissioner Rick Tryon

Tryon's authorship on E City Beat has significantly undermined the honor and integrity of the commission and has diminished the respect and confidence of the public in his ability to perform his duties. It is incumbent upon the City of Great Falls to uphold its code of ethics, including fully investigating the employment relationship between Tryon and Stray Moose Productions/E City Beat. Further, Tryon's attacks on the LGBTQ+ community, the unhoused, and multiple private citizens should be considered grounds for his expulsion from the City Commission. Such conduct is not only unbecoming a public servant, but also in clear violation of the city's Code of Ethics.

ATTACH D

Phil Faccenda
C/O Stray Moose Productions
3 Anaconda Hills Drive
Black Eagle MT 59414-1211

Commissioner Rick Tryon
PO Box 5021
Great Falls, MT 59403

Greetings,

This letter is to inform you that you are using a business name, "E-City Beat" which is registered to WTF406 with the Montana Secretary of State. You have no authority to use this registered business name.

The purpose of this letter is a formal request to cease and desist from the use of the business name, "E-City Beat". We are the owners of the registered business name, "E-city Beat" We believe that using that name would put you in violation of the statutes enforced by the Montana Secretary of State.

Our registered business name, "E-City Beat" may not be used for any purpose including the regular publication of any electronic or social media publication including, but not limited to, a blog, FaceBook Page, Twitter or Instagram accounts or any video, sound recordings or printed materials.

Sincerely.

WTF 406

Sent Certified mail, return receipt requested

ATTACH E

Jordan Crosby

From: Rick Tryon <rtryon@greatfallsmt.net>
Sent: Wednesday, October 18, 2023 8:59 PM
To: David Dennis; Greg Doyon
Cc: Charles Anderson
Subject: Factual Inaccuracies

David,

First, thanks for the update/clarification yesterday concerning the Police Commission application contained in the commission packet for Tuesday's meeting.

Second, after reviewing Ms. Taylor's ethics complaint I want to alert you to some factual inaccuracies in Taylor's complaint which you may or may not be aware of and which may or may not be important considerations as to how you proceed.

In the introductory paragraph Taylor states the following, **"...however a thorough examination of all Tryon's authorship in connection with his employer should be undertaken as part of a formal investigation into this complaint."**

There is no "authorship in connection" with my employer.

I have a part-time employment relationship with Stray Moose Productions as a video transfer specialist. I am not employed by the E-City Beat blog, but am a volunteer, occasional content contributor.

Taylor further incorrectly states in paragraph 1 under Issue 1 that, **"...it appears that E City Beat is owned and operated by Stray Moose Productions."**

E City Beat is owned and operated by Phil Faccenda and is a separate entity from Stray Moose Productions. Faccenda has several business and other projects/endeavors, including an architectural business. How he operates his businesses and how he chooses to conduct email communications for his concerns is completely unrelated to my employment agreement with Stray Moose Productions.

In her second paragraph under Issue 1 Taylor further incorrectly states that my employment relationship with Stray Moose Productions, **"...logically extends to E City Beat."**

My employment relationship is with Stray Moose Productions, not the E City Beat blog for which I am a volunteer contributor and from which I receive zero financial remuneration, as my tax returns and check stubs factually bear out.

In her final paragraph under Issue 1 Taylor repeats these factual errors, **"...Tryon cannot simultaneously act independently and objectively while writing about city issues on a blog for which he works, and about**

issues on which he is voting.”

I do not work for a blog, as Taylor repeatedly and quite mistakenly asserts. In fact that false assertion is the entire framework upon which she builds this ethics complaint.

As I said at the beginning, David, I want to make certain that you are fully aware of the facts before proceeding to the next steps in this matter.

Thanks for your time and for all you do for our community.

Rick Tryon

ATTACH F



City Attorney's Office
Civil Division
P.O. Box 5021
Great Falls, MT 59403
Tel: 406-455-8578

David G. Dennis
City Attorney
Rachel A. Taylor
Deputy City Attorney

Robin L. Beatty
Senior Paralegal
Rebecca M. Schultz
Legal Assistant

October 31, 2023

VIA EMAIL

Jasmine Taylor
jasmine.taylor.mt@gmail.com

RE: Ethics Complaint

Dear Ms. Taylor:

Thank you for providing your complaint form as we requested. I am in the process of conducting my investigation as to the complaint. In that regard, I would request that you provide paper copies of the following:

1. Complete copies of all blog posts that you have referenced in your complaint, as the City's firewall will not allow me to access the documents from the ecitybeat.com address; and
2. Copies of documentation evidencing support for your statements to the effect that Rick Tryon or his immediate family have received monetary or material gain from the posts.

I appreciate your providing the City Manager's Office at the Post Office Box above with this information so that I may work to complete my investigation. Any information that you send will be provided to my office, Commissioner Tryon, and the Ethics Committee's counsel.

Thank you.

Sincerely,

David G. Dennis

David G. Dennis
City Attorney

ATTACH G



City Attorney's Office
Civil Division
P.O. Box 5021
Great Falls, MT 59403
Tel: 406-455-8578

David G. Dennis
City Attorney
Rachel A. Taylor
Deputy City Attorney

Robin L. Beatty
Senior Paralegal
Rebecca M. Schultz
Legal Assistant

October 31, 2023

VIA EMAIL

Phil Faccenda
Stray Moose Productions
phil@straymoose.com

RE: Ethics Complaint Against City Commissioner Rick Tryon

Dear Mr. Faccenda:

I am investigating an ethics complaint that has been filed against City Commissioner Rick Tryon, by Jasmine Taylor. I am in the process of conducting my investigation into the complaint. In that regard, I would request that you provide:

1. Documentation regarding any ownership interest that Commissioner Tryon has in Stray Moose Productions or ecitybeat.com and associated documents; and
2. Information as to whether or not Commissioner Tryon has received or receives any monetary or material gain from his blog submissions to ecitybeat.com.

I appreciate your providing this information to the City Manager's office at the Post Office Box above with so that I may work to complete my investigation. Any information that you send will be provided to my office, Commissioner Tryon, and the Ethics Committee's counsel and may become public documents.

Thank you.

Sincerely,

David G. Dennis

David G. Dennis
City Attorney

Enclosures

Cc: City Commissioner Rick Tryon

ATTACH H



City Attorney's Office
Civil Division
P.O. Box 5021
Great Falls, MT 59403
Tel: 406-455-8578

David G. Dennis
City Attorney
Rachel A. Taylor
Deputy City Attorney

Robin L. Beatty
Senior Paralegal
Rebecca M. Schultz
Legal Assistant

October 31, 2023

VIA EMAIL

Rick Tryon
City Commissioner
rtryon@greatfallsmt.net

RE: Ethics Complaint

Dear Commissioner Tryon,

I am in the process of conducting my investigation as to the complaint. In that regard, I would request that you provide:

1. Your consent to provide your October 18, 2023 email to me to Ms. Taylor and counsel for the Ethics Committee, in the interests of complete disclosure of correspondence in this matter;
2. Consent to your employer Stray Moose Productions, to provide information as identified in the attached letter;
3. Copies of documentation evidencing any conflict disclosures that you may have made to the Commissioner of Political Practices during your tenure as Commissioner for the City of Great Falls;
4. Your response to Ms. Taylor's complaint on the form provided in my last letter to you; and
5. Copies of any W-2s that have been attached to your tax returns for the time periods when you have served as a City Commissioner, with the monetary amounts and social security number redacted.

I appreciate your providing the City Manager's Office with this information so that I may work to complete my investigation. Any information that you send will be provided to my office, Ms. Taylor, and the Ethics Committee's counsel.

Please also be advised that the Rules and Procedures for Governing Ethics Committee are available on the City's website at <https://greatfallsmt.net/boc-ec>.

Rick Tryon
October 31, 2023
Page 2

Thank you.

Sincerely,

David G. Dennis

David G. Dennis
City Attorney

Enclosure

ATTACH I

Jordan Crosby

From: Rick Tryon <rtryon@greatfallsmt.net>
Sent: Tuesday, October 31, 2023 3:29 PM
To: Rebecca Schultz; Greg Doyon; David Dennis
Subject: Re: Ethics Complaint

David,

You have my consent to provide the complainant with the 10/18/23 email referenced here, the content of which will be part of my response to the complaint.

Stray Moose Productions can provide such information as they deem appropriate.

I have made no conflict disclosures to the COPP during my tenure as Commissioner.

