



**Stevensville Town Council Meeting
Agenda for
THURSDAY, OCTOBER 22, 2020
7:00 PM**

North Valley Public Library Community Room – 208 Main

The Town of Stevensville live streams Town Council and board meetings on our website at www.townofstevensville.com/meetings

A webform for real-time public comment submission is available here: [PUBLIC COMMENT](#)

Telephone Login Information:

Dial (253) 215-8782
Meeting ID: 837 1312 4913
Passcode: 625721
*Press *9 to raise your hand*

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Public Comments (Public comment from citizens on items that are not on the agenda)
Citizens can comment by emailing council@townofstevensville.com, or by mail. Comments emailed are forwarded to all Town Council Members prior to and during the meeting.
4. Approval of Minutes
 - [a.](#) July 22, 2020 Meeting Minutes
 - [b.](#) July 23, 2020 Meeting Minutes
5. Approval of Bi-Weekly Claims
 - [a.](#) [Claims](#) #16284-16319
6. Administrative Reports
7. Guests
8. Correspondence
9. Public Hearings
10. Unfinished Business
11. New Business
 - [a.](#) Discussion/Decision: HDR Task Order No. 8, Park Avenue Sewer Main Extension
 - [b.](#) Discussion/Decision: E. 3rd Street Re-paving update
 - [c.](#) Discussion: Conduct of Councilmember Michalson and review of relevant policies
12. Executive Report
13. Town Council Comments
14. Board Reports
15. Adjournment

Welcome to Stevensville Town Council Chambers

We consider it a privilege to present, and listen to, diverse views.

It is essential that we treat each other with respect.

We expect that participants will:

- ✓ Engage in active listening
- ✓ Make concise statements
- ✓ Observe any applicable time limit

We further expect that participants will refrain from disrespectful displays:

- ✗ Profanity
- ✗ Personal Attacks
- ✗ Signs
- ✗ Heckling and applause

Guidelines for Public Comment

Public Comment ensures an opportunity for citizens to meaningfully participate in the decisions of its elected officials. It is one of several ways your voice is heard by your local government. During public comment we ask that all participants respect the right of others to make their comment uninterrupted. The council's goal is to receive as much comment as time reasonably allows. All public comment should be directed to the chair (Mayor or designee). Comment made to the audience or individual council members may be ruled out of order. Public comment must remain on topic, and free from abusive language or unsupported allegations.

During any council meeting you have two opportunities to comment:

1. During the public comment period near the beginning of a meeting.
2. Before any decision-making vote of the council on an agenda item.

Comment made outside of these times may not be allowed.

Citizens wishing to speak during any public comment period should come forward to the podium and state their name and address for the record. Comment may be time limited, as determined by the chair, to allow as many people as possible to comment. Comment prior to a decision-making vote must remain on the motion before the council.

Thank you for observing these guidelines.

File Attachments for Item:

July 22, 2020 Meeting Minutes

Stevensville Town Council Meeting
Minutes for
Wednesday, July 22, 2020 7:00 pm

1. Call to Order and Roll Call
Mayor Dewey called the meeting to order Councilmembers Devlin, Holcomb, Michalson, Vick were all present.
2. Pledge of Allegiance
Mayor Dewey asked for patience with our internet connections.
3. Public Comments
Public comments are being sent into the public comment section of your emails.
4. Approval of Minutes
There are no minutes to approve tonight.
5. Approval of Bi-Weekly Claims
Councilmember Holcomb made the motion to approve the claims, Councilmember Michalson 2nd. Michalson, Jet Miller, \$550.00, does the town pay this or MMIA. Robert Underwood, it came out of the airport fund. Mayor Dewey called for the vote, Councilmember Devlin, aye. Councilmember Holcomb, ye. Councilmember Michalson, aye. Councilmember Vick, aye. Motion passes.
6. Administrative Reports
Will be read at tomorrow's meeting, 07/23/2020.
7. Guests
8. Correspondence
Mayor Dewey forwarded a hand written correspondence to the council via email. Councilmember Devlin asked if the original needed to be turned in, can be turned into town hall.
9. Public Hearings
10. Unfinished Business
 - a. Discussion/Decision: Services Agreement between the Town of Stevensville and First Call Computer Solutions for Managed IT Service

Mayor Dewey explained why this is on the agenda, this was a council request to be put on the agenda. We advertised earlier in the year an RFP we had a single response, it came back to council and they requested that another RFP was done for another two weeks and that was published in the Ravalli Republic, the Missoulian and the Bitterroot Star. Councilmember Vick made the motion to approve the IT services contract, Councilmember Devlin, 2nd.

Councilmember Michalson asked if this was the only contract that was received. Mayor Dewey responded, yes that it is the only contract. He was aware of two others that called and inquired about the RFP and spoke with Robert about our needs, neither of them sent in a proposal/bid.

Mayor Dewey: This contract does not apply to our city code on contracts over \$80,000. Mayor Dewey called for the vote, Councilmember Holcomb, no. Councilmember Michalson, no. Councilmember Devlin, yes. Councilmember Vick, aye. It is a tie 2 to 2 the Mayor votes in favor of the motion and the motion passes.

b. Discussion/Decision: Code of Conduct violations, Oath of Office violations and Improper Influence all conducted by Robert Michalson

This is on the agenda as an update, where we are at in this process. It is the Mayors hope that we can find a solution instead of going to trial. If it is council's decision to stand with Robert's Rules and move forward that is their choice. Mayor Dewey asked for comment.

Councilmember Devlin: I am not willing to budge, I would like to go to trial. There was another email sent to you today that is in violation of our code of conduct by Robert Michalson so this behavior continues. I think that is only fair that we move forward with a trial.

Councilmember Holcomb: Did we have a copy of that email?

Councilmember Devlin: It is in your email it was sent out to everybody.

Mayor Dewey: I do believe that the whole council was copied on that correspondence.

Councilmember Holcomb: I don't have one.

Councilmember Michalson: Can anybody hear me? Somehow, I was muted. Hey we gotta follow council rules here, like I stated earlier this should not be brought up under unfinished business because it was a 2-2 tie and under council rules only the prevailing side can bring it up for reconsideration and that takes 2/3 of the vote and since I was not there it can't be brought forward, we have to follow our own council rules guys.

Councilmember Devlin: Our opinion from our attorney to move forward that we can refer chargers. Robin it was sent out at 10:58 a.m. and it states.

Mayor Dewey: Taking this a step at a time and tiling about council rules and this being reconsidered. This is no motion from the council for reconsideration tonight there were not calling for a vote. The charges have been proffered against you by a councilmember and that does not require a vote of the council. It does require that you are offered a opportunity for due process which you will be afforded when this trial is scheduled but we are not reconsidering any decision here tonight other than to further discuss the charges that are proffered against you. I have explained by intent that if there was an opportunity to mediation or conflict resolution, I would rather exhaust that then go into a trial. But it does not sound like Ms. Devlin is willing to accommodate that so we will move down the path of a trial.

Councilmember Holcomb: I am a little confused about some of the emails that were included in the correspondence. In my opinion they aren't very rude, he is asking Monica for an audio and asking Robert to see if he could get a % of each employees, you know in the past we were always allowed to ask for information from our clerk and our treasure and I don't know when that changed we have always asked and have never had a problem and I don't know why these are included. It says no problem I will patiently wait for your response I would like an audio

recording of the minutes, regards Bob Michalson. I don't see were that is rude. I am just a little confused why some of these things are here and like I said we have always been able to email or call up the town hall and ask the clerk for specific stuff or ask the treasure for specific stuff I don't know when that changed, this is my third term and we have always been able to do that.

Councilmember Devlin: If you can look through that packet, I highlighted the code of conduct violations as well as other violations. There is one there that states request for information of the staff go through the mayor first because it creates a flow problem with their everyday business, there have been requests in the past via email to Robert Michalson to not continue to do that and he continues to do that. It has created an issue for the staff being able to get their daily work done because those steps have not been taken. It is in the code of conduct that was adopted.

Mayor Dewey: So, I think from this juncture we understand the process laid out and I think that we will refrain from getting into any other detail about the allegations against Mr. Michalson as I expect we will hash a lot of that through the process of the trial. So, from this juncture the results of the investigation will be compiled by my office for the council's review, Mr. Michalson and the council will be provided a copy of those results which frankly will include a lot of what has been distributed from there we will give Mr. Michalson a chance to prepare his defense and a date for trial before council will be scheduled.

11. New Business

a. Discussion/Decision: Determination of vacancy in the office of Ward 1 Council Member pursuant to MCA 7-4-4111(6)

Ms. Devlin and Mr. Vick both sponsored this item Mayor Dewey deferred to either of them if they would like to explain how to proceeded with this item tonight.

Councilmember Devlin: We participated in two meetings that were scheduled where Ms. Holcomb didn't show up. The first one, no reason was given there was a compel and still no show. The second one there was a refusal and I can read this first part of the email, the code states that there is open neglect or refusal to discharge duties MCA 7-4-411 (6). An email was received on July 14, at 5:47 a.m. from Councilmember Holcomb. Councilmember Delvin read the email. At 5:08 p.m. the attorney weighed in and Councilmember Devlin read that email. We have refusal for not coming to the meeting, clear refusal. We are elected to speak for the people. Councilmember Devlin continued with the duties of a councilmember. Chief Marble went to her house that night she did not answer the door, she did not come to the meeting. That again is a refusal to discharge duties and again that is neglectful. What I find even more interesting in that first email that I read where it says, "I will not be part of a witch hunt and not have a person there to be able to defend oneself" that would not be right for anyone. We back up to October 24, 2019, Mayor Dewey was not able to come to that meeting, Ms. Holcomb came to that meeting knowing that there was an agenda item on there to discuss the firework issue/discipline whatever you want to call it against Mayor Dewey not only did Ms. Holcomb show up for that she participated in that meeting and she also made a motion that Mayor Dewey pay that money back. Mayor Dewey was not present for that meeting he was not able to as M. Holcomb stated before, "I will not be part of a witch hunt and not have a person there to

be able to defend oneself" it was okay for her to participate when it is against our mayor but you are not willing to come to a meeting that is not a decision it was exactly what we heard tonight the process to move forward when it is against Mr. Michalson. That is a clear open neglect and refusal to discharge duties. I have had several citizens complain to me about unanswered emails. Upwards of three times to Ms. Holcomb and did not have a response. In an email that Ms. Holcomb sent out on May 22nd, it states "Good morning Scott at this point I don't care anymore" I think that statement says enough. Councilmember Devlin read the rest of the email. So, we have an instance here that is from Ms. Holcomb on May 22nd, citizens are not hearing back from M. Holcomb, that is part of our duty. We represent our people, the people of the Town of Stevensville. That is a refusal that is being neglectful to the people that we serve. Those correspondence were not email out to the mayor like is was stated here, they were not replied to the citizens there are cases here where there is neglect and refusal to discharge duties. In my mind that serves as a vacancy on this instance for Ward 1.

Councilmember Holcomb: So, in my defense yes, I was not there at that Thursday meeting but I did email the mayor. So, if I am like deadly sick a short notice and I was in bed when you all sent Chief Marble to the house I was in bed because I had a headache. Tuesday's meeting, I was not there, yep I thought that it was not right to be discussing because it said on the agenda discussion/decision even though it says it on this one as well I was not going to be part of something that clearly the mayor knew that Mr. Michalson would not be at that meeting he knew he would be out of town he knew before that Friday before. So, yes, I did not come, but I did not refuse to answer the door because I was not home, I did not hear my phone ring and I apologizes on that part because I usually keep my phone on mute because it is with me at work and I forget to turn the volume back on, so that is a mistake on my part and for the emails, yes I did write that email because it is getting a little tiring when you are trying to do town business, but a few people feel that they need to keep digging and digging into councilmembers emails instead of lets come together and get things done. But no, we always have to fight and always have to defend ourselves because emails are always getting hacked into. So, yes, I did say I am getting a little tired of the childless games and I did not mean that when a citizen emails me, I meant that if they email with a complaint, how do I say this? I have been told multiple times by the mayor that when I let him know when citizens email me about issues going on, he makes me look like I am dumb or something. Because he then responds back to me going well it is funny how they are not responding to I am not hearing this, that is what I meant by maybe they should just start emailing the mayor. Again, to that I may not respond to every email but I certainly do not have people in the Town of Stevensville blocked., because I understand that you have people blocked. I have no problem having a rational conversation with anyone, but when I receive hate mail not really sure how to respond to that. Every person is entailed to their thought but emotional hatred is something else. I have repointed to a few of those email that you are talking about how do you respond to the hatred that these people have. All that does is just roll into more problems because they are not going to like what I say because it is all hate, that is my side of these things and yes I do stand by my position on Tuesday and I apologize to that the employees have gotten put in the middle of this and I apologized to them and I have apologized to several people but when we are doing a discussion/decision to bash another councilmember I get the feeling I needed to be there, and frankly I don't know if I wanted to walk into that library because of all of the hatred that is going on in this town right now. I just

felt that since he knew that Mr. Michalson was not going to be there Tuesday then why couldn't we have held it out for a few days not a big deal but I did email you and Dempsey about my decision and you did not email me back, Dempsey didn't reply back the mayor did not reply back and yes the attorney did reply back but unfortunately I did not get that email because I came home and ate dinner and I apologize for that.

Councilmember Michalson: Hello Jaime?

Mayor Dewey: Ms. Devlin has her hand raised, go ahead Ms. Devlin.

Councilmember Devlin: So, we all receive criticism you can call it hate mail label it what ever you want. We all receive it and that is part of our job unfortunately. I understand what you mean about walking into the library, but we still did it. Mr. Vick and I still did that we received an email from you on May 22nd saying that you would not be emailing us anymore why would we look for an email stating that you weren't going to be there why? Why would we look for that? Furthermore, you said that you are not coming because of the item number the item on the agenda, you stated that. That is being neglectful, that is refusing to do your duties, refusing to come in to a library because of a hostile environment. There have been things put into place to protect us in there. That is not an excuse, that is being neglectful and that is refusing to do your duties. You received an email at 5:08 from Scott, he told you that you should come to the meeting, you did not come to the meeting, you had 2 hours to check your email you know we had a meeting that night. So, I am sorry that you ate dinner, I am sorry that you did not check your emails and I am sorry that you did not have your phone and you weren't home. That is not my responsibility and that is not the responsibility of the town that you were elected by, it is your responsibility to make be sure that you carry out those duties that you were elected to do. There are no excuses to why you did that it was neglectful. There are some upset people. I am ward 1 and should not have to speak for you. I will rephrase that I feel that there is a vacancy in ward 1 based on everything that I have produced here. We stepped into these positions knowing these things.

Councilmember Michalson: I would like to address this since January Jaime you have been on a witch hunt of me and Robin and it seems like you have just been knit picking and it is very hard to remove an official from office as the mayor is going through a recall right now it is a process. The council punishes its own by a 2/3 majority and they usually start by trying to work it out try to do a sensor which Mr. Dempsey did on the mayor last year during the fire works agenda from last year. Dempsey voted yes and censored the mayor over that and is usually a bad mark on someone's record, but to go over and attack a councilmember like me and Robin. You do have some good points but to try and remove people from office is just sets a bad precedence for all of us. Then I can turn around and Robin could turn around and put agenda items on you. I don't think we want to go there, I don't and I will not do that. I would hope that you would respect me more than that Jaime and Dempsey I hope that we can come for the common cause. It seems like you two are pretty hell bent on removing me and Robin. It is really sad it has split us and the town moving forward on all this is sad. I am sad for what I have done I feel sad for each and every one of us.

Councilmember Vick: I do want to make clear, yes, that back in October I did make that sensor ship motion against Mr. Dewey reason why it was overturned by the city attorney is because Mr.

Dewey was not afforded to be accused in front of the others also when we are determining this, this is not a council decision per say this is determined by Montana legislature that states that a determination of vacancy is when a person does this it does not say when a person may it says is. There have been things on the agenda before that I don't like but I had to show up I have shown up to council meetings where people want to drag me out by my toe nails and beat me up behind my car and I still show up and I still see all the hate on Facebook and on Twitter and what not. I don't comment on it and don't like to see it. Something very similar to this happened in Libby and it was determined by the court that this is not a disciplinary measure.

Councilmembers Devlin: There is not part of me that has any interest in being part of a witch hunt there is every part of me that wants to deal with accountability that has not been seen at this table for a very long time. It is time that people are held accountable to there errors, it has gone on to long, excepted to long I am very much about right and wrong, that is the foundation of who I am that is not going to change. A witch hunt, no that has personal opinions that has emotion's, these are facts, fact based not emotion a business has to be run. If these behaviors happened in a business you wouldn't have a job it is that simple it is black and white. This is black and white it is not a witch hunt there is not emotion in it it's simple.

Mayor Dewey: asked for any further discussion from council, none. There isn't a motion on the floor necessarily.

Councilmember Devlin: I will make a motion.