I will submit my response to the complaint to the City Manager's office by the date indicated in your previous email, 11/2/23.

I will not be submitting any of my private, personal financial, tax, or other documents to the City based on speculation and innuendo contained in an ethics complaint which contains allegations completely outside of my official duties as a city commissioner.

Thanks,

Rick Tryon

From: Rebecca Schultz
Sent: Tuesday, October 31, 2023 9:59 AM
To: Rick Tryon
Cc: David Dennis
Subject: Ethics Complaint

Dear City Commissioner Rick Tryon,

Please find attached a letter from City Attorney, David Dennis.

-Rebecca

Rebecca Schultz
 Civil Legal Assistant
 City Attorney's Office – Civil Division
 2 Park Drive South, P.O. Box 5021
 Great Falls, MT 59403-5021

406-455-8578



ATTACH J

Jordan Crosby

From: phil@straymoose.com <philip@straymoose.com>
Sent: Tuesday, October 31, 2023 3:47 PM
To: Rebecca Schultz
Subject: Tryon Ethics Complaint
Attachments: STRAY MOOSE PRODUCTIONS.docx

Hi Rebecca,

Please find the attached answers to Mr. Dennis's questions relative to Commissioner Tryon's Ethics Complaint.

Philip Faccenda

STRAY MOOSE PRODUCTIONS, INC

STRAY MOOSE PRODUCTIONS, INC

October 31, 2023

VIA EMAIL

Mr. David G. Dennis, City Attorney

City of Great Falls

RE: Ethics Complaint Against City Commissioner Rick Tryon

Dear Mr. Dennis:

In answer to your email of today concerning the above referenced complaint, please find the following answers to your questions.

1. City Commissioner Rick Tryon does not, or has he ever owned an interest, stock, or other ownership position in Stray Moose Productions, Inc., or E-City Beat. Both entities are mine, and mine alone.
2. Commissioner Tryon has never received, and does not currently receive remuneration from his authored blog articles. None of our contributors to E-City Beat receive a financial benefit for their self-authored blog postings.

Sincerely,

Philip M. Faccenda

ATTACH K

Jordan Crosby

From: Jasmine Taylor <jasmine.taylor.mt@gmail.com>
Sent: Thursday, November 2, 2023 12:26 PM
To: Rebecca Schultz
Cc: David Dennis
Subject: Re: Ethics Complaint
Attachments: ECB Content for Ethics Complaint.docx; Maribeth Wilcox.docx; Paid Advertising.zip; Angela1.png; Angela 2.png

Good afternoon,

I have attached several documents. Firstly, I have attached a word document with each article referenced in the Ethics complaint. I do not have easy access to a printer, so I am hoping this word document will be sufficient. I am also attaching a zip file which shows paid advertising on the E City Beat webpage. These screenshots also align with the articles in the word document, to verify that I have simply copy and pasted the content.

Of note, the paid advertisement is the same on each screenshot. This is because I accessed each article on the same day. I have also attached a screenshot showing that the E City Beat webpage has a specific link for advertisers to contact them. As to evidence of the business relationship, I relied on Commissioner Tryon's own Linked In profile where he lists Stray Moose Productions as his employer. I have already included that screenshot in the original complaint.

I am also attaching a letter from Maribeth Wilcox, one of the individuals that Tryon wrote about, as referenced in the complaint. Wilcox also attended a public city commission meeting when this article came out to express her concerns about Commissioner Tryon's behavior. I anticipate providing another letter from a similarly situated individual who has indicated they will provide me this letter later today.

One individual also targeted by Commissioner Tryon is Angela Alvarez. I have attached two screenshots of Facebook posts, one from Ms. Alvarez herself. These screenshots show that on the same day that Commissioner Tryon posted his disparaging article about Ms. Alvarez, she was actively in labor. This is evident in both attached Facebook posts. I have not included a letter from Ms. Alvarez as she later died from suicide due to complications from post partum depression. I did not think it appropriate to reach out to her widower to ask for such a letter. However it is quite evident that Commissioner Tryon's article was distressing to Ms. Alvarez, and created unnecessary hardship while she should have been solely focused on giving birth to her daughter. I find Commissioner Tryon's behavior in this instance of particular concern especially regarding the behavioral expectations of elected officials.

Also of note, although outside of the scope of this complaint, E City Beat has actually targeted two local citizens who later died by suicide. The second article was written by Phil Facenda, and as such was not included in this complaint. Unless it is deemed necessary by the Ethics commission, I would prefer to be sensitive to the families of the deceased and not provide the supplemental article written by Facenda. Please let me know what is necessary and appropriate. However, the apparent partnership between Facenda and Tryon, and their consistent bullying of local citizens, creates a significant liability concern for the city. Not only is the behavior a concern when examining liability, it is also clearly unbefitting an elected official, as clearly outlined in my complaint.

I am happy to answer any questions regarding these attachments. If hard copies are necessary, please let me know, and I will find a way to get them printed and delivered to your office. I will also provide any supplemental documentation as soon as possible, but no later than the 7 days intimated to me as the required deadline for such submissions.

Thank you,
 Jasmine Taylor

On Tue, Oct 31, 2023 at 10:01 AM Rebecca Schultz <rschultz@greatfallsmt.net> wrote:

Dear Jasmine Taylor,

Please find attached a letter from City Attorney, David Dennis.

-Rebecca

Rebecca Schultz

Civil Legal Assistant

City Attorney's Office – Civil Division

2 Park Drive South, P.O. Box 5021

Great Falls, MT 59403-5021

406-455-8578



City of Great Falls e-mails may be subject to Montana's Right To Know law (Article II Sec 9, Montana Constitution) and may be a Public Record (2-6-1002, M.C.A.) and available for public inspection.

Hyperlink from Page 5 of Complaint, #1

<https://ecitybeat.com/commissioner-tryons-priorities-for-2022/>

CITY COMMISSION

Commissioner Tryon's Priorities For 2022

BY RICK TRYON

2

NOVEMBER 23, 2021



With 2022 almost here, I thought it would be a good time to provide Great Falls folks with a brief outline of what I, as a City Commissioner, consider to be two very important areas of focus in the coming year.

First, I believe we need to make it a priority to follow up on the excellent work the Great Falls Crime Task Force has done in providing a comprehensive set of recommendations to the City Commission, City administration, and general public.

You can read the complete [text of the recommendations here](#).

We can begin publicly vetting the low-to-no-cost policy/priority recommendations and start to approve and implement those elements almost immediately.

Once we get that ball rolling we can go after tackling the larger issues – like deciding on the level of additional resources, if any, needed for local law enforcement and the criminal justice system and how to pay for them.

The second priority I see coming up is the question of how the City of Great Falls will utilize the \$19.47 million in American Recovery Plan Act (ARPA) funding we have received.

You can find an informative spreadsheet outlining [ARPA eligible projects suggested by City administration and departments here](#).

Public input will be very important in this process going forward.

My own view is that the ARPA funds, intended to help communities recover from the harsh economic and social impacts of COVID-19, should be used to help EVERYONE in Great Falls to the greatest extent possible. COVID-19 affected ALL of us.

Already there are local special interests lobbying to receive large chunks of the ARPA funds in order to act as grantors to sub-recipients. I'm not convinced that this is the best or fairest way to handle distribution of these funds but I'm always ready to listen.

Either way, we'll all need to pay close attention and carefully weigh all of the options before deciding how to utilize the funding.

Previous article [Great Falls Area Company Transfers VHS To DVD – And Much More](#)

Next article [How To Help Victims Of Gibson Flats And Denton Fires](#)



RICK TRYON <http://www.ricktryon.com>

Rick Tryon is an entrepreneur, a singer-songwriter, and is currently serving a four year term as a Great Falls City Commissioner. Helping Montana become an even greater place to live, play and work is Tryon's passion.

Hyperlink from Page 5 of Complaint #2

<https://ecitybeat.com/commissioner-tryon-fumc-homeless-camp-update/>

FUMC HOMELESS CAMP

Commissioner Tryon: FUMC Homeless Camp Update

BY RICK TRYON

0

SEPTEMBER 15, 2022



In the last week I have received several communications and comments concerning the current situation at the First United Methodist Church.

Folks are concerned that the increasing number of transients and ‘unhoused’ individuals once again congregating on the FUMC property will result in the return of the tent/camper encampment, which was recently vacated from the parking lot there.

It is important to point out that the church grounds are private property and the church is not pursuing trespassing violations against the folks congregating there.

The City of Great Falls will not, and should not, seek to remove anyone from church property as long as they are not breaking any laws.

The tent encampment was an entirely different issue from a legal standpoint because the church was in clear violation of City zoning ordinances prohibiting camping in that zoning jurisdiction. That is why the City sought a legal remedy, which was ultimately unnecessary because the church voluntarily removed the encampment before the judge issued a ruling or the issue was litigated in court.

One of the concerns I have heard is that some of the folks hanging out on church property are also obstructing public sidewalks in the area. I relayed that concern to police chief Newton and he has responded that the patrol bureau is aware and that if an “...officer determines individuals to be actively and purposefully blocking sidewalks to impede its use in violation of section 12 of the City Code, we will require them to stop doing so.”

I hope this update and clarification is helpful for those who have questions.

Previous article [Candidate Profile: Republican Lola Galloway](#)

Next article [Sandra Merchant: GOP Candidate For Cascade County Clerk & Recorder](#)



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Hyperlink from Page 5 of Complaint #3

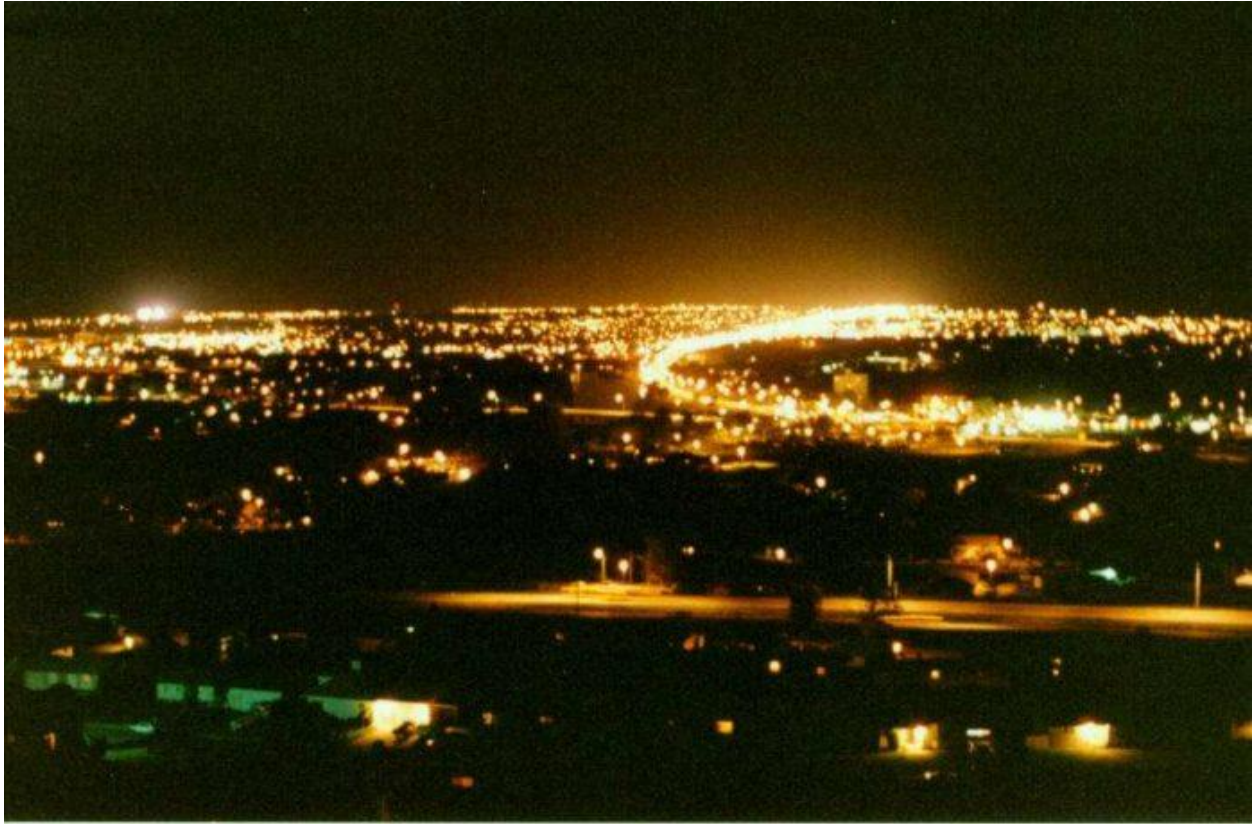
<https://ecitybeat.com/marijuana-tax-revenue-for-great-falls-commissioner-rick-tryon/>

Marijuana Tax Revenue For Great Falls – Commissioner Rick Tryon

BY **RICK TRYON**

2

NOVEMBER 28, 2022



On Election Day a few weeks ago Cascade County voters voted to approve a 3% local option tax on recreational adult use marijuana sales countywide.

On the same ballot, Great Falls voters approved commercial marijuana activities, weed shops etc., within Great Falls city limits.

In light of those decisions by local voters I will be pursuing an initiative to designate all of the tax revenue generated through weed sales coming to the City of Great Falls to go to funding our city's public safety needs – police, fire department, and courts.

A couple of things to note regarding this:

- Current zoning regulations limit commercial marijuana activities in Great Falls to areas zoned Industrial 1 and Industrial 2. Considering the people's vote on this issue, I believe that it is appropriate to continue the zoning conversation and get as much public input from stakeholders as possible going forward.
- Only 45% of the 3% tax collected by the County will be distributed by formula to the incorporated towns within Cascade County, of which Great

Falls is the largest, so revenue expectations should be tempered. This isn't a magic money tree.

I am working on getting some solid numbers on what we can expect given the current and projected potential revenue from weed sales and will update the public as soon as possible.

Previous article [Cascade County Dems Crushed Again](#)

Next article [Debunking The Bunk: No, GF Taxes Aren't Going Up 191%](#)



RICK TRYON <http://www.ricktryon.com>

Rick Tryon is an entrepreneur, a singer-songwriter, and is currently serving a four year term as a Great Falls City Commissioner. Helping Montana become an even greater place to live, play and work is Tryon's passion.

Hyperlink from Page 6 of Complaint

<https://ecitybeat.com/city-press-release-and-court-filing-against-fumc-great-falls-homeless-camp/>

FUMC HOMELESS CAMP GREAT FALLS

City Press Release And Court Filing Against FUMC Great Falls 'Homeless Camp'

BY RICK TRYON

1

MAY 31, 2022



In the interest of full transparency and in response to the dozens of complaints, comments and expressions of concern I've received over the past couple of months I am taking this opportunity to share the information made publicly available concerning the action recently taken by the City of Great Falls related to the 'homeless encampment' at the First United Methodist Church in downtown Great Falls.

Here is the full text of the press release issued by the City:

"Draft Press Release – First United Methodist Church Homeless Encampment

Over the past six months, First United Methodist Church has been expanding its homeless outreach ministry located at 610 2nd Ave N. Initially, the church provided food and space for homeless persons. Recently, the church expanded its activities into a tent and camper encampment in violation of the City of Great Falls Municipal Code.

The City has notified Pastor Jeff Wakeley that the Church is required under the City's zoning ordinance to obtain a Conditional Use Permit to even operate any type of homeless shelter in the first instance. The Church has since submitted a CUP application that is currently being processed by City staff, and will ultimately be presented to the Great Falls Zoning Commission within the next few weeks.

In the meantime, the Church was also placed on notice in early May that the tent and camper encampment is a separate violation of the City's zoning code, which does not permit campgrounds in the zoning district where the Church is located. The Church did not respond to that notice by removing the tents and camping arrangements as directed, so the City has now filed a lawsuit in District Court to enforce its zoning requirements.

Finally, the City has also begun the process of reviewing and responding to several citizen complaints regarding a "public nuisance" condition on the property under City Code. That process can ultimately lead to a City Commission hearing on the matter and a possible order from the City Commission that the nuisance conditions on the property be abated.

The City had hoped that First United Methodist Church would work with the MT Continuum of Care Coalition and other existing service providers to assist the homeless. Instead, First United has sought to expand its efforts stating that the City has not done enough to support a "low barrier" shelter."

Here is a **copy of the complaint for declaratory and injunctive relief** filed by the City in District Court to "enforce its zoning requirements".

Previous article [Great Falls Democrat Activist Smears Cops As Racist Cowards, Calls For Defund](#)

Next article [Slaughter Crushes Groskreutz: Three Reasons](#)



RICK TRYON <http://www.ricktryon.com>

Rick Tryon is an entrepreneur, a singer-songwriter, and is currently serving a four year term as a Great Falls City Commissioner. Helping Montana become an even greater place to live, play and work is Tryon's passion.