Councilmember Vick: Mr. Mayor I feel that the evidence speaks for itself so under MT code annotated 7-4-4111(6) I make a motion to determine a vacancy in ward 1.

Councilmember Devlin: I 2nd.

Mayor Dewey: It has been moved by Mr. Vick and 2nd by Ms. Devlin to determine a vacancy exists in ward 1 by the seat of Robin Holcomb. Council discussion.

Councilmember Michalson: I don't believe you can remove a council member this way Mr. Vick I haven't seen anything that says you can do this I have studied it and I think the way you are going at it will fly with the attorney. I don't think you can remove Robin this way.

Mayor Dewey: if I can I am happy to speak to the legalities and the logistics around this specific item. Mr. Owens spent some considerable amount of time with other city attorneys and with other local government guidance he also studied some case law as Mr. Vick referred to out of Libby. To your point Mr. Michalson the town council is not removing Ms. Holcomb from office if this motion was to pass. What they are doing is to determine that a vacancy exists by her seat, if that vacancy is determined to exist Ms. Holcomb has removed herself from office by her actions like Mr. Vick indicated this is not disciplinary action this is whether or not a vacancy exist in the first ward the case law supports to a degree direction that the council may take tonight or at least support that the council decision. The attorney has expressed some thoughts towards whether or not this type of action would be tolerated by the district court if it were challenged and what that might look like. Again, there is enough case law there that the attorney was able

to rule that the town council could consider this tonight. He had no objections to the legality of this decision.

Councilmember Michalson: Can I get a written opinion on that? How come he never let Robin and me know?

Mayor Dewey: I don't have an answer for you. No there is no written opinion.

Councilmember Michalson: He can't go with what is said.

Mayor Dewey: Why not? You ask us to do that all the time.

Councilmember Michalson: Something of this magnitude should have a written opinion Brandon.

Mayor Dewey: Mr. Vick

Councilmember Vick: as a matter of fact, I do have a written opinion from city attorney Jim Nugent of Missoula, legal opinion 2017-009, councilmember Vick read the legal opinion out loud.

Councilmember Michalson: And what does that require as a vote Dempsey?

Councilmember Vick: it requires either a majority of the council members or a tie break by mayor.

Councilmember Michalson: Mayor can't break a tie on a council decision.

Mayor Dewey: This was another area that Mr. Owens weighed in on because this is not a disciplinary action this is amination of policy by council the mayor does have a tie break vote in this matter.

Councilmember Michalson: I don't agree with that one. I would like a written opinion on that one from him too.

Mayor Dewey: Is there anything, obviously there is no public comment. Ms. Devlin has requested to proceed with the vote. Before we proceed with the vote though and forgive me if this come out of line but in the interest of maybe trying to find a solution or dealing with this a different way similar to the item that we have discussed previous I would like to afford Ms. Holcomb the opportunity to either, I guess I am offering you the opportunity to resign if you would like to take that opportunity now before I call for the vote.

Councilmember Holcomb: No, I don't feel like I did anything wrong.

Mayor Dewey: Okay fair enough.

Councilmember Holcomb: I have only, like I said I emailed you on Tuesday to say that I would not be there, unfortunately. I told you sorry for the short notice, I told you I could not make it. I was in bed when and that is on recording when we talked on the phone that I was in bed. Tuesday, yes, I do apologize that I was not there I just felt that without Mr. Michalson not being there to defend himself I just felt I just thought it was wrong.

Mayor Dewey: Okay. With that Ms. Devlin has called for division of the house and we will call for the vote. Councilmember Devlin, aye. Councilmember Holcomb, no. Councilmember Michalson, no. Councilmember Vick, aye. We have a tie vote. Ms. Holcomb you have put me in an awkward position frankly. This is not something that is of course for the faint of heart or a decision in which I would hope to not come before me. This is not necessarily my interest in local government to break these ties, for the past two and half years Ms. Holcomb and Mr. Michalson you have done everything you possible can to remove me from office there is evidence in that today in the recall. And now I am in a very uncomfortable and awkward position because of your actions that in theory I can vote for this and remove you from office and that is the effect of my yes vote. But on the other hand, if I vote no are, we going to deal with this for anther two years. When does this end? You speak in your comments, your responses to Ms. Devlin you say you say that you are receiving hate mail and that there is so much hate in this community. Where do you think I have been for the past 2 years Robin? I am not asking for a response. Mr. Michalson is correct removal of an elected official is incredibly difficult and it is that way for a reason because if the citizens choose to represent them and I am a firm believer and I have expressed this in the recall if the citizens have a problem with who is in office a recall is not the way to do it trying to pull political stunts to try and pull them out of office is not the way to do it. You show up at the polls every four years and decide who is going to represent you, it doesn't always go the way we want it to that is just life that is being a part of a citizen of the country and having a right to vote you don't always get your way. And that is on my mind tonight I feel that I am in an impossible position where no matter what I do I am going to upset half of the city council tonight the very people that I am elected to work along side and to do good for this community. Unfortunately, over the last recent history in the past couple of weeks or months I am not sure how good has been accomplished although we keep coming to these meetings and beat our drums that we are coming together and it is a new beginning and then right around the corner I see city council signatures on a recall for my head. So, you know, how much faith do I have in your word that you are sorry and that we are going to come together and work for us and M. Michalson made the comment that the council gets attacked at, the council gets attacked. And I hear that it is okay to attack the mayor, but as soon a city councilmember turns on his own or two councilmembers turn on their own that it is not allowed it is against the rules. We apparently arbitrarily write the rules as we go along and misinterpret them. I don't mean to be sitting on a soap box as I need to decide whether or not if I am going to break this tie and but there are some (live feed on Zoom broke up so unable to hear words said) this is not where we should be in this community you guys. Ms. Devlin said it very well, "our citizens deserve better" and they really do. Candidly I did hope that Ms. Holcomb would take the opportunity to step back and allow someone else fill the role. The law is very clear it is sitting on the screen in front of me. Office becomes vacant on the happening of any of the following events before mention comment item 6, incumbents open neglect or to discharge duties. I mean we can generate excuses all day long, but I think that you (live feed on Zoom broke up so unable to hear words said). And I have had enough of the obstruction you have heard me say it enough over the past two years the obstruction by two members of the city council needs to stop enough is enough. Robin, I am not going to break the tie tonight, I want you to take this opportunity to realize how close you came to losing the very precious gift that this community gave you and that is representing them. Do not screw that up, guarantee that if we end back up at this position, I am

not going to rehash the last 10 minutes of stuff that I have pronounced the decision has been made clear and I feel that the decision at the poles going forward I really do. I think that in the interests in not dividing the community further I am allowing you the opportunity to retain your dignity and perhaps prove yourself to this community I will essentially sustain from breaking the tie. And the motion fails for lack of a majority. I will close this time by saying that I do not by no uncertain terms want to end up in this position again. Not necessarily in breaking a tie, I don't want to be holding a ZOOM meeting or a town council meeting discussing why a town council member failed to hold her elected duty to show up and blatantly disregarded that, it is inexcusable but again I was put in an impossible position and at the least Ms. Holcomb I think that you owe the community a written apology and a public one and I think you owe the rest of us the same. The business that we are considering tonight we may have not had to hold such a meeting tonight we could have been done in an hour, but the business that we are discussing tonight and tomorrow night rather is because you decided to not show up because you were cranky about an agenda item just think how many agenda items I have had to put on the agenda it is not fair to me but I still show up and still do my job. Let's take a 5-minute recess and we will leave the live feed on. We will reconvene at 8:05. Me not breaking the tie does not say that the council cannot still take their own actions.

b. Discussion/Decision: Resolution 477; Adopting a budget and adopting wages and salaries for Fiscal Year 2020-2021

Mayor Dewey introduced new item b. I sent you an email today. Estimated cash reserve work sheet that show available cash to date in the fund and based on what you approve in the budget what you can expect to see remaining in terms of cash. Your budget doesn't necessarily deal with cash directly it is an estimate of our work plan but cash does work into the budget. Just wanted to make sure that you understand how much we have in reserve. Wanted to make sure that you could review the estimated cash worksheet. Before I get into the specific changes that we have implemented since our last budget workshop. You will note that in the column going across the page there are remaining revenues and remaining expenses. Those two columns assume that we would receive all the revenue that we anticipated and that we would spend all the money we said we would spend. If you look at the general fund you will see that it is a negative \$130,000 dollars and a negative number in a revenue line is a good thing that means that we received \$130,000 dollars more in revenue than we said that we thought we would. Expenditures a positive number would mean money is still available to be spent and that number will come down a bit over the next two or three months, there are some things that come in June and July and they have to be coded back into the previous year. We are probably dialed in pretty close on the general fund line it is underspent which means that we did not spend \$85,000 dollars that we thought we would have spent. We are of course proposing a \$793,641.00 in revenue and our expenses are \$864,924.00 so when you look at the cash remaining column please take into consideration the extra revenue and the remaining expenses that those off set. Our cash remanding balance in reality will be higher than what that worksheet says that it will. In terms of the cash remaining balances where you see negative numbers, I will draw your attention to the gas tax fund end of fiscal year 21 with a negative balance of almost \$80,000 dollars remember that is assuming that we are going to spend

\$90,000 dollars in fiscal year 20 and we didn't spend that money we are rolling it over into this fiscal year to spend so that is the discrepancy there. Added the cash remaining making a positive \$10,000. The other items are correction and coding in the general fund budget. Fire Department, the way that we put the lease agreement with the rural fire district and the way it came to be we had to reconfigure how the budget looks the rural fire district for \$5,000 dollars but because we sub leased back half of that from them we wrote them a check for \$2,500 dollars so we had to make an account for that. We had to account for it in our accounting system. There was also a necessary purchase for a new pump at Maplewood cemetery, that pump failed us last week and they estimated that repair at \$5,000 dollars so you will see that increase as well in the general fund. Other changes include bond funds for water and sewer, bond funds that are collected under that line on your water bill going to special funds where that money is being collected for our bonds, currently our bond payment is lower than what we are collecting in terms of what that line says. We think there may have been a discrepancy, not a fraudulent one, lack of oversight we initially had the rate for that bond high so that we could set aside the two years of bond payments that we were obligated to set aside. We have told USDA we are required by the bond to have one year of payment, in town policy we decided to always have two years of bond payments. Bond rate was originally set at a much higher level to accumulate enough funds to set aside two years of payments. That was never then reset in the system, we need to continue to look at the rate on the bill and (live feed on Zoom broke up so unable to hear words said) water fund actually off set. Questions from council?

Councilmember Michalson: I have a question for Robert, Robert what was the total budget that was adopted last year please? Do you know that Brandon was it \$800,000 something?

Mayor Dewey: of the general fund budget?

Councilmember Michalson: Total budget that was adopted in December of last year.

Mayor Dewey: I believe it was around \$2.5 million.

Councilmember Michalson: okay and what is it this year?

Mayor Dewey: this year \$4 million dollars.

Councilmember Michalson: So, we are increasing our budget by \$1.5 million dollars, correct?

Mayor Dewey: (live feed on Zoom broke up so unable to hear words said)

Robert: last year's budget we had \$1,729,688.00

Councilmember Michalson: and this year is \$2.5 million?

waited for Mayor Dewey's live feed to come back on

Mayor Dewey explained the increase in the budget is due to the airport project FAA funding.

Councilmember Vick: I just want to make sure as far the Montana Aeronautics that when that gets paid out, we would see that as a claim and we would just be a pass-through organization.

Mayor Dewey: That is correct, you won't actually see the check but you will see the claim go out to the specific vendor to be paid. We will see the claim come through once the FAA has approved it.

Councilmember Vick made the motion to adopt fiscal year 20/21 budget.

Mayor Dewey: Are you making a motion to adopt resolution, because wages and salaries are included in that, just want to make sure that your intent is clear.

Councilmember Vick: that is my intent to adopt the resolution.

Mayor Dewey: Mr. Vick made the motion to adopt resolution 477

Councilmember Devlin: 2nd the motion.

Mayor Dewey: Council discussion, any questions, Mr. Michalson?

Councilmember Michalson: I would just like to go on record to say that my position hasn't changed I think passing this budget this early without seeing our estimated revenues come in until August also I would like to say that I feel strongly that we should not be giving everybody increases across the board knowing going forward with the COVID and knowing other municipalities all these that are starting to cut back, I don't think that it is very fiscally responsibility. We can hire them now we have money no problem. But going down the road there is a great possibility that we will have to lay these people off. That is your call Mr. Mayor you get to do that job, thank you.

Chief Motley: at the last budget meeting I believe that we were going to look into other funding sources for items that were not being funded on the proposed budget, do we know anything do we have any other options. IE, fire department overhead door and the public works building.

Mayor Dewey: the grant opportunities are still being evaluated and what is the best option in the meantime we are reaching out to MCAP to see what the funding looks like. What any of those improvements would look like. We feel with the COVID-19 recession being what it is we feel it is advantages of us to buy some money. At the moment we are investigating with the state. These are reasonable projects to finance because they are long term improvements. The town is in a position of financing a project is reasonable approach.

Chief Motley: I understand what you are looking at doing and I understand that door expansion is not in the proposed budget, but however council you have to be aware that the door project has to happen at some time, I know we are looking at some options for right now I am okay but we have to have that door sooner than later so please keep that on top of your mind as we move forward.

Mayor Dewey: Chief I think when the dust settles on this budget there is \$25,000 dollars in your CIP budget that is appropriated in your budget. We may have to have a conversation on an administrative level and prioritize the CIP projects in your department. The intent is to purchase another vehicle but we may have to back track that thought and not saying that we do that today I am saying that it may warrant a discussion.

Chief Motley: so again, at the last meeting I said, we prioritized our needs and wants and we did that and brought that forward and now in the 11th hour we have an added building, employees. Well these priorities that we put into our budget and now we are going to have to re-prioritize. That is a hard pill to swallow sir.

Mayor Dewey: Chief, the prioritization that affected your specific item was that of the swimming pool.

Chief Motley: we are spending general fund funds in other areas besides the pool and it affects my department and public works, we need some better communication.

Mayor Dewey: noted. Any further discussion, Ms. Holcomb?

Councilmember Holcomb: I just want to say it again on record that I believe everyone deserves a raise but I just wish we would do it across the board during this hard time that we are going through. I know that we getting the CARES ACT I am just afraid down the road they may want it back, so I just want to put it on record push back or pull back on the raises.

Mayor Dewey: Ms. Holcomb I don't think that there is any reason to believe that we would have to return the CARES funding that has been awarded to the town, if that helps address some of your concern I realize that it doesn't address all of it but understand that we have been given no indication by local government that money would have to be repaid for any reason.

Councilmember Holcomb: okay.

Councilmember Michalson: Brandon does the adoption of the budget take one or two public hearings?

Mayor Dewey: one public hearing.

Councilmember Michalson: and we had that one earlier tonight? So, when we adopt this it is final?

Mayor Dewey: that is correct. Unless a budget amendment was to come forward which is interlay possible.

Councilmember Michalson: okay, thank you.

Mayor Dewey: any further from council? Motion on the floor is to adopt Resolution 477. Which adopts the fiscal year 20/21 budget and salaries and wages. I will call for the vote.

Councilmember Devlin: Aye.

Councilmember Holcomb: No.

Councilmember Michalson: No.

Councilmember Vick: Aye.

Mayor Dewey: it is a tied vote, the Mayor votes in favor of the proposed budget and salaries and wages.

c. Discussion/Decision: Authorizing the Mayor to enter into a lease agreement for Police Department office space

Mayor Dewey: introduced new business item c. This is an item tied back into your budget where we have discussed the opportunity to relocate the police department headquarters out of town hall and into a leased space owned by Dean and Ramona Vance, the space used to house the highway patrol detachment so it is set up well and very few modifications need to be made to the space. Landlord has agreed to take care of flooring before we move in. I do not have a copy of the lease agreement for your review tonight that is something patiently waiting for Ms. Vance to get back to me. If you approve the authorization tonight the process would be that lease agreement would go in front of Scott Owens for review to make sure that there are no complications with that. The term will then be agreed upon, we are budgeting \$1,000 dollars per month plus utilities for that space. Ms. Holcomb?

Councilmember Holcomb: So, it is only going to cost \$1,000 dollars? Are paying rent too.

Mayor Dewey: \$1,000 per month in rent plus utilities. The utilities are comparable to what the police department already pays at city hall. We may see some savings; lights are primarily what they are running.

Councilmember Holcomb: thank you.

Councilmember Michalson: so, is this a lease agreement that the attorney is going to look over Brandon?

Mayor Dewey: we are proposing a 5-year lease with the Vance's at a \$1,000 dollars per month plus utilities. once we receive the actual written lease from Ms. Vance for the property Mr. Owens will approve that lease and upon his approval, we would then execute this lease with your approval tonight.

Councilmember Michalson: Wouldn't it make more sense, does this have to be done right away. Couldn't we table this until the agreement have Scott look at it and bring it in front of council for our review wouldn't that be the proper way to do it.