Hyperlink from Page 8 of Complaint

<https://ecitybeat.com/tribune-misreports-that-anti-trans-flyer-was-distributed-in-great-falls/>.

Tribune Misreports That 'Anti-Trans' Flyer Was Distributed In Great Falls

BY **RICK TRYON**

0

APRIL 6, 2022



Because I've been asked about it several times, I felt it necessary at last night's Great Falls city commission meeting to publicly correct a piece of incorrect reporting by the Great Falls Tribune last week.

The front page of the Tribune's Thursday, March 31 print addition carried the following headline, ***"'Not in my neighborhood' Anti-Semitic, anti-trans flyers distributed in Great Falls"***.

Their digital content also repeated the misinformation, see screenshot below:



The Tribune reporter either hasn't actually seen the flyer in question, is being intentionally dishonest in order to create a false narrative, or is referring to material other than what I have seen.

I know this because I have seen and reviewed the anti-Semitic flyer that was distributed in Great Falls last week and there is absolutely nothing in the content of that flyer that is "anti-trans".

The Tribune should either correct the record concerning the contents of the flyer or specify how the ugly and bigoted anti-Semitic message contained therein is "anti-trans".

The attempt by the Tribune to invent a false flag, manufacture a bigoted anti-trans smear where none exists, and then try to falsely piggyback it on an actual, dangerous distribution of hate literature serves no one.

In fact, it is a disservice to the Great Falls public.

Previous article [GFPS School Board Candidate Info](#)

Next article [Opinion: Cascade County Elections Staff Demeanor And Behavior 'Unprofessional' And 'Alarming'](#)



RICK TRYON <http://www.ricktryon.com>

Rick Tryon is an entrepreneur, a singer-songwriter, and is currently serving a four year term as a Great Falls City Commissioner. Helping Montana become an even greater place to live, play and work is Tryon's passion.

Hyperlink from Page 9 of Complaint #1

<https://ecitybeat.com/blogger-defends-calling-sheriff-rookie-dumber-tryon-responds/>

Blogger Defends Calling Sheriff ‘Rookie’ & ‘Dumber’ – Tryon Responds

BY **RICK TRYON**

0

SEPTEMBER 5, 2020



Someone sent me a link to local blogger [Mike 'Jackie' Brown's response](#) to my E-City Beat piece criticizing Brown for ridiculing Sheriff Jesse Slaughter.

I not only consider Jesse to be an outstanding sheriff, but I also regard him as a friend. And I will never hesitate to speak up and push back on ANYONE who wants to take cheap shots at him. Especially someone like Brown who specializes in sitting behind a keyboard criticizing others.

I must have really gotten under old Jackie's thin skin. He gets really defensive when someone gives him a little taste of the nasty medicine he dishes.

He begins by providing a dictionary definition of 'rookie', "Rookie – a person who is new to an organization or an activity".

Brown tries to palm this off as his justification for his snide and snarky reference to Sheriff Slaughter as a ‘rookie’ riding in on a horse or something in response to Judge Larson tossing a Great Falls man in jail for not wearing a mask in the courtroom, “*...But then we have rookie Sheriff Jesse Slaughter ride into the scene.*”

I suppose we could also use the typical sports world definition for rookie, meaning a player in his first year. Slaughter was elected Cascade County Sheriff in 2018 and has been in office for over a year and a half.

If Brown had bothered to do any research at all he would have discovered that in law enforcement, police officers are considered ‘rookie cops’ in their **first year** on ‘the job’. So if you want to talk about strict definitions then Sheriff Slaughter is not a ‘rookie’ sheriff.

Not only is Slaughter not a ‘rookie’ as Sheriff, he’d been a law enforcement officer for 18 years before being elected – putting his life on the line to help keep arrogant critics like old Jackie safe.

Brown’s after-the-fact use of a ‘source’ to define ‘rookie’ was nothing more than a phony attempt to cover his butt for his ignorant, “*...But then we have rookie Sheriff Jesse Slaughter ride into the scene*” original slur.

The two or three folks who read Brown’s Western Word blog may fall for that pathetic butt-covering attempt, but no one else does. Because it’s obviously dishonest.

Brown’s intention in tagging the sheriff as a ‘rookie’ was to mock and belittle Slaughter and make himself look like a big shot, savvy watchdog. He meant it as a pejorative, not as an accurate description of our sheriff’s professional status.

In his rebuttal Brown also tries to defend his attack on Slaughter, and me pointing out that Brown called the sheriff ‘dumb’, by writing the following: “*...For the record, I said Slaughter was “dumber” not “dumb.”*”

Good grief. Memo to Western Word readers: Jackie Brown thinks you’re idiots.

Finally, it's really easy to tell which of my criticisms of Brown's condescending and poorly thought through smear of Slaughter got to him the most. It's the one where he tries to convince himself, because no one else would fall for it, that *"...As I was reading Tryon's column out loud to family and friends, the following line had tears of laughter rolling down our cheeks..."*

Sorry, Jackie, no one is buying that "tears of laughter" were rolling down a bunch of folks cheeks as you read to them.

Brown's blog is basically just another boring "I hate Trump and his supporters" local regurgitation of the same old TDS talking points that others have been doing at the national level for four years.

We've heard it all before, but Jackie should keep practicing his anti-Trump propaganda because he's clearly out of his league when it comes to local issues.

Previous article [Candidate Profiles, Great Falls HD 26, Lovick Vs Trebas](#)

Next article [Candidate Profiles – Great Falls HD 21](#)



RICK TRYON <http://www.ricktryon.com>

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Hyperlink from Page 9 of Complaint #2

<https://ecitybeat.com/commissioner-tryon-responds-to-homophobic-misogynistic-bootlicker-comment/>

Commissioner Tryon Responds To 'Homophobic, Misogynistic, Bootlicker' Comment

BY **RICK TRYON**

3

AUGUST 3, 2020



It's rare, but occasionally a moment comes along that serves as perfect confirmation for something you say or do.

Such a moment popped up for me this morning after I posted the following on my personal Facebook page:

"...I have always endeavored to express myself and exercise my First Amendment rights with civility, good humor, and a sense of goodwill towards those who disagree, even those who strongly disagree.

Lately that has become increasingly difficult and I'll tell you why.

Somewhere along the line those on the fringe left thought it was OK to call me deplorable without actually knowing me and that I just have to nod in agreement.

They thought they could call me a racist without ever having had even one conversation with me and that I should be cool with that.

They assumed they could refer to me as a misogynist and a bigot without having spent even five minutes with me, and that I should just meekly agree.

Somewhere along the line the folks in the 'resistance' decided that anyone who doesn't join in their creepy, 24/7/365 hate orgy against our President must be a traitorous cultist.

Somewhere along the line the American neo-socialist movement thought they could spit on and burn our flag and if we object we're the fascists.

They thought they could throw all of our law-enforcement folks into one big barrel of 'systemic racism' and murder and that if we try to stand up for our police we're the bigots.

They've tried to make us think that if we don't kneel to their political and cultural demands, if we don't abandon our faith and our institutions and give in to their calls for physical, spiritual, and emotional reparations then we are the dividers and haters."

Shortly after my post someone sent me this screenshot of a different FB post by someone from several days ago:



Can't you just feel the love, tolerance, progressiveness, and virtue oozing from Angela's post here?

I mean, there's nothing quite like calling someone you don't know, whose name you misspell, and who you have never met a 'homophobic, misogynistic, bootlicker' to prove your own virtue, tolerance and love for humanity.

Oh, and don't get all technical about it and ask for any actual examples of anything that I have ever said or done that's homophobic or misogynistic. Angela has spoken and that's all you need to know about my 'hate-filled' 'ramblings' and 'trash'.

By the way, if you're reading this then you too are trash because my bootlicking articles 'attract trash' like you.

How silly of you to ask how Angela can call you 'trash' when you have no idea who she is and she has no idea who you are! Angela has spoken.

All you need to know is that if you 'agree with anything' I say then please just get in line for your lobotomy.

In addition, a couple of other local Great Falls 'activists' got in on all of the love and tolerance on Angela's post.



What? You didn't know that it's okay for folks like Sara to presume that she knows what someone with whom she has never had a conversation 'hates', what their expectations for their work is or their level of understanding of 'the rules'? You should know better, because obviously Sara received permission from Angela to fabricate criticisms of folks about whom she knows nothing.

And of course we can also rest assured that Maribeth knows for sure that the people who read this blog or who comment on my personal FB page are nothing more than 'bootlicking cronies' sucking at my teat.

I actually have three teats. I'm not even kidding. I could prove it by posting a photo but life is too short to subject you to the trauma of seeing my naked upper torso, an image you would never be able to unsee.

The point is that there is room for three bootlicking cronies at a time at my teats.

Sorry, I digress.

Of course none of this kind of garbage is new or surprising, it's just the same old boring, ineffective tactic the fringe left has been using for a long time on anyone who doesn't fully sign on to their agenda.

The only thing that's surprising here is that folks like Angela, Sara and Maribeth haven't yet figured out that their brand of criticism is actually harmful to the causes they claim to espouse.

I'll end with another snippet from my FB post this morning:

"I refuse to be called a hater by haters, a divider by dividers, or a bigot by bigots."

Previous article [Great Falls Shows Appreciation For Local Law Enforcement](#)

Next article [Former Montana Chamber Of Commerce Chair Endorses Rosendale Plan](#)



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Hyperlink from Page 9 of Complaint #3

<https://ecitybeat.com/ban-gas-stoves-in-great-falls/>.

*Please note I have included public comments made on this article, including indicating the citizen who contact Tryon should “go back to California.” I include this of evidence of the ridicule and derision this citizen faced due to Tryon’s article.

Ban Gas Stoves In Great Falls?

BY **RICK TRYON**

2

JANUARY 25, 2023



Image via

pexels.com

Last week I received an email in my City Commission inbox from a city resident urging a phase-out of fossil fuels for cooking and heating from our homes and businesses right here in Great Falls.

Below is the text of the email as well as my response.

I'm leaving out the senders name here, even though the email is public information and available to anyone who requests it.

The Email

Dear Tryon,

I'm writing to you today because I believe our community must urgently pass a building electrification policy and phase fossil fuels out of our homes and businesses.

Buildings are responsible for 13% of greenhouse gas emissions in the US, and recent study from the International Journal of Environmental Research and Public Health found that gas stoves are responsible for 1 in 8 cases of childhood asthma – that's on par with secondhand smoke. Burning gas in homes also generates harmful emissions of formaldehyde, methane, nitrogen oxides, and other pollutants.

As your constituent, I'm urging you to do everything in your power to ensure new buildings in our community are all-electric and help phase gas and other fossil fuels out of existing buildings.

Thank you.

My Response

Ms./Mr. ———

Thank you for your comments and concerns, however as a Great Falls City Commissioner I have no intention of advocating in any way shape or form for banning the use of natural gas heating/cooking in our municipal building codes.

This idea is, quite frankly, completely antithetical to the common sense mainstream thinking of the folks I know and interact with daily in this community.

In addition, such a policy if implemented would be a potential disaster economically and an extra, unnecessary financial hardship for those in the lower income brackets in our community.

Sincerely,

Commissioner Rick Tryon

Previous article [Shots Ring Out In Great Falls, Red Tape Reduction, And More](#)

Next article [‘Empower The Homeless’ In Flathead Co.? Great Falls 3rd Most Dangerous In MT?](#)



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[‘Election Protection Committee’ \(EPC\), Watchdog Or Attack Dog?](#)

BLOGGING

[Why Are Local Dems Trying To Eliminate Freedom Of Speech In Great Falls?](#)

GREAT FALLS

[Suspicious Great Falls Death, Former MT Governor Dies, And More](#)

2 COMMENTS

1.  **Lynn Kerstetter** [January 26, 2023 At 12:48 AM](#)

Rick Tryon, Thank you very much for your enlighten views on Gas Stoves and heating. I would have hoped you would have suggested that the person go back to California if that’s where they came from.
I will remember next election and try to help out with people voting legally for you.

[Reply](#)

2.  **Kyle Menges** [January 26, 2023 At 2:19 PM](#)

Thank you for your response to what I assume to be transplant person. I totally agree with your response. True Montanans take care of our state. This suggestion to “ pass a building electrification policy and phase fossil fuels out of our homes and businesses” is absurd here in Montana but may be necessary in state like California.

I will be supporting common sense candidates in the next election.

Maribeth Wilcox

812 2nd St. SW

Great Falls Mt

59404

Dear city Commission

I'm writing you today. Somebody on your panel named Rick Tryon. Seems to be unfit for his current position. In addition to the evidence of him doxing me. I would like it to be known that my personal Facebook was private. I didn't choose to be in the public light. As and Montanan I feel I have a profound right to speak my mind. Also as a long time Great Falls resident. I felt the need to come down and speak in front of you about the issue. I feel concerned for the city Commission in general. what kind of steps have been taken to quell this kind of behavior. Targeting private citizens of Great Falls, your constituents. This radical behavior, is unbecoming to say the least.

thank you for your consideration.

CITY COMMISSION

Commissioner Tryon's Priorities For 2022

BY RICK TRYON NOVEMBER 23, 2021

09/ 2



With 2022 almost here, I thought it would be a good time to provide Great Falls folks with a brief outline of what I, as a City Commissioner, consider to be two very important areas of focus in the coming year.

First, I believe we need to make it a priority to follow up on the excellent work the Great Falls Crime Task Force has done in providing a comprehensive set of recommendations to the City Commission, City administration, and general public.

You can read the complete [text of the recommendations here](#).

We can begin publicly vetting the low-to-no-cost policy/priority recommendations and start to approve and implement those elements almost immediately.

Once we get that ball rolling we can go after tackling the larger issues – like deciding on the level of additional resources, if any, needed for local law enforcement and the criminal justice system and how to pay for them.

The second priority I see coming up is the question of how the City of Great Falls will utilize the \$19.47 million in American Recovery Plan Act (ARPA) funding we have received.

You can find an informative spreadsheet outlining [ARPA eligible projects suggested by City administration and departments here](#).

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February 15, 2018
- Great Falls Public Schools Deforestation Plan For Great Falls High School

June 13, 2018

FUMC HOMELESS CAMP

Commissioner Tryon: FUMC Homeless Camp Update

BY RICK TRYON SEPTEMBER 15, 2022



In the last week I have received several communications and comments concerning the current situation at the First United Methodist Church.

Folks are concerned that the increasing number of transients and 'unhoused' individuals once again congregating on the FUMC property will result in the return of the tent/camper encampment, which was recently vacated from the parking lot there.

It is important to point out that the church grounds are private property and the church is not pursuing trespassing violations against the folks congregating there.

The City of Great Falls will not, and should not, seek to remove anyone from church property as long as they are not breaking any laws.

The tent encampment was an entirely different issue from a legal standpoint because the church was in clear violation of City zoning ordinances prohibiting camping in that zoning

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CITY COMMISSION ELECTION 2022 GREAT FALLS

Marijuana Tax Revenue For Great Falls – Commissioner Rick Tryon

BY RICK TRYON NOVEMBER 28, 2022

My 2



On Election Day a few weeks ago Cascade County voters voted to approve a 3% local option tax on recreational adult use marijuana sales countywide.

On the same ballot, Great Falls voters approved commercial marijuana activities, weed shops etc., within Great Falls city limits.

In light of those decisions by local voters I will be pursuing an initiative to designate all of the tax revenue generated through weed sales coming to the City of Great Falls to go to funding our city's public safety needs – police, fire department, and courts.

A couple of things to note regarding this:

- Current zoning regulations limit commercial marijuana activities in Great Falls to areas zoned Industrial 1 and Industrial 2. Considering the people's vote on this issue, I believe that it is appropriate to continue the zoning conversation and get as much public input

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June 13, 2018

City Press Release And Court Filing Against FUMC Great Falls 'Homeless Camp'

BY RICK TRYON MAY 31, 2022



In the interest of full transparency and in response to the dozens of complaints, comments and expressions of concern I've received over the past couple of months I am taking this opportunity to share the information made publicly available concerning the action recently taken by the City of Great Falls related to the 'homeless encampment' at the First United Methodist Church in downtown Great Falls.

Here is the full text of the press release issued by the City:

"Draft Press Release – First United Methodist Church Homeless Encampment"

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Agenda # 3.

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GREAT FALLS GREAT FALLS TRIBUNE

Tribune Misreports That 'Anti-Trans' Flyer Was Distributed In Great Falls

BY RICK TRYON APRIL 6, 2022



Because I've been asked about it several times, I felt it necessary at last night's Great Falls city commission meeting to publicly correct a piece of incorrect reporting by the Great Falls Tribune last week.