Mayor Dewey: I don't know that there is a difference in what is proper or improper I don't think that we are indicating doing it this way is improper I am outlying the terms of the lease very simple rental agreement, insurance requirements for inside the building but otherwise it is going to be very generic language in regards to a lease unlike what you saw with the rural fire district lease when we leased property to them. I don't have a time line, as soon as possible we would like to get that lease agreement finalized from Ms. Vance. I have ben busy the past few days and haven't have time to follow up with her. As soon as I have the chance to follow up with her and get the lease agreement from her, I would like council's approval so that we can start implementing measures in order to get that space ready to facilitate the police department sooner than later. So, we can get them transitioned and into place. As you know we are on top of each other in town hall in the administrative office and it is going to take us some time to get things in its proper place, I would like to not delay this any further and councils consent to move

forward tonight and Mr. Owens approval should be sufficient, with that being said if there is something that Mr. Owens disagrees with or something other than what I have described to you in the term than of course we are going to come back to the council. Mr. Michalson?

Councilmember Michalson: I don't have a problem with the lease agreement the problem I have is a 5-year longevity, does that lock us in for 5 years? Say we can't afford it or another option comes along because the police department has been in this building before years ago, correct.

Mayor Dewey: yeah probably before. This is not the best use of time comparison, but at it hasn't since I have been alive. At one time that building did house city hall the building has housed a lot of different organizations. The rationale behind the 5-year lease Mr. Michalson was to prevent the town losing any investments that it has. This is probably a leap of faith if you will that we are uprooting a department and placing it in another facility we don't want to go through that twice so a 5-year makes sense. The town is prohibited by code to go any further than five years but we think 5-years is a reasonable time to give the operation of that department in that facility the opportunity to prove itself and to see whether it was a successful move or not. For whatever reason that building changed owner ship or some other change happened the town is protected in that we are not going to be suddenly be uprooted from its facility for the police force and then quickly reconfigure city hall so that they can get back in.

Councilmember Michalson: okay, thank you.

Councilmember Devlin made the motion to authorize the mayor to enter into a lease agreement for the police department. It was 2nd by Councilmember Vick.

Mayor Dewey called for further council discussion.

Councilmember Holcomb: So, when that motion can we put in there for you to enter into a lease agreement for the police department space on the approval of our attorney.

Mayor Dewey: absolutely. Are you proposing that as an amendment?

Councilmember Holcomb: Yes.

Mayor Dewey: is there a second?

Councilmember Vick: Yes.

Mayor Dewey: it has been moved by Ms. Holcomb and 2nd by Mr. Vick to amend the motion and to add that the mayor is authorized to sign the agreement upon approval of the town's attorney. Discussion on the amendment. I will call for the vote on the amendment.

Councilmember Devlin: aye.

Councilmember Holcomb: aye

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: the amendment passes the motion before you know is to authorize the mayor to enter into a lease agreement for the police department office space upon the agreement's approval by the town attorney. Any further discussion from the council? I will call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Motion passes.

d. Discussion/Decision: Director of Community Development Position Description

Mayor Dewey: introduced the director of community development position. How the person will assist the building department. Position description is based off of other positions in other towns, Missoula and Helena. Smaller communities don't usually have a position but we really wanted to set the bar for this position in Stevensville due to the growth that we are seeing. We want to make sure that this person is qualified to do this unlike a volunteer like myself. We want to bring someone in with experience to do this job.

Councilmember Vick: made the motion.

Councilmember Holcomb: 2nd the motion.

Mayor Dewey: It has been moved by Mr. Vick and 2nd by Ms. Holcomb. Council discussion? Mr. Michalson?

Councilmember Michalson: Correct me if I am wrong Mayor Dewey, but at our budget meeting we brought this forward all the money that is going to be generated will go to this position. How is this position going to be funded?

Mayor Dewey: in the fiscal year 20/21 this position is funded by permit fees from the building department, as that person handles building permits and issues building permits through the building office. It is funded by zoning and planning, the position facilitates variances, zoning change applications, fees that we charge for these services will offset and a small amount of tax increment funding will also fund this position. If we saw a slump in building activity then those funding sources go away and our response to that is that either our reserves will carry that position during that down turn or if the activity is not there then the position would be reduced.

Councilmember Michalson: I have a question for Robert. Can you give me a figure on what this position pays for a year? Do you have that in front of you?

Robert: the wages would cost \$46,777.00 over all benefit cost \$62,769.00

Councilmember Michalson: was are the two-part time building officials salaries estimated for this year.

Robert: \$34,000.00

Councilmember Michalson: so that is about \$96,000.00? correct and estimated that is what it is going to cost for these three positions. What is the revenue for this department, building fees and everything else?

Mayor Dewey: Robert it is roughly \$100,000.00 is it not? It is important to note that a portion of this position is funded by the building department, the part time building staff those folks are funded 100% by the building department this position is not funded 100% by the building department.

Councilmember Michalson: Okay I just wanted to get an idea on the figures on the money that we are bringing in and putting out.

Mayor Dewey: The building department is having no challenge in collecting revenue. Given its building activity.

Councilmember Michalson: I have a question for you do you know how much revenue the town is expected to get with the school project with building permits and everything else?

Mayor Dewey: that revenue has already been received we would have to go and think they were spit up into 4 different permits, but it was considerably higher than we anticipated. And they did not just pay building fee but also infrastructure fees for water and sewer because they are adding services to the system. They had to pay some infrastructure fees and some public works fees in terms of street excavation and they had to pay some building fees relating to their building. We can go back and run that report, Robert if you would make a note on those cash receipts and give Mr. Michalson those figures.

Councilmember Michalson: thank you.

Mayor Dewey: any further questions on the description or the position. Then I will call for the vote.

Councilmember Vick: aye.

Councilmember Michalson: aye.

Councilmember Holcomb: aye.

Councilmember Devlin: aye.

Mayor Dewey: the motion passes.

e. Discussion/Decision: Consent to the Mayor's appointment of Jenelle Berthoud as Town Clerk

Mayor Dewey introduced new business (e.) Monica Hoffman has resigned her position and vacancy is since July 15th operating without a town clerk since that time. Following her resignation before she left the position, we began internally advertising along with a external advertisement policy states that we advertise internally for 5 days and we did that. We were

fortunate enough to receive an application our police clerk Jenelle Berthoud applied to the position and we went ahead and held interviews, Ms. Devlin, Mr. Underwood and our Parks and Recreation Director and myself conducted the interview with Ms. Berthoud and she did very well and terms of her responses, my gosh we might have asked her 3 pages of questions there were 17-18 questions right down to some very good information. This is an opportunity to provide growth to the individual seeking the position in our organization and Ms. Berthoud, I don't think it is any secret that Ms. Berthoud has done an exceptional job in the police department and she is looking to make that same difference in the rest of the organization as role of town clerk. I am very eager to get her into that role of town clerk I think she will fit into well, the training period will be very short and if you approve the consent or consent to the appointment we will get her into place and we do have staff that can help as she transitions into the clerks role we do have a staff that will help us with phone and walk in inquires in the police department as we do a recruitment for her replacement. I think that Ms. Berthoud's resume and cover letter in the packet speak for themselves as to how qualified she is for the position I don't think. I realize that there is some apprehension, "Oh my gosh we might find an external candidate and I understand that but frankly we have gone through two external candidates in this position and the organization is not in a position where it can afford to go through or bring in another personality into the office, go through the training and all of those other pieces, frankly Ms. Hoffman was just getting comfortable in her position and her training what she new about her job when she resigned. To take another year to train another town clerk is not feasible but we also have the opportunity to use the wealth of knowledge that Ms. Berthoud had about the organization already and her team approach to an integration that already exists at town hall today, so that is why I have offered her the position and bring the consent of my appointment of Jenelle Berthoud before you tonight.

Councilmember Vick: I will make a motion to consent to your appointment.

Councilmember Devlin: 2nd the motion.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Ms. Devlin to consent to appointment of Jenelle Berthoud as the town clerk.

Councilmember Devlin: I would like to say something, I did participate in the interview it lasted over an hour and actually there were 18 questions on the sheet but truly we probably went over 30 different questions. Good business practices are practiced all over the nation with hiring within. It does boost mural it does give people an area to grow like you said Mayor Dewey but if someone has worked in the administration and wants to be there it shouldn't hinder their want and desire Jenelle from everything that I have heard has excelled in her position with the police department, she has actually implemented some policy and procedures and has scream lined their system there which is something that is defiantly needed as a town clerk. I was very very impressed with the interview process I think she an extremely capable candidate and think that we would be fortunate to have her in that position.

Councilmember Holcomb: I am not disagreeing in the role; I just have a couple of things. So, you are saying that she will be giving up her role as the police clerk, right to go into this position.

Mayor Dewey: yes, that is correct.

Councilmember Holcomb: The only problem that I have with this is that this advertisement says that it will end July 24th. That is a major concern of mine, that if it is still being advertised that we are taking application until July 24th that might cause a problem.

Mayor Dewey: the towns policy states that internal candidates are given preference and we give them 5 days to apply for the position. The reason that the advertisement was not pulled as soon as we offered the position to Ms. Berthoud is because we wanted councils' consent to the appointment before we pulled the advertisement. To date I can tell that besides Ms. Berthoud there is only one other application that has been received, I believe it was received overnight. The position is advertised, open until filled and does acknowledge that the first review for outside applicants would be the 24th we are a couple days shy of that but there is no practice or law or policy that exists to my knowledge that prohibits us to fill the position prior to review especially an internal candidate. Any further questions? I will call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: Very good, motion passes unanimously we will schedule the swearing in of Ms. Berthoud and will transition her into the position. That concludes the business portion of tonight's meeting.

12. Executive Report

Mayor Dewey spoke about Bryar coming into the world. Staff has contact with him and checks are getting signed. Tasha, I and Carter thank everyone. If you have questions please don't hesitate to reach out to me. If you can't get a hold of me you can contact Robert. It is no secret there is conflict in our governing body. Mr. Owens and I have discussed how this is approached is there some sort of a solution that we are missing, we have been in communication with Dan Clark over at the local government center and his services are always available to us. I am not asking for direction tonight but something to think about, I know Dan and the local government center, league of cities and towns and MMIA have been here before and have held a workshop with council and staff to try to resolve some of the conflict between the different branches, the question is do you think that would be beneficial since it has been over 2 years and we have different councilmembers on board. Something to stick under your pillow tonight to think about I would like to hear your feedback. The staff will be convening on the 5th Friday in August, 31st. Mr. Underwood is scheduling trainings for staff. Bully and harassment training, more on the staff level of training. We will have our meeting tomorrow night, and you will hear from the department heads. Thank you for your patience with the ZOOM meeting.

13. Town Council Comments

Councilmember Michalson: I want to say that I was in touch with my health care provider yesterday and she started me to the county health department and got the paper work done, went down to the emergency room, got in line and got swabbed for CPVID and should know my results in 3-5 days.

Councilmember Vick: I do want to say my vote earlier tonight was not an easy one, just under a year ago Robin is the one who saw fit to put me into the position that I am in now. However, I do want to thank Mayor for showing grace to her and I do want to continue to work with Ms. Holcomb and want to continue to collaborate with Ms. Holcomb and I would love to collaborate with Mr. Michalson as well. I understand that there is going to be times where we don't agree on something and times when we think that one or the others is the worst human being in the world. We were all elected for different reasons to bring knowledge to the table. Ms. Holcomb brings financial knowledge to the table, Ms. Devlin brings business knowledge, Mr. Michalson brings that boots to the ground working by hand knowledge I bring natural resources and policy knowledge and Mr. Dewey brings his good looks I just want to say that I am glad that Ms. Holcomb is getting to stay on the council with us all though that does contradict what my vote was I am glad she gets to stay on the council with us and do look forward to working with her. I have to say that I have a comment from someone else, I personally myself in this seat I don't want to bring up that agenda item again be it for disciplinary action I believe that the item concerning Ms. Holcomb is over and done with. Lastly Mr. Gibson reached out to me about a letter that we written to the Bitterroot Star and his name was mentioned in there, he wanted me to state for him that he doesn't feel that he harassed anybody while he was in office or afterwards in office. He stated that he would greatly appreciate that if anyone felt that way about him to approach him themselves. That is all that I have.

14. Board Reports

Councilmember Devlin: Park Board met Monday night worked on developing a plan for the civic club, like I stated last time civic club is wanting to put in a splash deck. At both of the parks discussion and some decisions were made on what that would look like, the civic club is working on a full proposal to bring to the board I think that we would be seeing that soon meaning in the next couple of weeks I don't know what that is going to look like. Park Board was given a request that we go through potential splash sprinklers for 2-5 and 5-12 to get that to Bobby and he is going to give that information to the civic club they will compile monies and look forward to seeing what splash deck we are going to endure possibly.

Councilmember Vick: Airport Board met last week on Tuesday two items that were discussed will be on the agenda tomorrow night one being a lease agreement and another one being increase in leasing fees to get us in line with other airports in the area. A couple of days later I received a call from Craig Thomas informing me an issue that is going on during construction of the parking area for the planes that might be something that we see on down the road as an investment.

Mayor Dewey: hear and none we will adjourn the meeting convening at 7:00 pm tomorrow night at our regularly scheduled council meeting.

15. Adjournment

APPROVE:

ATTEST:

Brandon E. Dewey, Mayor

Town Clerk

Meeting notes transcribed by Jenelle Berthoud, Town Clerk

File Attachments for Item:

b. July 23, 2020 Meeting Minutes

Stevensville Town Council Meeting
Minutes for
Thursday, July 23, 2020 7:00 pm

1. Call to Order and Roll Call
Mayor Dewey called the meeting to order Councilmembers Devlin, Holcomb, Michalson, Vick were all present.
2. Pledge of Allegiance
3. Public Comments
Mayor Dewey: we have not received any public comments tonight.
4. Approval of Minutes
 - a. June 11, 2020 Council Meeting
 - b. June 16, 2020 Budget Workshop
 - c. June 17, 2020 Public Hearing
 - d. June 23, 2020 Budget Workshop
 - e. July 9, 2020 Council Meeting

Mayor Dewey: there is one correction on the minutes, the connection of Mr. Reeves to water services the motion incorrectly states in the draft minutes that you are approving annexation. The recording proves otherwise it was a carry over issue from the software that helps us write our minutes. So that correction will take affect on approval tonight. I entertain a motion to approve the minutes as corrected.

Councilmember Holcomb: I move.
Councilmember Vick: 2nd.

Mayor Dewey: any discussion from council?

Councilmember Vick: yes, on that same page which is page 7 this is a little mis-gendering of Mr. Michalson a couple of paragraphs above that.

Mayor Dewey: thank you, on that I will call for the vote.

Councilmember Devlin: aye.
Councilmember Holcomb: aye.
Councilmember Michalson: aye.
Councilmember Vick: aye.

Mayor Dewey: motion passes unanimously.

Councilmember Vick: I noticed last night on ZOOM that the meeting was being recorded, I am not seeing that tonight.

Mayor Dewey: should be now. We do a back up recording, the cloud does that for us, thank you for bringing that to our attention.

5. Approval of Bi-Weekly Claims

Mayor Dewey: the claims are not in your packet, but Robert sent you the claims via email today. Robert do you have those claims in front of you?

Robert: yes, I do.

Mayor Dewey: would you go through the beginning and ending number for the record.

Robert: one of the claims was from turning in the AFR from last night but the number was not covered and that was for \$950 and that was claim number 16100; go through claim 16126 tonight last one being Northwest Energy claim.

Mayor Dewey: do we have a motion to approve claims 16100 through 16126?

Councilmember Vick: motion.

Councilmember Devlin: 2nd.

Councilmember Holcomb: on page 1 it is claim 16101 for \$1602.44 for McKession Medical Surgical.

Mayor Dewey: medical supplies for the fire department.

Councilmember Holcomb: it just looked weird I thought someone had surgery or something.

Mayor Dewey: no that is the vendor, the company name and then below that you will see a description of FD.

Councilmember Holcomb: okay I got it. thank you.

Mayor Dewey: any further questions from council?

Councilmember Michalson: I see Strom and Associates did our audit, any time table on when that will be released to the public or the council?

Robert: they are just finishing up and I am doing their replies to the finding now and they should have that published within the next week. We had like 6 findings and some of them we anticipated just like the same ones we had before with the fireman's relief association and being over on some of the funds which we knew about, some of them we anticipated. Two of the findings have been corrected we will get them out to you as soon as they publish them and get that in the paper too.

Councilmember Michalson: thank you.

Mayor Dewey: any further discussion on the claims? Call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes unanimously.

6. Administrative Reports

a. Airport

Robert: construction of the airport, taxi ways finished working on the two aprons. Found some organic material, so we had to dig down, contact the FAA, get it tested. Working with FAA for some funding. All of the construction is halted until we get the tested ground approved.

Councilmember Holcomb: I am just wondering how are coming along on trying to replace Robert at the airport.