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BLOGGING CASCADE COUNTY SHERIFF'S OFFICE

Blogger Defends Calling Sheriff 'Rookie' & 'Dumber' – Tryon Responds

BY RICK TRYON SEPTEMBER 5, 2020



Someone sent me a link to local blogger [Mike 'Jackie' Brown's response](#) to my E-City Beat piece criticizing Brown for ridiculing Sheriff Jesse Slaughter.

I not only consider Jesse to be an outstanding sheriff, but I also regard him as a friend. And I will never hesitate to speak up and push back on ANYONE who wants to take cheap shots at him. Especially someone like Brown who specializes in sitting behind a keyboard criticizing others.

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CITY COMMISSION GREAT FALLS

Commissioner Tryon Responds To 'Homophobic, Misogynistic, Bootlicker' Comment

BY RICK TRYON AUGUST 3, 2020



It's rare, but occasionally a moment comes along that serves as perfect confirmation for something you say or do.

Such a moment popped up for me this morning after I posted the following on my personal Facebook page:

"...I have always endeavored to express myself and exercise my First Amendment rights with civility, good humor, and a sense of goodwill towards those who disagree, even those who strongly disagree.

Lately that has become increasingly difficult and I'll tell you why.

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CITY COMMISSION GREAT FALLS

Ban Gas Stoves In Great Falls?

BY RICK TRYON JANUARY 25, 2023

2



Image via pexels.com

Last week I received an email in my City Commission inbox from a city resident urging a phase-out of fossil fuels for cooking and heating from our homes and businesses right here in Great Falls.

Below is the text of the email as well as my response.

I'm leaving out the senders name here, even though the email is public information and available to anyone who requests it.

The Email

Dear Tryon,

I'm writing to you today because I believe our community must urgently pass a building electrification policy and phase fossil fuels out of our homes and businesses.

Buildings are responsible for 13% of greenhouse gas emissions in the US, and recent study from the International Journal of Environmental Research and Public Health found that gas

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Like Reply 1y



Angela Alvarez Lincoln would have gotten a kick out of this. She was giving birth a couple years ago when Rick's whining was blowing up her phone. ❤️

Like Reply 1y





Angela Alvarez Lincoln

Like my post on my private Facebook page roasting Rick and he decided to turn it into an article. I was literally giving birth in the hospital when my phone was blowing up from his insecurities.

Like **Reply** 1y



ATTACH L



RESPONSE TO ETHICS COMPLAINT

Name of Subject of Complaint (your name): Rick Tryon
 Address: 2709 1st Ave. N. GF
 Phone Number: 788-8904 Email address: rttryon@greatfallsmt.net
 Name of Complainant and Date of Complaint: Jasmine Taylor

RESPONSE TO COMPLAINT **DUE WITHIN 10 BUSINESS DAYS OF DATE COMPLAINT MAILED TO SUBJECT**

Please state your response to the Complaint against you, by providing a detailed description of your response to each alleged violation, along with all documents or other information supporting your response.

See Attachment A

Please write on the back of this form, or attach additional pages, if you need more space.

Please state whether you are asserting a privacy right which you believe would require a closed meeting on the matter. If you believe you have a privacy right, please state whether you are waiving that right, and if you agree to the meeting on this issue being open. If you are not waiving your privacy right, please set forth the reasons for asserting the privacy right.

☒ I am asserting a privacy right and request a closed meeting, for the following reasons:

See Attachment B

☐ I am not asserting a privacy right and agree to an open meeting.

By signing this form, I verify that the statements in this document are true and correct and that I have attached true and correct copies of any supporting documentation.

Signature: Rick Tryon Date: 11/2/23

Return completed Ethics Complaint form to the City Manager's Office, Civic Center Room 201, 2 Park Drive South, Great Falls, MT 59401

Attachment A: Response to Complaint Main Points

Link to City Code of Ethics -

https://library.municode.com/mt/great_falls /codes/code_of_ordinances?nodeId=TIT2ADPE_CH21COE

I

As a threshold matter, the Complaint contains no citations to any legal authority interpreting the City of Great Falls' Code of Ethics, let alone any authority supporting the complainant's misguided personal interpretation. Instead, the complainant relies on her own speculation about what amounts to a "substantial conflict," misapprehends the import and function of the Code's "Purpose and authority" section, and fills the Complaint with inaccurate guesswork about key facts.

The allegations in this Complaint focus on matters outside of my responsibilities as a city commissioner and are not germane to the performance of my official 'public duties' (2.21.020, C), actions, votes, deliberations, or communications. The performance of those 'public duties' occurs during official public proceedings or while using public resources in the performance of those duties. It would be an absurd result if the Code of Ethics prevented City Commissioners from engaging in vigorous public discourse about city governance.

Legal Inaccuracy

The complainant cites section 2.21.030 of the Code for "the most significant ethical violations." This section of the Code, however, does not contain any ethical standards violable by City employees. Instead, this Section lays out the "Purpose and authority" behind the Code, while the actual standards to which City employees are held appear in section 2.21.050. Accordingly, as a legal matter, more than half the Complaint—which rests on the "Purpose and authority" section of the code—must be disregarded.

Factual Inaccuracies

Nevertheless, while it is not within the purview of the City of Great Falls to conduct an inquiry or investigation into the employment policies or other professional or casual arrangements of private companies or citizens, I will offer the following information which points out several factual inaccuracies in the Complaint:

1. In the introductory paragraph Taylor states the following, **"...however a thorough examination of all Tryon's authorship in connection with his employer should be undertaken as part of a formal investigation into this complaint."**

There is no "authorship in connection" with my employer. I have a part-time employment relationship with Stray Moose Productions as a video transfer specialist. I am not employed by the E-City Beat blog, but am a voluntary occasional content contributor and have been since well before being elected to the Great Falls city commission.

2. Taylor further incorrectly states in paragraph 1 under Issue 1 that **"...it appears that E City Beat is owned and operated by Stray Moose Productions."**

It is a matter of public record that E-City Beat is owned and operated by Phil Faccenda and is a separate entity from Stray Moose Productions. Faccenda has several business and other projects/endeavors, including an architectural business. How he operates his businesses and how he chooses to conduct email communications for his concerns is unrelated to my employment arrangement with Stray Moose Productions and is completely outside the interests and authority of the City of Great Falls and the complainant.

3. In her second paragraph under Issue 1 Taylor further incorrectly states that my employment relationship with Stray Moose Productions **"...logically extends to E City Beat."**

My employment relationship is with Stray Moose Productions, not the E-City Beat blog for which I am a volunteer contributor and from which I receive zero financial remuneration.

4. In her final paragraph under Issue 1 Taylor repeats these factual errors: **"...Tryon cannot simultaneously act independently and objectively while writing about city issues on a blog for which he works, and about issues on which he is voting."**

I do not work for a blog, as Taylor repeatedly and quite mistakenly asserts. In fact that false assertion is the entire framework upon which she builds this ethics complaint. Furthermore, the Complaint cites no authority to support the complainant's interpretation of the Code as such.

No Substantiation

As to Ethics Code sections 2.21.050, A - D, the complaint is not only factually inaccurate but fails to demonstrate any "...interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the ***proper discharge of his or her governmental duties***" (I've added bold/italics for emphasis). Publicly expressing my views on topics of interest to the community in no way presents a 'substantial conflict' with the discharge of my **governmental duties**, even though those views may be in conflict with the complainant's views or the views of other citizens; **and the complainant once again cites no authority to support her interpretation of the Code.**

The complaint fails to demonstrate that I have used my "...***official position*** to secure unwarranted privileges or advantages for himself, herself or others". I have not.

The complaint fails to demonstrate that I have ever acted in my "...***official capacity*** in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to:

1. impair his or her objectivity or independence or judgment, or
2. substantially conflict with the proper discharge of officer or employee's ***governmental duties***"

The complaint fails to demonstrate that I have undertaken "...any private employment or service which might prejudice his or her independent judgment in the ***exercise of his or her official duties***". Once again, even though my views may differ from the complainant's, there are no instances where my votes, communications, or deliberations in the ***exercise of my official duties*** have ever been prejudiced or influenced by any of my relationships or activities outside my role as a city commissioner. They have not.

Conclusion

In conclusion, I believe it is inappropriate for my personal or professional relationships, political/policy opinions, or other matters or actions outside of the ***discharge of my official public duties*** as a Great Falls City Commissioner to be 'investigated' or probed by the complainant or the City in this process.