Mayor Dewey: that position has been formalized as a compensated regular employee, as early as next week you will see us advertise for that position and go through the recruit process like we would with any other employee.

Councilmember Holcomb: thank you.

b. Building Department

Mayor Dewey: report included in your packet tonight for your review.

c. Finance

Robert: a couple of things we talked about getting the CARES grant, first part of that has come in and we got \$33, 447.00 with an additional \$1566 which came from FEMA to go back and pay the feds. That will cover us from March 1- April 30. I am working on the next one for May, paying a police department wages, it looks like they are going to cover the cost of police and fire department wages until the end of the year. So that is kind of in the budget we planned for that. Doing a quick analysis before we close out last year ended up with about \$64,000.00 more in cash than what we started with. AFR is into the state, even though it was late with some COVID issues, Jennifer doing the special audit and she has helped out a lot. She has found a lot of stuff from previous years so she works with the auditors to make it all work. There is some disagreement between both auditors on how

things can go but it is all financially not material. When she gets that done, she will give us a report and we will move forward with that. Audit is finishing up and will get that out to the council once they approve it or send out the final draft with recommendations to move forward.

d. Fire Department

Chief Motley: read the stats from the fire department admin report provided in the packet. Fire danger is high, we may see some start. I do want to make sure that everyone knows that Colette is the new administrative assistant for the fire department replacing Britnee and is doing a fantastic job for us so far, very quick to learn and pick up it is going to be an addition to the staff. We are pretty much business as usual. Our biggest things are getting medical supplies, our current vendor sent us XL gloves not all wear XL. We are following COVID guidelines, working with Marcus Daly ambulance.

e. Parks & Recreation

Bobby: so, there are some updates to the report to council in the packet, pool has been open but we are closing this Saturday July 25th to address construction issues. Limiting the number of people at the pool wearing masks. Bobby listed out the swimming lesson schedule and numbers. Painted circles at Lewis and Clark Park for the 4th of July show. To promote social distancing. Sanitizing the parks 3 times per day. We have hired a part time, Kirsten to help out. River park clean up on the trail. 30 people came out for a community clean up day.

f. Police Department

Chief Marble: Referred to the police department report in the council packet. Stevensville Crime Watch program, Chief stated that he has received more applicants and will be moving forward. Chief is going to start a police blotter on the website. Chief read from the CFS report.

g. Public Works

Mayor Dewey: George's public works report is in your packet to review. George was not able to join us this evening.

7. Guests

NONE.

8. Correspondence

Mayor Dewey: they are included in your packet. Is there any desire that these correspondences be read into the record?

- a. Resignation Letter from Monica Hoffman, Town Clerk
- b. Letter from Alli Bristow RE: Safer Streets
- c. Letter from Jim Crews RE: Clerk Conduct

9. Public Hearings

NONE.

10. Unfinished Business

NONE.

11. New Business

a. Discussion/Decision: Agreement with HDR Engineering for the 2020 Water System Preliminary Engineering Report

Mayor Dewey: introduced new business item a. We put out an RFP to the region asking for proposals and on water system preliminary report, it has been some time since an engineering report has been done, 2013? This preliminary engineering report aims to primarily address water storage, something that has been planned since the 2013 water system upgrade and so we are bringing the contract, of course HDR was the only firm to put in for the primarily engineering report we have gone ahead and asked them to put together a scope of services and a contract for your approval. Are there any questions?

Councilmember Michalson: \$40,000.00 they are not going to go any higher than that, is that correct?

Mayor Dewey: The contract amount is \$40,000.00 if we there is a need to go over that a change order would come in front of council.

Councilmember Michalson: okay thank you.

Mayor Dewey: I think that we have Mr. Capara is on ZOOM with us so if you have any questions for him or HDR he is available to answer those questions. If there are not any questions, I would entertain a motion to authorize the contract.

Councilmember Vick: I will make a motion to authorize the agreement with HDR engineering for the 2020 water system DER.

Councilmember Michalson: 2nd the motion.

Mayor Dewey: any further council discussion, no public comment. Call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes unanimously.

b. Discussion/Decision: Airport Lease Agreement for Lot 8, Block 1

Mayor Dewey introduced new item (b.) this lease agreement is an increase in lease rate. Of 14 cents per square foot.

Councilmember Vick: question, would we need to handle a new business for resolution 478 to officially increase the lease rate before we approve this lease agreement?

Mayor Dewey: you can if you want, it is clear in the lease agreement and will be part of the same record and the lease agreement will not be ready until tomorrow at best.

Councilmember Michalson: Robert it says on the airport land lease, that the lease will go in on the 4th day of September. Is that when the rates take effect?

Robert: that is when the transfer will take effect between the two parties.

Councilmember Michalson: okay, I see what you are saying now.

Mayor Dewey: the existing hanger on the existing lease and one person is taking the lease over from another and they want that done on the 4th of September and that is when that will go into effect for the individual. So, to answer Mr. Vicks question the lease is not technically in effect until the 4th of September in terms of deadlines. I will entertain a motion.

Councilmember Vick: I will make a motion to approve the airport lease.

Councilmember Holcomb: I will 2nd the motion.

Mayor Dewey: any further council discussion? Hearing none I will call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion passes.

c. Discussion/Decision: Authorization of water & wastewater connection for unannexed property at Middle Burnt Fork Rd & Logan Lane

Mayor Dewey introduced new business item (c). as it is noted in the agenda item request form this is in response to a letter from the Bitterroot Star where a decision was not properly noticed on a previous agenda. We addressed this to a degree in the minutes the council made the decision instead of annexation you moved forward with authorizing the property owner to connect to the water system. That item language was not specifically listed on the agenda in a way that really complies with noticing and an over site by my part in facilitating the meeting. To remedy that to prevent any harm or wrong doing down the road we wanted to bring this item back to the council as an agenda item authorizing water and wastewater as your original decision was stated.

Councilmember Vick: I will restate my original motion from that night authorizing the connection of water and sewer for Mr. Reeves while the town continues to research the routes to annexation and easements.

Councilmember Devlin: I 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Ms. Devlin to authorize the connection of water and wastewater services by Mr. Reeves while he investigates easements and further annexation. Further discussion from council? With that I will call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes unanimously.

d. Discussion/Decision: Resolution 478, adopting fees. Permits and lease rates and charges at the Stevensville Airport

Mayor Dewey: introduced the new item (d). a memorandum from Robert Underwood interim airport manager and finance officer is included in you packet with the resolution. The airport is proposing to increase the new lease rate to 14 cents per square foot annually the old lease rates are currently set at 6 cents per square foot. We are proposing that those increase by 10% for the next 10 years as allowed by the leases that are currently in place, when those leases expire or the existing leases expire then those folks will be moved on to the new 14 cents per square foot rate but we have a number of leases that are considerably lengthy and so as time moves on those folks will see a 10% increase which you will note on 6 cents is not a ton of money anyways. To catch us up and make sure we are sound on fees and paying for the services that we provide at the airport we need to be proactive and have this resolved for next year's billing.

Councilmember Vick: I will make a motion to approve Resolution 478.

Councilmember Holcomb: I will 2nd that.

Mayor Dewey: Moved by Mr. Vick and 2nd by Ms. Holcomb to approve Resolution 478, any questions or discussion for council.

Councilmember Michalson: I have a question for Robert. On item number 4 on the resolution at the very bottom airport user fee what is the through the fence user permitted.

Mayor Dewey: that language frankly came from the last resolution that was adopted for fees and I would imagine what that means and Robert you can expand on that, but through the fence user is a user of the airport that may not fly in and out everyday but they are a user.

Councilmember Michalson: they are charged \$125.00 also?

Robert: that is correct. And we are working through that process, anyone that is using the airport should be paying a fee. The user fee is \$125.00 and still is we are just trying to police that up because there are some users that basically have this airport as their home base and have not paid the fees so we are in the process of policing that up so anyone that pays a user fee use the Stevensville as their home base, they fly in and tie down rate that you will see later on in my

memo. Any body that is using the airport pays a fee, somebody can rent a t hanger and not pay anything except for the hanger to the person that owns the hanger and nothing comes to the town. The was designed that anyone that has a plane and the number of planes, example one user can have two planes and pay \$125 a year.

Councilmember Michalson: okay, thank you.

Mayor Dewey: any further questions from the council, please bear with me for a moment I am getting a message that our public comment may not be working.

Robert: that 10% for 10 years will then go to the 14 cents per square foot.

Mayor Dewey: called for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion passes unanimously. That concludes the business portion of the meeting.

11. Executive Report

Mayor Dewey: I have more than less given my executive report last night, you have heard from the department heads as I mentioned we are trying to handle this virtual meetings piece as best we can and this is our 2nd fledged council meeting if we are having challenges with public comment we want to hear about it and for what ever reason the phone is not working you can email info@townofstevensville and will try to catch those as well. In terms of COVID-19 we continue to respond that best that the town can we are working with state resources to make sure that supplies can be received but they are experiencing the same limits the rest of us which is troubling to a degree. None the less we will work through that. At any rate we continue to handle that of course we are seeing our public health department in the news as Stevensville heavy relies on the county health department for guidance all though that is limited in terms of collaboration and we hope that those troubles are figured out. Because we don't have much else as a resource. Council comments?

12. Town Council Comments

Councilmember Devlin: I do. It is interesting that you brought up the health department in thinking about the terminal that they are going through I dong know what maybe you can speak to the interactions that you have had with the county health department but has Stevensville ever entertained the idea of having a public health office of its own here in Stevensville, maybe that was something in the past of something to go about entertaining I don't think communication within the different cities and towns has gone very well this COVID and of course that is navigating new waters. I am just wondering it that is a need that could be filled here is Stevensville?

Mayor Dewey: I can speak Jaime to your inquiries with the town and the public health department those interactions primarily happen through a press release so if we have specific concerns or reports to give to public health, we have been able to express those to them and they have been able to address. One piece of information that the town has a challenge acquiring is the number of positive cases with in the town's jurisdictions or the towns boundaries. Public health has been reluctant to turn that information over to the town with that being said there is a policy in place for emergency service to obtain that through 911. If that be the case from a decision making stand point from the administration we have not been provided with those details and what does community spread look like in Stevensville. The information that we do receive from public health is the same information that they provide other stake holders in the valley including the press it is typically in the form of a press release where I think they just brought on a probation officer to do those things and his sole purpose is to put those out and I pass those along to staff as they come out that is really the limit of our communication I think that COVID 19 caught a lot of us off guard back in March it got out of hand very quickly in how we responded and were ahead of the curve and shut things down early. From your point I can tell you from the history that I am aware of no, Stevensville has not had its own public health board or public health department in smaller communities it is handled through the county in larger communities specially in the 1st and 2nd class of cities which are 20,000 or higher those folks have joint boards between the city and the county where those cities have their own health departments and are funded either by mills in the general fund or a combination of those state and federal funds are allocated to public health. If that is something that the council is interested in hearing about in terms of what those options might be, I just need to hear that if you want to investigate that further.

Councilmember Devlin: an avenue of that is I believe that there is CARES money to pay for that fund and facilitate if that is something that we are interested in I believe that we would be able to get funds to start that program.

Mayor Dewey: I think so, I think that is something that Mr. Underwood could probably investigate further as long as we are responding to the public health crisis at hand CARES is generally open to whatever we need the expenses and that is evident right now through December 31st they are covering the wages of our police officers and public safety personal, the honorariums for our fire chief down to the staff handling public safety issues. It is very broad and possible that there is funding to seed something like that even if that is a temporary piece that we just use to responded to this public health crisis and I think that the determination would need to be does the county have the capacity to serve Stevensville or is Stevensville better served on its own what I am hearing is that is the question that you are asking.

Councilmember Devlin: that is exactly the question that I am asking, is it worth entertaining that, it is kind of an intriguing idea.

Councilmember Vick: I can give a little response to that, the climate change board, which still has no members, if we could try to recruit some members into that and public health was part of that proposal into that board.

Mayor Dewey: Jaime does that conclude your council comment tonight I know that we kind of went into a...

Councilmember Devlin: yes, that does I kind of need a little bit of feedback to see if I was even in the ball park of what is kind of an intriguing idea to entertain.

Mayor Dewey: I guess if we entertain this idea it sounds like Ms. Devlin is seeking feedback from the council. Does anyone else on the council care to weigh in? Mr. Michalson?

Councilmember Michalson: that is a great idea Jaime, but the only thing is public health is usually a county level like Brandon spoke of state and federal dollars go in, if we got that started with a COVID grant it would be pretty hard to keep a nurse or a doctor because doesn't that have something to do with public health I would assume so that would be a great idea down the road as the town grows but right now I don't know if the town could support that long term.

Mayor Dewey: anything further from council on that subject. I am happy to prepare a discussion or a council communication back to council in the form of a memo sound like there are some questions that are still outlying and maybe some hesitation because there is a lack of information sounds like these questions would be easily researched and we can put that together in a memo and get it back out to council.

Councilmember Devlin: I would appreciate that.

Mayor Dewey: any other council comment of general nature.

13. Board Reports

NONE.

Mayor Dewey: okay everyone that concludes the agenda we are next scheduled for a council meeting on 13th of August just as a quick update, we will get the swearing in of Jenelle scheduled here before long we are working through transition and get some folks in order to make sure duties are covered on both the police side and the town clerks side, we can expect Ms. Berthoud to take that position on the 3rd of August and she will be fully installed and then we will hit the ground running preparing our August 13th agenda. Enjoy the very long break that we have.

14. Adjournment

APPROVE:

ATTEST:

Brandon E. Dewey, Mayor

Town Clerk

Meeting notes transcribed by Jenelle Berthoud, Town Clerk

File Attachments for Item:

Claims #16284-16319

10/20/20
16:08:44

TOWN OF STEVENSVILLE
Claim Approval List
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* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (10/20) ****								
16284		1698 Spectrum	664.45					
Control Account X421								
	Oct 20	10/03/20 PD phone/internet	120.21*			1000 420100	340	101000
	Oct 20	10/03/20 FD phone/internet	26.10*			1000 420410	340	101000
	Oct 20	10/03/20 Court phone/internet	13.05*			1000 410360	340	101000
	Oct 20	10/03/20 Admin phone/internetq	26.10*			1000 410550	340	101000
	Oct 20	10/03/20 Econ Development phone	26.10*			2940 410550	340	101000
	Oct 20	10/03/20 H2O dept phone/internet	78.28			5210 430510	340	101000
	Oct 20	10/03/20 Sewer dept phone/internet	78.28			5310 430610	340	101000
	Oct 20	10/03/20 BD phone/internet	99.39			2394 420531	340	101000
	Oct 20	10/03/20 Pool phone	39.99*			1000 460445	340	101000
	Oct 20	10/03/20 Water office phone/internet	78.47			5210 430510	340	101000
	Oct 20	10/03/20 Sewer office phone/internet	78.48			5310 430610	340	101000
*** Claim from another period (10/20) ****								
16286		33 NORTHWESTERN ENERGY	874.42					
	October 20	10/02/20 Crksde Mdws Lighting Dist	239.09			2440 430263	340	101000
	October 20	10/02/20 Crksde Mdws Lighting Dist	129.16			2440 430263	340	101000
	October 20	10/02/20 Water-157 Sewer Works Rd D	4.33			5210 430510	340	101000
	October 20	10/02/20 Sewer-157 Sewer Works Rd D	4.33			5310 430610	340	101000
	October 20	10/02/20 Streets-157 Sewer Works Rd	4.33*			1000 430200	340	101000
	October 20	10/02/20 Stevensville Cutoff Rd Path	5.80			1000 430263	340	101000
	October 20	10/02/20 Twin Creeks Dist #5	410.21			2450 430263	340	101000
	October 20	10/02/20 300 Main St seasonal light	5.80			1000 430263	340	101000
	October 20	10/02/20 Dickerson Park	6.31*			1000 460430	340	101000
	October 20	10/02/20 206 Buck Fire Dept lightin	65.06*			1000 411201	340	101000
*** Claim from another period (10/20) ****								
16287		728 HDR ENGINEERING, INC.	8,391.84					
	1200297933	10/02/20 3rd Street Improvements	8,391.84			2820 430200	350	101000
*** Claim from another period (10/20) ****								
16288		1755 Jennifer Mish	5.67					
Overpayment of \$5.67 from Seller at time of closing 06.21.2019 Seller requested refund Account 260160								
		Overpayment 06.21.19 closing	2.84			5210 343022		101000
		Overpayment 06.21.19 closing	2.83			5310 343031		101000
*** Claim from another period (10/20) ****								
16289		1756 Advanced Environmental	3,740.61					
Sanitize Town Hall, Sewer & Water Plant Covid 19								
	052490	10/09/20 Sanitize Town Hall Covid 19	2,869.38*			1000 410550	339	101000
	052490	10/09/20 Sanitize Sewer Plant Covid 19	871.23*			5310 430640	339	101000

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		*** Claim from another period (10/20) ****						
16290	1706	John Ellington	46.90					
		Alterations/patches						
	09-040271	10/15/20 Alterations/patches	46.90*			1000 420100	226	101000
		*** Claim from another period (10/20) ****						
16293	1117	Municode	550.00					
		10/1/19 - 9/30/20						
	349010	10/06/20 annual web hosting fee	550.00*			1000 410550	355	101000
		*** Claim from another period (10/20) ****						
16294	131	Missoula Fire Equipment	333.70					
		annual fire extinguisher service on 18 ABC Fire EXIT, 6-year maintenance						
	20815	10/07/20 Shop	106.65			1000 430100	350	101000
	20815	10/07/20 Water	106.65*			5210 430510	350	101000
	20815	10/07/20 Sewer	106.65			5310 430610	350	101000
	20815	10/07/20 TH	13.75*			1000 410550	350	101000
		*** Claim from another period (9/20) ****						
16295	29	STEVENSVILLE NAPA AUTO PARTS	772.28					
	584947	09/13/20 FD Battery Truck 2001	149.83*			1000 420460	232	101000
	585759	09/17/20 Antifreeze pool	19.29*			1000 460445	230	101000
	586618	09/23/20 Wiper blades dump truck	15.76*			1000 430200	232	101000
	587604	09/29/20 Flat connector & light dump t	42.65*			1000 430200	232	101000
	587787	09/30/20 Strobe Lite sander	119.93*			1000 430200	232	101000
	587815	09/30/20 Coupler sander	172.96*			1000 430200	232	101000
	587827	09/30/20 Coupler, hose end fitting	249.86*			1000 430200	232	101000
		statement 09/30/20 Finance Charge	2.00*			1000 410550	556	101000
		*** Claim from another period (3/20) ****						
16296	6	Eastside Ace Hardware	11.47					
	7324	03/05/20 lumber eagle project	3.09*			1000 460430	360	101000
	7560	03/24/20 Mandrel Cut Sand 1/8	8.18*			1000 460430	360	101000
	March 20	03/30/20 FC less .80 discount	0.20*			1000 410550	556	101000
		*** Claim from another period (5/20) ****						
16297	6	Eastside Ace Hardware	57.96					
	8132	05/13/20 Grass Seed Vet park	37.98*			1000 460430	230	101000
	8340	05/28/20 2 pvc elbows	19.98*			1000 430200	220	101000
		*** Claim from another period (8/20) ****						
16298	6	Eastside Ace Hardware	149.86					
	9629	08/12/20 Dripper tee barbed	13.57*			1000 430200	230	101000
	9663	08/14/20 Concrete for street signs	6.99*			1000 430200	220	101000
	9875	08/27/20 12V pump transfer Water	119.99			5210 430530	230	101000
	9860	08/26/20 3 Ref MYL thin STY Sewer	7.12			5310 430640	230	101000
	9855	08/26/20 3 black vinyl letters Sewer	2.19			5310 430640	230	101000

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date	Vendor #/Name/ Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
			*** Claim from another period (9/20) ****						
16299			6 Eastside Ace Hardware	44.56					
	10410	09/23/20	5 8x3 mender hose sewer	2.59			5310 430640	230	101000
	10521	09/28/20	double clevis 7/16x1/2" Street	41.97*			1000 430200	230	101000
			*** Claim from another period (10/20) ****						
16300			1061 WESTERN BUILDING CENTER	123.75					
	15100590	10/08/20	S-2 4x4 treated post	123.75*			1000 430200	400	101000
			*** Claim from another period (9/20) ****						
16301			115 BURNT FORK COMMISSION	90.90					
	September	10/07/20	450" H2O delivered	90.90			1000 430900	340	101000
			*** Claim from another period (10/20) ****						
16302			858 MILLER LAW OFFICE, PLLC	400.00					
	1147	10/17/20	Water Rights	400.00			5210 430530	352	101000
			*** Claim from another period (10/20) ****						
16303			17 MONTANA SAWS LLC	12.50					
	October 1	10/01/20	P-Engine Oil Weedeater	6.25*			1000 460430	231	101000
	October 1	10/01/20	Cem-Engine Oil Weedeater	6.25*			1000 460430	231	101000
			*** Claim from another period (9/20) ****						
16304			1659 CHS Mountain West CO-OP	139.82					
	September	09/30/20	PW-Fuel	139.82			1000 430100	231	101000
			*** Claim from another period (9/20) ****						
16308			1758 Ramona Vance	1,000.00					
	Nov 20	10/01/20	Police Office Lease Nov	1,000.00*			1000 420100	530	101000
			*** Claim from another period (9/20) ****						
16309	E		852 CENEX FLEETCARD	943.58					
	201714CL	09/30/20	Admin - Fuel	0.00			1000 410550	231	101000
	201714CL	09/30/20	PD - Fuel	386.17*			1000 420100	231	101000
	201714CL	09/30/20	FD - Fuel	160.77*			1000 420460	231	101000
	201714CL	09/30/20	PW - Fuel	386.87			1000 430100	231	101000
	201714CL	09/30/20	Amulance - Fuel	0.00			2230 420730	231	101000
	201714CL	09/30/20	Airport - Fuel	0.00			5610 430300	231	101000
	201714CL	09/30/20	Finance Charge	9.77*			1000 410550	556	101000
			*** Claim from another period (9/20) ****						
16310			1210 Knife River Corporation	57,013.84					
	AIP 3-30-0044-013-2019 - Pavement Reconstruction and New Midfield (correction payment) We owed them \$57,013.84								
	RFR #5	06/25/20	Pavement & New Midfield 90%	51,312.46			5620 430300	950	101000
	RFP #5	06/25/20	Pavement & New Midfield 10%	5,701.38			5610 430300	950	101000
			*** Claim from another period (10/20) ****						
16311			1529 Curtis Tools for Heroes	258.20					
	593813	10/08/20	FD Bullard Thermal Inager batt	258.20*			1000 420460	230	101000

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Claim	Check	Invoice #/Inv Date	Vendor #/Name/ Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
			*** Claim from another period (10/20) ****						
16312	2059383.00	10/06/20	1267 Witmer Public Safety Group Inc. PD-Badge	21.00 21.00*		MEAD	1000 420460	226	101000
			*** Claim from another period (10/20) ****						
16313	2020.1735	10/12/20	1714 Big Bear Sign Company Inc PD Door Decal	36.00 36.00*			1000 420100	239	101000
			*** Claim from another period (10/20) ****						
16314			180 MONTANA LAW ENFORCEMENT ACADEMY MT Law Enforcement Academy	323.00					
			20276 10/16/20 CourseTuition	200.00			2810 420100	380	101000
			20276 10/16/20 Lodging	60.00			2810 420100	370	101000
			20276 10/16/20 Meals	63.00			2810 420100	377	101000
			*** Claim from another period (10/20) ****						
16315			155 Supply Ditch Association	325.00					
2020			Fall Water Assessment						
			3270 10/18/20 Water Assessment	325.00*			1000 430900	330	101000
			*** Claim from another period (9/20) ****						
16316			633 Marcus Daly Memorial Hospital	1,081.92					
			1085828 09/30/20 Firefighter Physical Gwozdz	383.00*			1000 420410	351	101000
			1085828 09/02/20 Firefighter Physical Mead	383.00*			1000 420410	351	101000
			1085828 09/23/20 Firefighter Physical Velin	383.00*			1000 420410	351	101000
			1085405 06/10/20 Firefighter Physical Henderse	-67.08*			1000 420410	351	101000
			*** Claim from another period (6/20) ****						
16317			1571 STROM & ASSOCIATES, PC	2,380.00					
			FY18-19 10/14/20 FY18-19 audit	714.00			5310 430610	350	101000
			FY18-19 10/14/20 FY18-19 audit	714.00*			5210 430510	350	101000
			FY18-19 10/14/20 FY18-19 audit	119.00			5610 430300	350	101000
			FY18-19 10/14/20 FY18-19 audit	119.00			2394 420531	350	101000
			FY18-19 10/14/20 FY18-19 audit	714.00			1000 410530	350	101000
			*** Claim from another period (9/20) ****						
16318			34 STEVENSVILLE HARDWARE AND RENTAL	323.20					
			C452029 09/02/20 W Female brass hose	3.79			5210 430540	230	101000
			C452467 09/08/20 P Concrete Mix	24.95*			1000 460430	220	101000
			A479562 09/08/20 S Roller Painting Sidewalks	13.48*			1000 430200	230	101000
			A479592 09/08/20 P Concrete Mix	9.98*			1000 460430	230	101000
			A479833 09/10/20 Police 25ft Cable	14.49*			1000 420000	210	101000
			C452759 09/11/20 Sewer Bit Set	8.16*			5310 430540	220	101000
			C452759 09/11/20 Water Bit Set	8.16			5210 430540	220	101000
			C452759 09/11/20 Streets Bit Sew	8.16*			5310 430200	220	101000
			A479897 09/11/20 City Hall Caulking	16.48*			1000 410550	230	101000
			A479963 09/11/20 Sewer Tools	14.49*			5310 430540	220	101000
			C452988 09/14/20 Town Hall Outlet Cord	12.99*			1000 410550	220	101000
			C452988 09/14/20 Police 5 ft cable	14.49*			1000 420000	210	101000
			C453047 09/14/20 Streets paint curb school	65.94*			1000 430200	230	101000
			A480597 09/17/20 Pool Mip Plug	4.58*			1000 460445	230	101000

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* ... Over spent expenditure

Claim	Check	Invoice	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund	Org	Acct	Object	Proj	Cash Account
	C453422	09/18/20	Water Meter Repair park stree	11.96*			5210		430550	230		101000
	A481001	09/21/20	Fire Mouse Trap	3.99*			1000		420410	210		101000
	A481235	09/23/20	Shop Sewer Pressure gague	8.99*			5310		430540	230		101000
	A481253	09/23/20	recoil hose shop sewer plant	22.07*			5310		430540	230		101000
	C454019	09/28/20	Shop Sewer plug clamp selant	22.86*			5310		430540	230		101000
	A481883	09/28/20	Bulk fastners shop sewer plan	6.62*			5310		430540	230		101000
	A481893	09/28/20	Sander Streets	14.99*			1000		430200	230		101000
	C453136	09/15/20	Ball Valve Water Plant	11.58			5210		430540	230		101000
			*** Claim from another period (7/19) ****									
16319			633 Marcus Daly Memorial Hospital	627.00								
	1082336	05/07/19	Firefighter Physical Gwozdz	318.00*			1000		420410	351		101000
	1082763	07/25/20	Firefighter Physical Velin	309.00*			1000		420410	351		101000
			# of Claims	30								
			Total:	80,743.43								
			Total Electronic Claims	943.58					Total Non-Electronic Claims	79799.85		

Fund/Account	Amount
1000 GENERAL	
101000 Cash - Operating	\$10,373.70
2230 AMBULANCE	
101000 Cash - Operating	\$0.00
2394 BUILDING CODE ENFORCEMENT	
101000 Cash - Operating	\$218.39
2440 CREEKSIDE LIGHTING #4 DISTRICT 77	
101000 Cash - Operating	\$368.25
2450 TWIN CREEKS LIGHTING #5 DISTRICT	
101000 Cash - Operating	\$410.21
2810 POLICE TRAINING & PENSION	
101000 Cash - Operating	\$323.00
2820 GAS APPORTIONMENT TAX	
101000 Cash - Operating	\$8,391.84
2940 ECONOMIC DEVELOPMENT	
101000 Cash - Operating	\$26.10
5210 WATER	
101000 Cash - Operating	\$1,540.05
5310 SEWER	
101000 Cash - Operating	\$1,959.05
5610 AIRPORT	
101000 Cash - Operating	\$5,820.38
5620 AIRPORT PROJECT	
101000 Cash - Operating	\$51,312.46
Total:	\$80,743.43

10/20/20
16:08:44

TOWN OF STEVENSVILLE
Claim Approval Signature Page
For the Accounting Period: 11 / 20

Page: 7 of 7
Report ID: AP100A

ORDERED that the Town Treasurer draw a check/warrant on the Town of Stevensville.

Council

Council

Council

Council

Mayor

Date Approved _____

File Attachments for Item:

Discussion/Decision: HDR Task Order No. 8, Park Avenue Sewer Main Extension



Stevensville Town Council Meeting

Agenda Item Request

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Brandon E. Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	10/22/2020
Agenda Topic:	Discussion/Decision: HDR Task Order No. 8, Park Avenue Sewer Main Extension
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	10/22/2020
Notes:	



**TOWN COUNCIL
Council Communication**

**Regular Meeting
October 22, 2020**

Agenda Item: New Business
Discussion/Decision: HDR Task Order No. 8, Park Avenue Sewer Main Extension

Other Council Meetings

Exhibits

A. Task Order No. 8

This agenda item provides Council with the opportunity to approve Task Order No. 8, providing engineering services, bidding, and construction for the extension of a sewer main on Park Avenue.

Background:

The objective of this Task Order is to provide engineering, bidding, and construction services to the Town of Stevensville for a sewer main extension. The sewer main extension will begin at the intersection of Park Ave. and Phillips St. and extend approximately 1,300 linear feet south to the intersection of Park Ave. and Middle Burnt Fork Road. The Project will also include the installation of services to the property line of existing homes along the new sewer main route, as well as the installation of a sewer main stub out connection to accommodate future service for a proposed community center.

Approval of the Task Order will allow the administration and public works department to proceed with HDR in the design of the sewer main extension. Following design, bids will be collected, and the Town Council will be asked to award a construction contract for the installation of the sewer main.

The extension of the sewer main is necessary for the Town to fulfill its obligation to provide sewer service to properties already annexed, but not yet connected to the sanitary sewer system. As an added benefit, properties along Park Avenue that are connected to the water system but not the sewer system may also be served by the sewer system in the future.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Do not approve Task Order No. 8

MOTION

I move to: Approve HDR Task Order No. 8 - providing engineering services, bidding, and construction for the extension of a sewer main on Park Avenue.

EXHIBIT A

TASK ORDER NO. 08

This Task Order pertains to an Agreement by and between the Town of Stevensville , MT, (“OWNER”), and HDR Engineering, Inc. (“ENGINEER”), dated April 4, 2016, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 08

PROJECT NAME: Park Avenue Sewer Main Extension

PART 1.0 PROJECT DESCRIPTION:

The objective of this Task Order is to provide engineering, bidding, and construction services to the Town of Stevensville for a sewer main extension. The sewer main extension will begin at the intersection of Park Ave. and Phillips St. and extend approximately 1,300 linear feet south to the intersection of Park Ave. and Middle Burnt Fork Road. The Project will also include the installation of services to the property line of existing homes along the new sewer main route, as well as the installation of a sewer main stub out connection to accommodate future service for a proposed community center.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

- Field Services:
 - Topographic Survey: HDR’s subconsultant Professional Consultants Inc. (PCI) will perform a topographic survey depicting the observable existing conditions within the project limits.
 - Topographic Mapping: Planimetric and topographic mapping will be captured throughout the project limits which includes, but is not limited to:
 - Existing paved surfaces cross sections at 50’ intervals
 - Edge of pavement, edge of concrete, edge of gravel, curb and/or gutter, valley gutters, gutter pan
 - Sidewalks and driveways
 - Ditches - top of bank, toe of slope, centerline of ditch, swales
 - Storm drain facilities (closed) - rims, inverts, pipe material, pipe connection and pipe sizes
 - Storm drain facilities (open) - inverts and pipe sizes, culverts, headwalls
 - Gravity sanitary sewer – manhole rims, manhole inverts, pipe material, pipe connection and pipe sizes
 - Force mains - valves and any other above ground appurtenances
 - Water mains - valves, meter pit, hydrants and any other above ground appurtenances

- Gas mains - valves and any other visible above ground appurtenances
 - Telephone and T.V. - pedestals and any other visible above ground appurtenances
 - Underground electric - any visible above ground appurtenances
 - Utility poles - type of service and pole number
 - Subsurface Utility Designation: Perform Quality Level B utility designation of underground utilities located within the project limits. Utility designation subconsultant will produce a utility drawing that will be incorporated into the topographic survey file.
- Engineering and Design Phase Services:
 - Preparation of construction drawings and technical specifications utilizing Montana Public Works Standard Specifications, where practical.
- Bid Phase Services:
 - Provide responses to bid questions/requests and issue addenda, as necessary.
 - Perform bid evaluation.
 - Develop the bid tabulation, contact low bidder's references, and provide written Recommendation for Award.
- Construction Services:
 - Provide Contract Administration (CA) services and resident project representative (RPR) services on a part-time basis.
 - Upon completion of project, prepare record drawings based on Contractor's provided information.
- Coordinate with Town staff as required.

PART 3.0 OWNER'S RESPONSIBILITIES:

- Provide available GIS data/aerial imagery.
- Provide available construction as-builts.
- Communication with private property owners, as necessary.
- Participate in telephone calls and meetings.
- Review project status reports and approve invoices.
- Review construction drawings and specifications and provide comments.
- Place bid advertisement and hold bid opening.