In addition, neither the complainant nor the City of Great Falls has any right or legal authority to 'investigate' the financial or business affairs of any private citizen or interest in Great Falls based on speculation and innuendo contained in an ethics complaint.

The purpose of the Ethics Code is to construct guardrails to prevent City officials/employees from using their position via ***official actions***, which are fully detailed and recorded in the City of Great Falls public record, to benefit themselves, family members, or organizations in which they hold a financial interest. It is not meant to open the door to initiate 'fishing expeditions' on personal/professional activities outside of the ***exercise of official public duties***, as this complaint attempts to do.

As I understand it, a legitimate cause for an ethics complaint would be: **Commissioner John Doe is an elected official and simultaneously holds a position with 'ABC Help', a non-profit organization. Acting in his official capacity as a Commissioner, John Doe casts his vote in an official, on-the-record City proceeding to award \$30,000 in CDBG grant money to 'ABC Help'.**

This complainant has endeavored to turn the intent of the Ethics Code around to include matters outside of the ***performance of official public duties***. Doing so would result in the use of subjective, far-ranging, unrelated, and loosely defined criteria that stifle public discourse rather than objective, well defined standards for determining Ethics Code compliance.

Attachment B: Assertion of Privacy Right and Request for a Closed Meeting

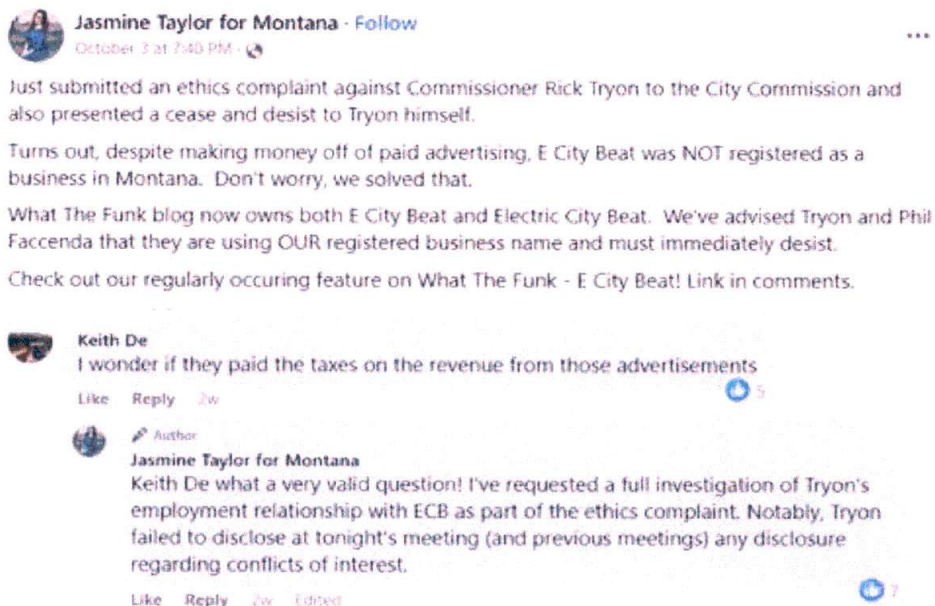
As stated previously in the response to the complaint (Attachment A), neither the complainant nor the City of Great Falls has any right or legal authority to 'investigate' the financial or business affairs of any private citizen or interest in Great Falls based on speculation and innuendo contained in an ethics complaint. The complainant specifically names private local business interests and individuals in the complaint, and those entities have a right to privacy. They should not be subjected to a public inquiry or ethics hearing.

Clearly, the complainant has a 'bone to pick' with a private citizen, Mr. Faccenda, and his private projects, and part of her intention in filing the complaint is to have an 'investigation' into those private interests in a public forum. This would be completely inappropriate and is well outside the purview of the Ethics Committee.

As just one example of how the complainant views her purpose in filing the complaint, she has even gone so far as to suggest in a public Facebook post that the 'investigation' should include an inquiry into a private interest's tax status.

Not only is that suggestion very far removed from the purpose of the Ethics Code, it also opens the City up to a legal action if the complainant is allowed to make such allegations and unfounded accusations in a public hearing sponsored by and allowed to go forward by the City of Great Falls.

For these reasons any hearing on this matter should be closed.



ATTACH M

Jordan Crosby

From: Jasmine Taylor <jasmine.taylor.mt@gmail.com>
Sent: Saturday, November 4, 2023 12:41 PM
To: David Dennis; Rebecca Schultz
Subject: Fwd: Letter for your complaint

Good afternoon,

Below is an email from Sara Habein, one of the individuals Commissioner Tryon has targeted on his blog as evidenced in my previous submissions.

Thank you,

Jasmine Taylor

----- Forwarded message -----

From: Sara Habein <sarahabein@gmail.com>
Date: Sat, Nov 4, 2023, 12:35 PM
Subject: Letter for your complaint
To: <jasmine.taylor.mt@gmail.com>

Hi Jasmine, sorry I didn't get back to you on time. If this is too late, I understand. I completely spaced this AGAIN because I have been pretty under the weather this past week. Here's my contribution, if you still need it:

-

To Whom It May Concern:

I am writing in support of the ethics complaint against Rick Tryon. During his time as a City Council member, I have been among the people who have been written about on E-City Beat, using comments that were not written in any official, public capacity. It's no secret that I do not care for his politics, but my issue with this particular blog post is that one of his friends/associates used screenshots from a private Facebook post and a conversation between friends to provide fodder for his website. This is not news. It doesn't merit public discussion. His issue is can more or less be summarized as "Some women complained about me on the internet."

The difference between our complaints and his is that he's a public figure, with more than one public platform, between the City Council and E-City Beat, and his words may inspire his readers to harass those who do not agree with him. No one voted for me, or anyone else on that post, and at least one of the people involved in that conversation did not even live in the state of Montana at the time. There is no journalistic reason to write about us, and people should feel free to discuss their elected politicians in whatever way they choose, as long as that discussion is not actively inciting harm. Our discussion was not inciting harm, and negatively writing about constituents who disagree with you on your advertising-supported blog sets a precedent I don't think our City Council wants to encourage.

Thanks for your time and consideration on this matter.

Sara Habein

ATTACH N

Title 2 - ADMINISTRATION AND PERSONNEL
Chapter 21 CODE OF ETHICS

Chapter 21 CODE OF ETHICS

Sections:

2.21.010 Title.

This chapter shall be known and may be cited as the "City of Great Falls Code of Ethics."
(Ord. 3169, 2017).

2.21.020 Findings.

The City Commission of the City of Great Falls finds and declares that:

- A. Public office and employment are a public trust;
- B. The vitality and stability of representative democracy depends upon the public's confidence in the integrity of its elected and appointed representatives; and
- C. Governments have the duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to apprise their officers and employees of the behavior which is expected of them while conducting such duties.

(Ord. 3169, 2017).

2.21.030 Purpose and authority.

It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct for officers and employees of the City of Great Falls shall be clear, consistent, uniform in their application, enforceable, and to provide those officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties. Such ethical standards shall inspire and stimulate each officer and employee to:

- A. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective;
- B. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative and practical attitude toward urban affairs and a deep sense of social responsibility as a trusted public servant;
- C. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public; and
- D. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

(Ord. 3169, 2017).

2.21.040 Definitions.

As used in this section:

- A. "Agency" means any agency, board, governing body, including the chief executive officer, office, commission, or other instrumentality within the City of Great Falls, and any independent local authority created by or appointed under the authority of the City of Great Falls.
- B. "Business organization" means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, or other legal entity.
- C. "Employee" means any person, whether compensated or not, whether part-time or full-time, employed by or serving on an agency, who is not a local government officer.
- D. "Interest" means the ownership or control of more than ten (10) percent of the profits, assets or stock of a business organization, but shall not include the control of assets in a non-profit entity or labor union.
- E. "Member of immediate family" means the spouse or dependent child of an officer or employee residing in the same household.
- F. "Officer" means any person whether compensated or not, whether part-time or full-time, who is one (1) of the following:
 - 1. Member of the City Commission;
 - 2. City Manager;
 - 3. Deputy City Manager;
 - 4. Director, Department of Finance;
 - 5. Director, Department of Planning and Community Development;
 - 6. Director, Department of Public Works;
 - 7. Director, Department of Parks and Recreation;
 - 8. Chief of Police;
 - 9. City Clerk;
 - 10. City Attorney;
 - 11. Municipal Judge;
 - 12. Fire Chief;
 - 13. Library Director;
 - 14. Human Resources Director;
 - 15. Housing Authority Director; or
 - 16. A member of any City board, council, committee, or commission.
- G. "Officer or employee" means an officer or employee of the City of Great Falls or of an agency under the authority of or appointed by the City Commission.