PART 4.0 PERIODS OF SERVICE:

Notice to Proceed for Engineering Services – Date of Executed Task Order.

Task	Schedule
Topographic Survey	4 weeks after Notice to Proceed
90% Submittal	4 weeks after receipt of Survey
90% Town Review	2 weeks after receipt of 90% Submittal
100% Submittal	2 weeks after receipt of 90% Submittal Comments
100% Town Review	2 weeks after receipt of 100% Submittal
Bid Ready Documents	2 weeks after receipt of 100% Submittal Comments

PART 5.0 ENGINEER’S FEE:

Owner shall pay Engineer for Services described in Part 2.0 an amount equal to Engineer’s Direct Labor Costs times a factor of 3.20, plus reimbursable expenses times a factor of 1.10. Contract amount shall not exceed **\$35,271.00** without prior written approval.

PART 6.0 OTHER:

This Task Order is executed this _____ day of _____, 2020.

TOWN OF STEVENSVILLE
“OWNER”

HDR ENGINEERING, INC.
“ENGINEER”

BY: _____

BY: _____

NAME: _____

NAME: _____

TITLE: _____

TITLE: _____

ADDRESS: PO Box 30
Stevensville, MT 59870

ADDRESS: 700 SW Higgins, Suite 200
Missoula, MT 59803-1489

			1 - Project Manager - Coralynn Revis	2 - EIT Sanitary - Anders Nord	3 - CADD Technician General 2 - Ryan Parke	4 - Quality Control Reviewer - Bill Buxton	5 - Administrative Office Mgr. - Devie Bessette	6 - Accountant - Paden Kaufman	HDR			Other Direct Costs		Total Budget
Task	Task Description	Status	PJM13	ESA10	CGE02	QCR10	ADM20	ACT03	TOTAL HOURS	LABOR COSTS	LABOR INCL. ESCALATION	SUBCONTR ACTOR	EXPENSES	TOTAL COST
Task 100	Project Management													
101	Project Kickoff Meeting	.	4	2				2	8	\$ 964	\$ 964	\$ -	\$ -	\$ 964
102	Project Monitoring / Maintenance	.	8	4				2	14	\$ 1,785	\$ 1,785	\$ -	\$ -	\$ 1,785
Subtotal (including optional)			12	6	0	0	0	4	22	\$ 2,749	\$ 2,749	\$ -	\$ -	\$ 2,749
Task 200	Engineering and Design Phase Services (90%)													
201	Topographic Survey / Subsurface Utility Designation	.								\$ -	\$ -	\$ 4,500	\$ -	\$ 4,500
202	Compile / Review Record Drawings	.	2	4					6	\$ 668	\$ 668	\$ -	\$ -	\$ 668
203	90% Drawings	.	14	24	32				70	\$ 6,781	\$ 6,781		\$ 50	\$ 6,831
204	90% Technical Specifications	.	2	24			8		34	\$ 2,954	\$ 2,954		\$ 50	\$ 3,004
205	90% EOPCC	.	2	2					4	\$ 496	\$ 496		\$ -	\$ 496
208	QA/QC	.				4			4	\$ 979	\$ 979		\$ -	\$ 979
Subtotal (including optional)			20	54	32	4	8	0	118	\$ 11,879	\$ 11,879	\$ 4,500	\$ 100	\$ 16,479
Task 300	Engineering and Design Phase Services (100%)													
301	Address Comments / Finalize Plans	.	2	8	2				12	\$ 1,165	\$ 1,165		\$ 50	\$ 1,215
302	Finalize Technical Specifications / Prepare Front Ends	.	1	2			4		7	\$ 617	\$ 617		\$ 50	\$ 667
303	100% EOPCC	.	1	2					3	\$ 334	\$ 334		\$ -	\$ 334
305	QA/QC	.				2			2	\$ 489	\$ 489		\$ -	\$ 489
Subtotal (including optional)			4	12	2	2	4	0	24	\$ 2,606	\$ 2,606	\$ -	\$ 100	\$ 2,706
Task 400	Bid Phase Services													
401	Bid Document Distribution	.		2					2	\$ 172	\$ 172	\$ -	\$ 250	\$ 422
402	Respond to Bid Questions	.	1	4					5	\$ 506	\$ 506	\$ -	\$ -	\$ 506
403	Perform Bid Evaluation / Provide Recommendation to Award	.	1	2					3	\$ 334	\$ 334	\$ -	\$ -	\$ 334
Subtotal (including optional)			2	8	0	0	0	0	10	\$ 1,012	\$ 1,012	\$ -	\$ 250	\$ 1,262
Task 500	Contract Administration (CA) and Resident Project Representative (RPR) Services													
501	Perform Submittal Review	.		20					20	\$ 1,720	\$ 1,720	\$ -	\$ -	\$ 1,720
502	Change Proposal Request Review	.	1	4					5	\$ 506	\$ 506	\$ -	\$ -	\$ 506
503	Respond to RFIs	.	1	4					5	\$ 506	\$ 506	\$ -	\$ -	\$ 506
504	Review and approve Contractor Payment Requests	.	4	2					6	\$ 820	\$ 820	\$ -	\$ -	\$ 820
505	Site Visit / Inspection Services	.		80					80	\$ 6,881	\$ 6,881	\$ -	\$ 350	\$ 7,231
506	Final Inspection / Walkthrough	.	1	2					3	\$ 334	\$ 334	\$ -	\$ -	\$ 334
507	Prepare As-Built Drawings	.		4	8				12	\$ 956	\$ 956	\$ -	\$ -	\$ 956
Subtotal (including optional)			7	116	8	0	0	0	131	\$ 11,724	\$ 11,724	\$ -	\$ 350	\$ 12,074
			45	196	42	6	12	4	305	\$ 29,971	\$ 29,971	\$ 4,500	\$ 800	\$ 35,271

File Attachments for Item:

b. Discussion/Decision: E. 3rd Street Re-paving update



Stevensville Town Council Meeting

Agenda Item Request

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Brandon E. Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	10/22/2020
Agenda Topic:	Discussion/Decision: E. 3 rd Street Re-paving update
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	10/22/2020
Notes:	

Agenda Item: New Business
Discussion/Decision: E. 3rd Street Re-paving update

Other Council Meetings

Exhibits

A. E. 3rd Street Preliminary Plans

This agenda item provides Council with an update on the E. 3rd Street re-paving construction project scheduled for November.

Background:

At their June 25, 2020 regular meeting, the Town Council approved HDR Task Order No. 6, authorizing engineering services for the E. 3rd Street paving project.

Engineer's have drafted plans and have the project ready for bidding. The Town Council has a final opportunity to provide feedback on the project prior to bids being advertised. Upon reception of bids, the Town Council will award a contract and the Town will proceed with construction, currently scheduled in November. The project is being funded through gas tax funds and the BaRSAA Fund.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s):

MOTION

I move to:



PRELIMINARY DESIGN

GENERAL NOTES:

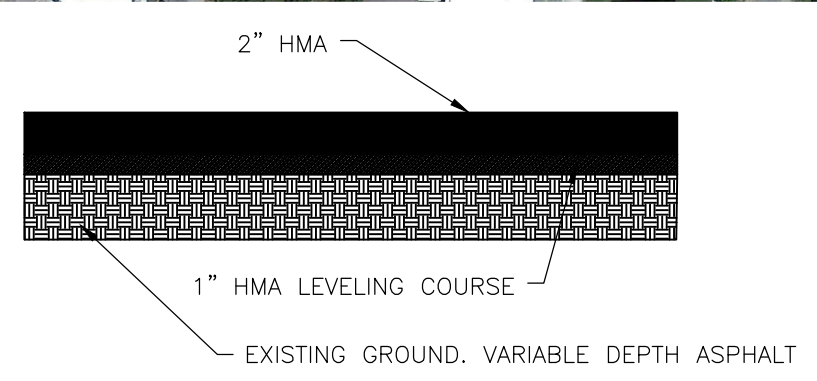
- 1. DIMENSIONS ARE APPROXIMATE AND MAY NOT REFLECT ACTUAL FIELD CONDITIONS.
- 2. EXISTING WATER VALVES NOT SHOWN IN PLANS. CONTRACTOR TO LOCATE AND ADJUST AS REQUIRED.

CONSTRUCTION NOTES:

- ⑪ 3" HMA OVERLAY
- ⑫ 4" CONCRETE SIDEWALK/CURB RAMP

LEGEND:

- ASPHALT PAVEMENT
- CONCRETE - SEE CONSTRUCTION NOTES FOR DEPTH/PLACEMENT



3RD ST. E. TYPICAL SECTION



ISSUE	DATE	DESCRIPTION
1	09-01-2020	PRELIMINARY DESIGN

PROJECT MANAGER	RILEY LUBBERS
CIVIL	X
UTILITIES	X
ELECTRICAL	TEICH HOCHHALTER
PROJECT NUMBER	10223814



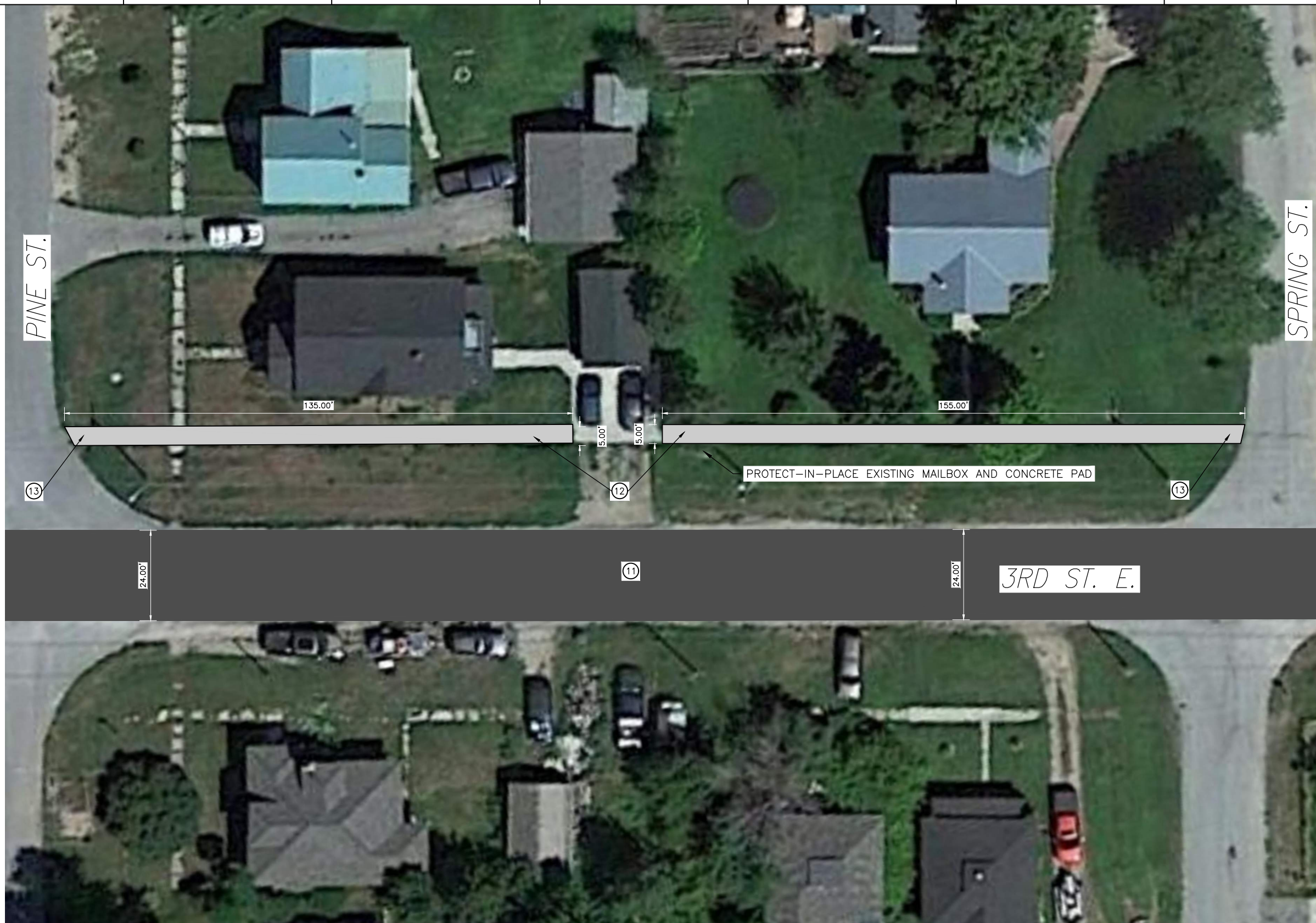
Town of Stebensville, MT
3rd St. Improvements

ROADWAY SURFACING & LAYOUT

LINE IS 1 INCH
AT FULL SIZE
(IF NOT 1" - SCALE ACCORDINGLY)

SHEET NAME
RS - 01

- Page 53 -



PRELIMINARY DESIGN

- GENERAL NOTES:**
1. DIMENSIONS ARE APPROXIMATE AND MAY NOT REFLECT ACTUAL FIELD CONDITIONS.
 2. EXISTING WATER VALVES NOT SHOWN IN PLANS. CONTRACTOR TO LOCATE AND ADJUST AS REQUIRED.

- CONSTRUCTION NOTES:**
- 11 3" HMA OVERLAY
 - 12 4" CONCRETE SIDEWALK/CURB RAMP
 - 13 PEDESTRIAN RAMP NOT TO EXCEED 8% MAX SLOPE

- LEGEND:**
- ASPHALT PAVEMENT
 - CONCRETE - SEE CONSTRUCTION NOTES FOR DEPTH/PLACEMENT

D
C
B
A



ISSUE	DATE	DESCRIPTION
1	09-01-2020	PRELIMINARY DESIGN

PROJECT MANAGER	RILEY LUBBERS
CIVIL	X
UTILITIES	X
ELECTRICAL	TEICH HOCHHALTER
PROJECT NUMBER	10223814



Town of Stevensville, MT
3rd St. Improvements

ROADWAY SURFACING & LAYOUT

LINE IS 1 INCH
AT FULL SIZE
(IF NOT 1" - SCALE ACCORDINGLY)

SHEET NAME
RS - 02



TASK ORDER 06			City of Stevensville		
3rd St. E. Improvements (Base Bid)			Created By: HDR Engineering		
			Date: 9/3/2020		
			Engineers Estimate (60%)		
BID ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
01000 General Requirements					
01000	Mobilization / Demobilization	LS	1	\$ 5,000.00	\$ 5,000.00
01100	Taxes / Bonds / Insurance	LS	1	\$ 3,000.00	\$ 3,000.00
01570	Construction Traffic Control	LS	1	\$ 5,000.00	\$ 5,000.00
02100 Site Preparation					
02122	Remove Concrete	SY	161	\$ 15.00	\$ 2,415.00
02170	Adjust Existing Water Valve	EA	7	\$ 300.00	\$ 2,100.00
02500 Paving and Surfacing					
02511	Install 3" Asphalt	SY	5,180	\$ 13.50	\$ 69,930.00
02550	4" Concrete Sidewalk	SF	1,445	\$ 6.00	\$ 8,670.00
02552	Detectable Warning Panels	EA	2	\$ 500.00	\$ 1,000.00
Subtotal:					\$ 97,115.00
			Contingency: 15%		\$ 14,567.25
Total:					\$ 111,682.25

File Attachments for Item:

c. Discussion: Conduct of Councilmember Michalson and review of relevant policies



Stevensville Town Council Meeting

Agenda Item Request

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Brandon E. Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	10/22/2020
Agenda Topic:	Discussion: Conduct of Councilmember Michalson and review of relevant policies
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	10/22/2020
Notes:	

Agenda Item: New Business

Discussion: Conduct of Councilmember Michalson and review of relevant policies

Other Council Meetings

Exhibits

- A. Investigative Report
- B. Code of Conduct
- C. Council Rules

This agenda item provides Council with the ability to discuss the conduct of Councilmember Michalson and review the relevant policies.

Background:

The Town Council has requested that a COW meeting be held to attempt to resolve the complaints and issues regarding Councilmember Michalson's conduct with staff, other elected officials, and citizens. The Town Council has agreed to hold a discussion in hopes that a trial by the Town Council can be avoided.

The trial scheduled to be held before the Town Council has been postponed pending a possible alternative resolution.

In addition, the Town Council has requested that they hold a COW to discuss the policies relevant to conduct and behavior of Town Councilmembers.

Scheduling a COW meeting has been problematic as the administration attempts to accommodate varying schedules. This discussion has been scheduled for the 10/22/2020 Town Council meeting as the agenda is short and time allows for a meaningful conversation amongst Council.


Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s):

MOTION

I move to:

MEMORANDUM

TO: Town Council
FROM: Mayor Dewey 
SUBJECT: Conduct of Councilmember Michalson
DATE: September 11, 2020

OVERVIEW

This memo outlines a pattern of unprofessional and disruptive behavior by Councilmember Bob Michalson, in his official capacity as a Town Council member that has occurred since Mr. Michalson's return to the Town Council in January 2020. The outline herein reflects the results of an investigation into allegations made by Councilmembers Jaime Devlin and Dempsey Vick and charges preferred against Michalson at the July 9, 2020 Town Council Meeting in accordance with Robert's Rules of Order adopted by the Town Council.