(Ord. 3183, 2017; Ord. 3169, 2017).

2.21.050 Ethical standards.

In addition to complying with the provisions of Mont. Code Ann. Title 2, Chapter 2, officers and employees of the City of Great Falls shall comply with the following provisions:

- A. No officer or employee of the City of Great Falls shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her governmental duties;
- B. No officer or employee shall use, or attempt to use, his or her official position to secure unwarranted privileges or advantages for himself, herself or others;
- C. No officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to:
 - 1. impair his or her objectivity or independence or judgment, or
 - 2. substantially conflict with the proper discharge of officer or employee's governmental duties;
- D. No officer or employee shall undertake any private employment or service which might prejudice his or her independent judgment in the exercise of his or her official duties;
- E. No officer or employee, any member of his or her immediate family, or any business organization in which he or she has an interest shall solicit or accept any gift, favor, political contribution, service, promise of future employment, or other thing of value for the purpose of influencing him or her, directly or indirectly, in the discharge of his or her official duties, the appearance of impropriety must be avoided by the acceptance of such a gift;
- F. No officer or employee shall use, or allow to be used, his or her public office or employment or any information, not generally available to the members of the public, which he or she receives or acquires in the course of employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated;
- G. No officer or employee, or any business organization in which he or she has an interest, shall represent any other person or party except the City in connection with any cause, proceeding, application, or other matter pending before any agency of the City of Great Falls; except in the process of collective bargaining for public employees or where any officer or employee or members of his or her immediate family shall represent himself, herself or themselves, in negotiations or proceedings concerning his, her, or their own interests;
- H. No officer shall be in conflict with these provisions if, by reason of his or her participation in the enactment of any ordinance, resolution or other matter required to be voted upon, no particular material or monetary gain accrues to him or her, or his or her immediate family;
- I. No elected officer shall be prohibited from making an inquiry for information on behalf of a constituent if in return, no fee, reward, or other thing of value is directly or indirectly promised to or accepted by the officer or a member of his or her immediate family;
- J. No officer or employee, elected or appointed in the City, shall without receiving formal written authorization from the appropriate person or body, disclose any confidential information concerning any other officer or employee or any other person or any property or governmental affairs of the City;

- K. No officer or employee shall approve, disapprove, or in any way recommend the payment of any bill, voucher, or indebtedness in which he or she has direct or indirect interests except reimbursement for proper expenses otherwise approved by the City Manager;
- L. No officer or employee shall request, use, or permit the use of any public property, vehicle, equipment, labor, or service for personal convenience or advantage for himself or any other person; except where it is the general practice to make the same available to the public at large, or where the same is provided pursuant to stated public policy for the use of officials and employees in the conduct of official business;
- M. All officers or employees shall exercise prudence and integrity in management of public funds in their custody and in all financial transactions;
- N. All officers or employees shall uphold the letter and spirit of the constitution, statutes, and regulations governing their duties and report violations of the law to appropriate authorities;
- O. All officers or employees shall be sensitive and responsive to the concerns and questions of the public; and
- P. All officers, whether elected or appointed, shall file a signed written disclosure with the City Clerk, and City Attorney, disclosing any appearance of a violation of this chapter, and said disclosure may, within the City Manager's discretion, be forwarded to the Great Falls Ethics Committee for determination if a violation of this chapter exists and appropriate course of action.

(Ord. 3169, 2017).

2.21.060 Great Falls Ethics Committee established.

The City Commission hereby establishes The Great Falls Ethics Committee hereinafter referred to in this chapter as the "Committee."

(Ord. 3169, 2017).

2.21.070 Committee purpose.

The purpose of the Committee is to ensure that all City officers and employees are performing their duties in compliance with the provisions of Mont. Code Ann. Title 2, Chapter 2, and the provisions of this chapter.

(Ord. 3169, 2017).

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

(Supp. No. 18)

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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.

(Ord. 3201 ; 2019, Ord. 3169, 2017).

2.21.090 Committee meeting schedule.

The Committee shall meet 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. Committee meetings shall be held in the Civic Center and shall be open to the public, pursuant to Mont. Code Ann. Titles 2 and 7. Committee meeting minutes shall be maintained by the City Clerk.

(Ord. 3203 , 2019; Ord. 3169, 2017).

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.

(Ord. 3201 ; 2019, Ord. 3169, 2017).

2.21.110 Nepotism.

All personnel matters shall be administered on the basis of merit and through regular management procedure.

- A. No one participating actively in the appointment of a position, i.e., City Commissioners, City Manager, representatives of the Human Resources Department, the appointing department head, or division head, shall appoint any person related or connected by consanguinity within the fourth degree or by affinity within the second degree;
1. "Consanguinity" means blood relation and degrees are determined as follows:
 - i. Parent and child are of the first degree;
 - ii. Grandparents, grandchildren, brothers and sisters are of the second degree;
 - iii. Uncles, aunts, nephews, nieces and great grandparents are of the third degree; and
 - iv. First cousins, great uncles and great aunts and great-great grandparents are of the fourth degree.
 2. "Affinity" means a relationship by marriage and the degrees are determined as follows:
 - i. Husband and wife are of the first degree; and
 - ii. Brothers-in-law, sisters-in-law, fathers-in-law and mothers-in-law are of the second degree.

-
- B. No one may be appointed to a position, within a City department, if related or connected by consanguinity within the fourth degree or by affinity within the second degree to any person sitting on a board or commission representing or advising that department.
- C. The above shall include but not be limited to the following:
1. City Commission;
 2. Board of Adjustment;
 3. Board of Health;
 4. Housing Authority;
 5. Library Board;
 6. Park and Recreation Board;
 7. Parking Commission;
 8. Planning Board and Zoning Commission;
 9. Police Commission;
 10. Business Improvement District;
 11. Tourism Business Improvement District; and
 12. Great Falls Ethics Committee.

(Ord. 3169, 2017).

2.21.120 Distribution.

The City Clerk shall cause a copy of this Code of Ethics to be distributed to every public officer and employee of the City within thirty (30) days after enactment. Each public officer and employee elected, appointed, or engaged thereafter shall be furnished a copy before entering upon the duties of his or her office or employment.

(Ord. 3169, 2017).

ATTACH O

Jordan Crosby

From: David Dennis <ddennis@greatfallsmt.net>
Sent: Wednesday, November 8, 2023 4:49 PM
To: Jordan Crosby
Cc: Krista Artis; Lisa C. Kunz
Subject: Ethics Committee Hearing-Withdrawal of Closure Request

Jordan,

Commissioner Tryon is withdrawing his request to close the Ethics Committee hearing scheduled for Monday, November 13, 2023.

Let me know if you have questions.

David

C: 406.868.3407

City of Great Falls e-mails may be subject to Montana's Right To Know law (Article II Sec 9, Montana Constitution) and may be a Public Record (2-6-1002, M.C.A.) and available for public inspection.

ATTACH P

CHARTER - OF THE CITY OF GREAT FALLS
Article II - City Commission

Article II - City Commission

Section 1 - Composition.

The City Commission shall be composed of five voting members: four City Commissioners and the Mayor. The City Commission shall be the legislative and policy-making body of the City of Great Falls.

Section 2 - Duties and Responsibilities.

The City Commission shall:

- a) Adopt policies and procedures and enact ordinances and resolutions as necessary for the proper execution of governmental functions and responsibilities.
- b) Appoint and supervise, and may remove, the City Manager.
- c) Adopt an annual budget, levy taxes and special assessments, and may borrow money and issue bonds subject to Montana law. Appropriations, exclusive of bond and loan indebtedness, shall not exceed anticipated revenue.
- d) Adopt procedures for contracting with private and public agencies.
- e) Appoint citizens to boards, councils, committees or any other body or group pursuant to law.
- f) Set the salary of the City Commissioners and the Mayor by ordinance.

Section 3 - Administrative Review.

On a majority vote of the whole of the City Commission, the City Commission may review, inquire, and investigate any operation, management decision, administrative function or other affairs of the City. The City Commission may compel the attendance and testimony of witnesses and the production of books and records by issuance of a subpoena.

Except for the purpose of inquiry, or investigation, the City Commission shall be involved with administrative and management operations solely through the City Manager.