AUTHORITY & PROCESS

The Town Council has the authority to adopt rules for its proceedings and to address disciplinary issues within the elected body.

Montana Code Annotated, 7-5-4103

Council rules and discipline. The council may determine the rules of its proceedings, punish its members for improper conduct, and expel any member for the same by a two-thirds vote of the members elected.

Robert's Rules of Order has been adopted by the Town Council as the guidelines governing their proceedings. The Town Council Rules themselves are silent on a process for handling disciplinary issues among the Council. Therefore, disciplinary guidance is referenced from Robert's Rules of Order and the advice of the Town's legal counsel.

The Town Council adopted Resolution No. 444 thereby instating a code of conduct for elected and appointed officials and citizen interaction.

ToS Code of Conduct, Section A.1

Conduct Guidelines, General. The professional and personal conduct of Members while exercising their office must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal

charges or verbal attacks upon the character or motives of other members of Council, Boards, Committees, Commissions, staff or the public.

Members shall perform their duties in accordance with the processes and rules of order established by the Town Council with respect, courtesy and integrity.

Members shall support the maintenance of a positive and constructive workplace environment for its members, the Mayor, Town staff and for citizens and businesses dealing with the Town. Members shall conduct themselves when dealing with Town employees to, in no way, create the perception of inappropriate direction to staff.

The Council or individual Council members and Board members shall not attempt to supersede the Administration's powers and duties.

In addition to general conduct guidance, the Code of Conduct outlines how Councilmember's should interact with staff.

ToS Code of Conduct, Section A.4.b

Do not disrupt Town staff from performing their jobs. Elected and appointed officials should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

ToS Code of Conduct, Section A.4.d

Prudent Councilmembers will take care to deal with staff and department heads through the Mayor to avoid any possibility of disrupting the supervisory chain of command. The individual likely to be compromised in such a circumstance, as too often occurs in municipal government, is not the Councilmember nor the Mayor but the staff member or department head, who is, after all, supervised by the Mayor. Members have the same rights and access to information as the general public. However, limitations to staff resources must be considered. Staff will make every effort to ensure that general information will be available online. Requests that may require substantial staff time must be approved by the Mayor. If the Mayor is not available, he shall be copied on or informed of such request. When in doubt about what staff contact is appropriate, Members must consult with the Mayor. Materials related to an item under the Council's or Board's consideration, supplied to a Member, will be made available to all members so that all have equal access to information.

On July 9, 2020 Councilmember Jaime Devlin preferred charges to the Mayor's Office of code of conduct violations, ex-parte communication, and improper influence of an elected official against Councilmember Bob Michalson. This initiated a process where the Mayor would investigate the allegations and schedule a trial before the Town Council to address the charges brought against Mr. Michalson.

TIMELINE

January 10, 2020:

Councilmember Michalson sent an email to Robert Underwood citing Montana code as it relates to the claim's approval process. Councilmember Michalson wrongly accused the Council and administration of not properly following the claims process at the Town Council meeting held the night prior. However, claims had been properly approved with Councilmember Michalson participating in the vote to approve the claims.

February 28, 2020:

See James Marble's email stating that he did not appreciate being brought in the middle of administrative issues. In his email, James writes: "I just want to be left alone and want to do my job. I am very frustrated by being placed in a position where I feel like I am in the middle of a feud."

March 3, 2020:

Councilmember Michalson circumvented the supervisory chain of command by sending an email to Robert Underwood asking him to add Councilmember Michalson as an authorized signer on the Town's financial accounts. Mr. Michalson was sent a reminder about the Code of Conduct and concerns that the administration was hearing. Mr. Michalson acknowledged the reminder as "duly noted".

March 5, 2020:

Councilmember Michalson overstepped his position as Town Council Member and Town Council President by attempting to cancel a scheduled Town Council meeting for March 12, 2020 falsely accusing the Mayor and Town Clerk that the agenda had not been properly posted.

March 12, 2020:

Councilmember Jaime Devlin received text messages from Councilmember Michalson regarding an agenda item submitted by Councilmember Devlin and Councilmember Vick to address unbecoming conduct of Councilmember Michalson. Councilmember Michalson demanded an apology be made at the upcoming meeting and stated, "Do you even know what the mess your in?" Councilmember Devlin reportedly felt bullied by Councilmember Michalson.

March 17, 2020:

Councilmember Michalson sent an email to Robert Underwood requesting payroll from May 1, 2019 through March 1, 2020. Councilmember Michalson was already told by

former Finance Officer April VanTassel after a previous request that the information he was seeking could not be released due to privacy.

March 20, 2020:

Council Member Michalson sent an email to Robert Underwood asking if insurance was still being paid for on surplus equipment. This request unnecessarily added to Robert's work load and circumvented the chain of supervision.

March 21, 2020:

Councilmember Michalson posted a post on Facebook stating that "...the town council is failing in its duties to uphold the laws and budget." Councilmember Michalson violated the Town's code of conduct by criticizing the Town Council's decision to approve an emergency ordinance in response to the COVID-19 pandemic.

Councilmember Michalson posted a post on Facebook accusing the Mayor of abusing the Council with no foundation and taking issue with the Mayor's decision to have Scott Owens, the city attorney, on the phone during a special meeting of the Council where a emergency ordinance for the COVID-19 pandemic was under consideration.

March 31, 2020:

Councilmember Michalson responded an email sent by me explaining that an emergency declaration by the Mayor was necessary for the Town's response to the COVID-19 pandemic. In his email, Councilmember Michalson states "I don't care what Scott Owens said."

March 31, 2020:

In a series of emails between Councilmember Michalson and an applicant for variance, Councilmember Michalson states that "The mayor is cuckoo! He's getting personal and that's a bad deal. If you have a permit in hand I would say to start building." Councilmember Michalson overstepped his position as Town Council member by authorizing the applicant to proceed with building on three occasions in the email thread. Further, Councilmember Michalson participated in ex-parte communication by discussing a future land use decision with the applicant and failing to disclose that conversation prior to the decision at the Board of Adjustment meeting.

March 2020:

Councilmember Michalson commented on a Facebook post that "The only virus in town hall is the BEDV-1" using the initials of Mayor Brandon E. Dewey.

Councilmember Michalson commented on a Facebook post that he "honestly cannot believe 3 council members would blatantly break the law for the betterment of the town."

In his comment, Councilmember Michalson violated the code of conduct by wrongly accusing the other members of the Town Council of breaking the law by adopting an emergency ordinance in response to the COVID-19 pandemic.

April 15, 2020:

Council Member Michalson sent an email to Robert Underwood asking him to supply financial reports that are usually included on a monthly basis in Town Council meeting packets. This request unnecessarily added to Robert's workload and circumvented the chain of supervision.

May 18, 2020:

Councilmember sent me an email responding to an open letter sent by town staff. The open letter was regarding mistreatment of staff by certain elected officials and citizens. Mr. Michalson took issue with the way that the staff handled the letter and was argumentative and dismissive in his response.

May 22, 2020:

Councilmember Michalson sent an email to Robert Underwood asking him to supply the April invoice of the city attorney. This request unnecessarily added to Robert's workload and circumvented the chain of supervision.

May 26, 2020:

Councilmember Michalson responded to an email sent by me regarding an upcoming Council meeting agenda. In his response, Councilmember Michalson states "Don't bother responding back to me with your tirades."

June 15, 2020:

Councilmember Jaime Devlin received a screen shot from a citizen of a Facebook comment made by Councilmember Michalson that stated, "And people outside of city limits have no business telling people who pay city taxes what to do."

Councilmember Devlin received a screen shot from a citizen of a Facebook comment made by Councilmember Michalson that stated, "...I made Dewey's life miserable many times because of his lack of oversight". In his statement, Councilmember Michalson arguably admits to unbecoming conduct and bullying behavior.

June 17, 2020:

Councilmember Michalson sent an email to Robert Underwood asking him to supply revenues for the past two years for public safety. This request unnecessarily added to Robert's workload and circumvented the chain of supervision.

June 18, 2020:

Councilmember Michalson sent an email to Robert Underwood asking him to provide departmental percentage allocations for employee wages. Councilmember Michalson also reminded Robert that he was still waiting on the requests he sent in two previous emails. This request unnecessarily added to Robert's workload and circumvented the chain of supervision.

June 19, 2020:

Councilmember Michalson sent a text to Councilmember Dempsey Vick expressing disappointment in Councilmember Vick's pre-arranged absence from budget workshops. Councilmember Michalson stated: "Your absence speaks volumes for your so called leadership." Councilmember Michalson's text to Councilmember Vick was construed as bullying and a violation of the Town's Code of Conduct.

June 20, 2020:

Councilmember Dempsey Vick emailed a letter to Councilmember Jaime Devlin and Councilmember Robin Holcomb. Councilmember Vick felt it was necessary to request assistance from the other councilmembers in issues he was experiencing with Councilmember Michalson. Councilmember Vick stated in his letter that "Since his return, he has made attempts to say my vote on council matters..." and that Councilmember Michalson would follow up with "rude and uncalled for text messages in an attempt to bully and shame me because of how I voted." Councilmember Vick attempted to resolve the matter on his own and made several attempts to show mutual respect towards Michalson. However, those attempts were reportedly unsuccessful and Councilmember Michalson would become "irate" and "inconsolable" when discussing issues where viewpoints differed.

Councilmember Jaime Devlin immediately took action to request the issues be addressed at the next possible Town Council Meeting, June 25th.

Councilmember Devlin received a screen shot from a citizen of a Facebook comment made by Councilmember Michalson that stated, "Your pretty cocky on social media... Oh I forgot, you don't live in town or pay taxes do you."

June 24, 2020:

Councilmember Michalson sent an email to Monica Hoffman requesting she produce a considerable amount of information that was already located on the Town's website. Monica explained that she has several requests to fulfil and that she would not be able to produce his request within his desired timeframe. Councilmember Michalson responded and the dialogue became confusing for staff to track. This was a violation of the code of conduct sections A.4.b and A.4.d on the part of Councilmember Michalson.

June 30, 2020:

Citizen Bill Kelly signed a sworn affidavit stating that a Facebook comment to him from Councilmember Michalson violated the Town's Code of Conduct by stating "Instead of standing on the sidelines bitching like a little child that you are. And put the bottle down you look stupid on your posts."

Councilmember Dempsey Vick signed a sworn affidavit stating that violations of the following codes or polices has occurred in messages sent to him by Councilmember Michalson:

Montana Code Annotated Section, 45-7-102

Threats and Other Improper Influence in Official and Political Matters: Threats and other improper Influence in official and political matters. (1) A person commits an offense under this section if the person purposely or knowingly:

4. (iv) privately addresses to any public servant who has or will have official discretion in a judicial or administrative proceeding any representation, entreaty, argument, or other communication designed to influence the outcome on the basis of considerations other than those authorized by law;

ToS Code of Conduct, Section A.1.

Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council Boards, Committees, Commissions, staff or the public.

A.6.d. Members shall not make any personal comments about other Members. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Members, their opinions or actions.

A.6.e. Members are constantly being observed by the community every day that they are in office. Their behaviors and comments serve as models for proper deportment in the Town of Stevensville. Honesty and respect for the dignity of everyone should be reflected in every word and action taken by a Member 24 hours a day, seven days a week. It is a serious and continuous responsibility.

In the affidavit signed by Councilmember Vick, he provides the messages where the violations occur. In brief, the messages state "You better get your priorities straight. You have become a rubber stamp to dewey....I can sleep well at night, can you?" The affidavit states that Michalson "...progressively uses varying degrees of bullying tactics and threats in order to get me to vote his way and influence the outcome of the vote."

June 2020:

Councilmember Jaime Devlin was provided with a screen shot that shows a Facebook comment by Councilmember Michalson stating that "Our Attorney does not know Montana Municipal Law."

Councilmember Devlin received a screen shot from a citizen of Facebook comments made by Councilmember Michalson that stated, "Trust me, he's one of the best pathological liars out there." Referring to Mayor Dewey.

July 1, 2020

Citizen Renee Christensen signed a sworn affidavit stating that a Facebook comment to her from Councilmember Michalson violated the Town's Code of Conduct by stating "Maybe you should worry about your own damn business..."

July 2, 2020

Monica Hoffman submitted her letter of resignation as Town Clerk. In her resignation, Monica stated "I can no longer work in unhealthy working conditions created by the Council President..."

SUMMARY

The above collection of interactions and statements by Councilmember Michalson at the least confirms that a culture of bullying and harassment exists because of Councilmember Michalson's actions and behavior. The volume of incidents in just 6-7 months is significant. The violations undoubtedly occurred based on the evidence submitted by the victims and witnesses in each incident.

At the most, this timeline reveals a pattern of behavior that is harmful to those both inside and outside the organization and is further damaging to the community. The incidents need to be considered in the collective to fully understand the impact to the organization. Individually, they may seem to be easily explained away. But collectively, they show a consistent pattern.

It should be noted that this memorandum and report only covers events known to have occurred during Councilmember Michalson's second tenure on the Town Council, since January 1, 2020 up to July 9th. The organization is aware of incidents that occurred during Councilmember Michalson's first tenure but were outside of the scope of this investigation. Many of those incidents resulted in the Town adopting a code of conduct for elected and appointed officials.

In summary, this investigative report does not dispute the incident's that led to the charges of code of conduct violations, ex-parte communication, and improper influence of an elected official.

Brandon E. Dewey

From: Brandon E. Dewey
Sent: Friday, January 10, 2020 12:57 PM
To: Bob Michalson; Robert Underwood; Scott B. Owens
Cc: Jaime Devlin; Dempsey Vick; Robin Holcomb; Monica Hoffman
Subject: RE: Claims

Mr. Michalson,

The claims were properly approved last night as follows:

Councilmember Holcomb moved to approve claims #15689-15706. Councilmember Vick 2nd the motion.

Discussion was held regarding the following claims:

- City Attorney's budget and charges
- Building Department cell phone bill
- IT Services
- Paging equipment payment
- Paint for Veterans Park benches

There was no public comment on the claims. The Mayor called for the vote: Councilmember Vick voted aye, Councilmember Michalson voted aye, Councilmember Devlin voted aye, Councilmember Holcomb voted aye.

With the above information, you can assuredly conclude that the Town Council is in full compliance with the MCA's you referenced. If you have any further questions, please let me know.

Have a good weekend,



BRANDON E. DEWEY
MAYOR
TOWN OF STEVENSVILLE
406.777.5271 x108
BRANDON@TOWNOFSTEVENSVILLE.COM



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From: Bob Michalson <bob@townofstevensville.com>
Sent: Friday, January 10, 2020 11:30 AM
To: Robert Underwood <robert@townofstevensville.com>; Brandon E. Dewey <brandon@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>
Cc: Jaime Devlin <jaime@townofstevensville.com>; Dempsey Vick <dempsey@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>
Subject: Claims

Robert,

According to MCA - 7-6-4301 and 7-6-4302 Claims brought before the council must be approved before they can be paid. This was not done last nite. Maybe a special meeting should be called to get this done the correct way.

7-6-4301. Presentation of claims against municipality. (1) All accounts and demands against a city or town must be presented to the council in an itemized format. These claims must be presented with all necessary and proper vouchers within 1 year from the date the claims accrued. An action may not be maintained against the city or town for or on account of any demand or claim against the city or town until the demand or claim has first been presented to the council.

(2) Payment of claims against a city or town may be authorized by the council when:

(a) payee-signed claims have been issued to the city or town and the payee has attested in the claim to its accuracy and that the payee has not received the claimed amount; or

(b) the payee has provided the city or town with an invoice or other document identifying the quantity and total cost for each item included on the invoice.

(3) All bills, claims, accounts, or charges for materials of any kind that are purchased by and on behalf of a city or town by its department heads or officers must be reviewed by the city or town finance director or the city or town clerk before submission to the council.

(4) A claim or demand not presented within the time provided in subsection (1) is forever barred, and the council has no authority to allow any account or demand not presented as provided in this section.

7-6-4302. Payment of claims by warrant or check. All accounts and demands against a city or town must be submitted to the council and, if found correct, must be allowed and an order must be made that the demand be paid. The demand must be paid in accordance with one of the following options:

(1) The mayor may draw a warrant upon the treasury in favor of the owner, specifying for what purpose and by what authority it is issued and out of what funds it is to be paid. The city treasurer or town clerk shall pay the warrant out of the proper fund.

(2) The city treasurer or town clerk may pay the demand by check when there are sufficient city funds on deposit in an interest-bearing checking account in a bank within the city or town that are available to cover the check.

regards

BOB MICHALSON

COUNCIL PRESIDENT - WARD 2

TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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Brandon E. Dewey

From: James Marble
Sent: Friday, February 28, 2020 5:53 PM
To: Bob Michalson
Cc: Brandon E. Dewey; Robert Underwood
Subject: First Call Documentation

Bob,

I just met with Robert concerning the documents that I took with me to meet with the First Call IT person. I didn't have nor have I ever had in my possession the contract with First Call. I had a paper that had an IP address on it that Robert was curious whether the IP address was public or private and another paper that had information concerning the hardware/software that is used to protect our network. Robert asked for clarification on those things and since I was going to Missoula to turn in a computer, he wanted me to ask. I had no idea that it would turn into such a big issue. I do not appreciate nor do I ever again want to be in the middle of whatever administrative problems are going on. I just want to be left alone and want to do my job. I am very frustrated by being placed in a position where I feel like I am in the middle of a feud. Like I said, I am happy to address whatever issues or questions you or anyone else may have concerning the Police Department but beyond that, please leave me out of it. I realize that we just talked about this over the phone but I wanted to clarify that I never had the contract and I wanted to memorialize our conversation. Thank you.

Chief James Marble
Stevensville Police Department
206 Buck St.
Stevensville, MT 59870
james@townofstevensville.com
(406) 777-3011 Office
(406) 381-9550 Cell
(406) 777-4284 fax

Messages and attachments sent to or from this e-mail account pertaining to Town of Stevensville business may be considered public record (2-6-202, Montana Code Annotated) or private records depending on the message content under Montana's Right To Know (Article II Sec 9, Montana Constitution). The Town of Stevensville is often required by law to provide public records to individuals requesting them. The Town of Stevensville is also required by law to protect private, confidential information. This message is intended for the use of the individual or entity named above. If you are not the intended recipient of this transmission, please notify the sender immediately, do not forward the message to anyone, and delete all copies. Thank you.

Brandon E. Dewey

From: Bob Michalson
Sent: Tuesday, March 3, 2020 9:56 AM
To: Robert Underwood
Cc: Brandon E. Dewey; Jaime Devlin; Robin Holcomb; Dempsey Vick; Scott B. Owens
Subject: Third party check signature

Robert,

Could you add me to the Rocky Mt. Bank town signature list. In the past the town has had three authorized signatures on file in case You or the Mayor are not available to sign checks. If you or Brandon have done this then disregard this email.

Let me know if you have any questions.

regards

BOB MICHALSON
COUNCIL PRESIDENT - WARD 2
TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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Brandon E. Dewey

From: Bob Michalson
Sent: Tuesday, March 3, 2020 10:51 AM
To: Brandon E. Dewey
Subject: Re: Code of Conduct Compliance, Reminder

This is duly noted.

regards

bob Michalson
town council president
ward 2
town of stevensville

From: Brandon E. Dewey <brandon@townofstevensville.com>
Sent: Tuesday, March 3, 2020 10:47 AM
To: Bob Michalson <bob@townofstevensville.com>
Cc: Scott B. Owens <scott@townofstevensville.com>; Monica Hoffman <monica@townofstevensville.com>
Subject: Code of Conduct Compliance, Reminder

Councilmember Michalson,

It has been brought to my attention by several in the organization that you are failing to observe the protocol of conduct that is outlined in the Town's Code of Conduct. I have also observed the same. This email serves as a courtesy reminder and outlines your responsibilities in adhering to the policy adopted by the Town Council. The Code of Conduct exists, in part, because of your past interactions with staff that have caused disruption and expense to the organization. One of the Town's efforts to rectify those situations was the implementation of conduct guidelines, which are contained within the Code of Conduct.

The Code is designed to describe the way all elected and appointed officials should treat one another, Town staff, constituents, and others they come into contact with while representing the Town. Stevensville's Town Council adopted this Code to assure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operations and integrity of Stevensville's Town government.

The violations I have been made aware of and have observed relate primarily to your conduct with the staff. It is important for you to remember that councilmembers must deal with staff and department heads through myself, the Mayor. This is outlined in section 4d of the code of conduct. This includes any requests to complete specific tasks and fulfillment of records requests. Councilmembers have the same rights and access to information as the general public.

It's also important to remember that an individual councilmember has no power to act on behalf of the organization outside of a quorum of the body. The power of a councilmember is instilled in their vote, at a meeting. Otherwise, an individual must have the backing of a vote of the council to act on the body's behalf. Further, the position of Council President grants a person any special privileges or powers while the office of Mayor is occupied.

I have attached the Code of Conduct to this email for your review. It is the goal of myself and the staff that the organization and community maintain the highest level of integrity and accountability. Anything to the contrary won't be tolerated.

Please let me or Scott know if you have any questions.

Sincerely,



BRANDON E. DEWEY
MAYOR
TOWN OF STEVENSVILLE
406.777.5271 x108
BRANDON@TOWNOFSTEVENSVILLE.COM



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Brandon E. Dewey

From: Bob Michalson
Sent: Thursday, March 5, 2020 6:47 PM
To: Brandon E. Dewey
Subject: Re: 3-12-2020 Council meeting

I beg to differ, It was not posted at 5:00 pm. I do have the authority to cancel a meeting. Also you do not have the right to remove a agenda item with two signatures on it.

From: Brandon E. Dewey <brandon@townofstevensville.com>
Sent: Thursday, March 5, 2020 6:32 PM
To: Bob Michalson <bob@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>; Monica Hoffman <monica@townofstevensville.com>
Cc: Jaime Devlin <jaime@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>; Dempsey Vick <dempsey@townofstevensville.com>
Subject: Re: 3-12-2020 Council meeting

Mr. Michalson,

The agenda was posted at Town Hall in accordance with the Council Rules. Respectfully, you do not have the authority to cancel a meeting. The reason you give certainly does not warrant a cancellation.

Sincerely,

Mayor Dewey

Brandon E. Dewey
Mayor
Town of Stevensville

Sent from my iPhone

From: Bob Michalson <bob@townofstevensville.com>
Sent: Thursday, March 5, 2020 6:17:59 PM
To: Brandon E. Dewey <brandon@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>
Cc: Jaime Devlin <jaime@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>; Dempsey Vick <dempsey@townofstevensville.com>
Subject: 3-12-2020 Council meeting

Mayor Dewey.

Per Council rules, I noticed the agenda was not out by 5:00 p.m.

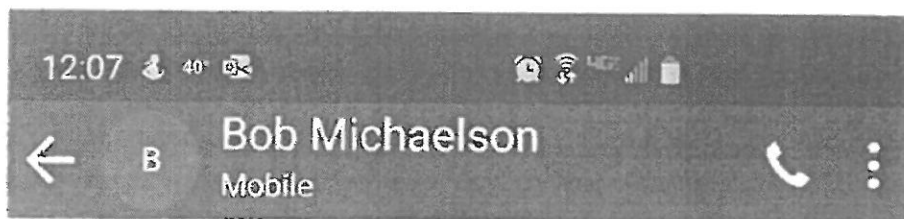
Therefore I am cancelling the 3-12-2020 council meeting.

BOB MICHALSON
COUNCIL PRESIDENT- WARD 2
TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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11:56 AM

Jamie, What you and Dempsey did to robin and I is unacceptable. You owe each of us a public apology tonite.

I have no idea what you are talking about. I have not done anything to either one of you. I dont owe anyone anything and demanding for such is unacceptable. I will not be bullied by you Bob

Look at the agenda you signed against me. Do you have any proof for your accusations?

Yes I have proof. We will address this at tonight's meeting.

It's your name on the agenda. Do you even know what the mess your in?

I am making the choice to not have this discussion with you. And you making demands of an apology or assuming that I am in a mess only validates your poor behavior. As I stated, we will discuss this at tonight's meeting.

Sent

+ Type a message...



Brandon E. Dewey

From: Bob Michalson
Sent: Tuesday, March 17, 2020 5:58 PM
To: Robert Underwood; Brandon E. Dewey; Scott B. Owens
Cc: Jaime Devlin; Dempsey Vick; Robin Holcomb
Subject: Payroll request.

Robert,

I am putting a request for Dewey's Payroll from May 1st,-2019 until March 1st. 2020.

regards

BOB MICHALSON
COUNCIL PRESIDENT - WARD 2
TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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Brandon E. Dewey

From: Bob Michalson
Sent: Friday, March 20, 2020 9:47 AM
To: Robert Underwood; Brandon E. Dewey; Scott B. Owens
Cc: Robin Holcomb; Dempsey Vick; Jaime Devlin; Jaime Devlin
Subject: Auto Insurance

Robert,

Are we still paying Insurance for the Police Squad cars that are surplus?. If so may I ask why?

regards

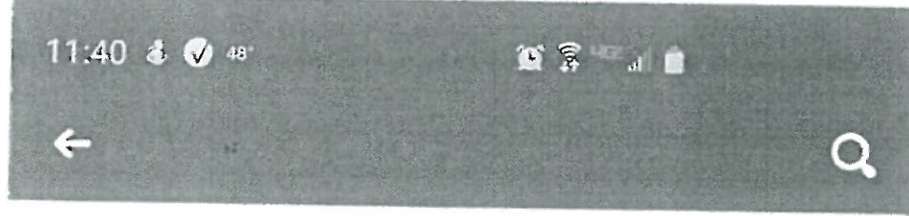
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COUNCIL PRESIDENT - WARD 2
TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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Facebook Post
Recieved from Citizen
6-13-2020



New Activity



Bob Michalson

2 hrs · 🌐

It's become apparent that the town council is failing in its duties to uphold the laws and budget. The mayor has cost the town so much \$\$ it's unbelievable. He has cost the town on the bids at the SRE building (Turkey Creek Fencing). The Snow removal, (\$29,000). The Fireworks (\$4500), The First call contract (\$79,000). And now the council just gave him the town's checkbook. Are you all comfortable with that?. I am not. It is the COUNCIL who is responsible for every penny of the taxpayers money. Not Dewey, Not Robert. Its Dempsey Vick, **Robin Turjan Holcomb** and Jamie Devlin and myself who must be held accountable. The public put their trust in us and we are failing them terribly. Its black and white. I don't know how to move forward on gaining the hard working folks trust back. To think last nite's actions are o.k is so sad. It really is. That is my rant of the day. Take care and be safe everyone.

👍 3

1 Comment · Seen by +10

Like

Share





3 >



Bob Michalson

And to top that off, The Mayor had our attorney on speakerphone last nite. Did he get it approved by the Council President?. Did we not just make a decision as a council to not have him at our meetings unless it was pre-approved?. Are we not over budget in this dept? Again Mayor dewey abuses the council time and again and we are all just fine with it. Im sick of it. I asked to look at the mayor payroll last week and got stonewalled. Each and every taxpayer should email there council member and let them know this is wrong. Until YOU the people speak up, nothing changes.

1h Like

To post and comment, join **Citizens of Stevensville.**



Brandon E. Dewey

From: Bob Michalson
Sent: Tuesday, March 31, 2020 4:38 PM
To: Brandon E. Dewey
Cc: Dempsey Vick; Robin Holcomb; Jaime Devlin
Subject: Re: Emergency Declaration

You DO not have the authority to sign contracts without council approval. I don't care what Scott Owens said.

bob

From: Brandon E. Dewey <brandon@townofstevensville.com>
Sent: Tuesday, March 31, 2020 1:46 PM
To: Jaime Devlin <jaime@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>; Bob Michalson <bob@townofstevensville.com>; Dempsey Vick <dempsey@townofstevensville.com>
Cc: Monica Hoffman <monica@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>; Robert Underwood <robert@townofstevensville.com>
Subject: Emergency Declaration

Council Members,

FEMA has made funding available to jurisdictions to aid in their response to the COVID-19 pandemic. The Town of Stevensville is tracking our expenses related to COVID-19, including any overtime, and will submit to FEMA for assistance. One requirement from the state OEM folks in preparing the paperwork is a declaration from the local jurisdiction. Attached you will find my State of Emergency Declaration put into place today and effective retroactively to March 12th, coinciding with the Governor's State of Emergency Declaration. The format follows that of MMIA & MLCT guidelines and has been reviewed by Mr. Owens.

Please let me know if you have any questions.

Sincerely,




BRANDON E. DEWEY
MAYOR
TOWN OF STEVENSVILLE
406.777.5271 x108
BRANDON@TOWNOFSTEVENSVILLE.COM



----- Forwarded Message -----

From: ROBERT MICHALSON <mutt5784@msn.com>
To: drlaursen@yahoo.com <drlaursen@yahoo.com>
Sent: Tuesday, March 31, 2020, 10:32:11 PM MDT
Subject: Re: Variance request

 Dave, did you get a permit?? Is the permit in your hand?? If so I would say build. This whole thing is just bizarre.

From: Dave Laursen <drlaursen@yahoo.com>
Sent: Tuesday, March 31, 2020 8:25 PM
To: ROBERT MICHALSON <mutt5784@msn.com>
Cc: Ed Brenneman <ed@schrockinc.com>; William Schrock <wl@schrockinc.com>; Robin Holcomb <robin@townofstevensville.com>
Subject: Re: Variance request

We (Schrock) bought and paid for a permit. Ed from Schrock told me that yesterday, he got it on Monday And my understanding from him was that Dewey said any issues would be worked out by the end of the project. To me, my thinking, if you issued a permit, I should have the ability to build. Issues to work out should be simple ones, he now wants those little iron pads on the sidewalk corners for handicap. That is OK. We did not know, but I was told by someone awhile back that it was 90 degree parking on Church so we drew the plans that way. It apparently is 45 degree and we don't care. I can get 7 1/2 cars on my Church street . That said, we should have the ability of only needing 7 cars for the one in one thousand sq ft rule (building TOTAL will be under 7000 feet.) The 1 1/2 per thousand rule applies to MANUFACTURING, and that is not what I am doing. To be clear with you and everyone, look at my last two years since I bought this place. Inside I have painted and improved electrical service. I finished the unfinished back room. And all I do there, and all I plan to do there is have it be my hobby place. My playground if you will. I am selling my farm, and have 6 pickup trucks. Two are antiques. One is a snow plow vehicle. My desire is to maybe have a collector car from the 60's (my era) . I am not nor am I planning on doing business there of any kind.

In Missoula, they address parking rules etc, by the licensing process. If you are doing business as an electrician in a building on the south side of town, and you want to relocate on the north side, to do so your business much reach compliance with the zoning rules of the new location or you are not going to get a business license for that location.

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He wants off street parking . He said we can shrink the building by 10 feet or so on the alley side and get two more spaces that way. Everyone parks on the alley now. People that park on the alley are not on anyones property as the alley is city property. So, I am now supposed to shrink my building, and have designated parking there that will be in addition to the spaces everyone now uses as parking on the alley. This is a bit crazy. Guaranteed if I were to do this, I would never be able to use them as the casino would consume then for their use.

Mayor does not want my parking on Church to be my allocated parking. How can I have off street parking with garage doors all along my buildings south side is the question.

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One thing about Stevensville. People here park on the city sidewalk on 4th street. No one ever gets a ticket for doing so. People needing wheelchair surface or just walking surface have to go to the street or grass to go around. So I want to ask why is Mayor so concerned over parking etc when common sense enforcement of people parking wherever they want is impeding with ability to use even sidewalks.

So, to close, 1) Mayor wants 1 1/2 spaces per 1000 sq ft. That calls for ten spaces. We can't do that, and I find it is not necessary as I am not manufacturing inside C-1. To us, the 1 per 1000 sq ft rule applies. I call this private storage, or private warehouse.

2) Mayor wants us to address water drainage. He either wants a drain in our new apron which is less than 1000 sq ft concrete in front of the new part. Or he wants us to put a sump in 4th street. Ed asked why we should do this. There are not any other storm sewers in 4th or anywhere. And then where would we hook it to...no existing infrastructure exists.

There is no water from the roof that goes to 4th or the alley. It all goes to the back of the property within our boundary. Our north setback is 2 foot 4 inches I believe on average (building sits slightly askew on lots.) . NO WATER on 4th street now or at this buildings completion will flow east to west. it will first flow south to 4th street. then follow normal terrain going west.

So from your perspective, what am I allowed to do, and what consequences do I face . Mayor said we could apply for a variance. I don't need a variance in my opinion as I am not doing anything to need one. Did CJ's casino get any variances when it went to restaurant from gas station? You mentioned Kodiak Jacks. He said the variance could take 60 days. We have scheduled subs, set to start on April 6. The whole sequence has others coming on one after another as it is always the case. If the city cannot see benefit of this building as presented, and its increased tax revenue, then I will cancel the project. I will NOT reduce my building size. I will NOT put a sump or drain on my or the city property for 4th street rain. Putting a drain in my apron creates an impossible plow clearing process. The dips and valleys in a central drain there would never be cleared of snow and create a hazard of its own.

Additionally, we are out of time for public comment. Mayor was given prelim plans maybe three months ago. He asked for a couple weeks to review them. He took over three weeks. He was asked about anything that needed to be addressed before we went to formal drawings and engineering plans (Close to \$6000 for both plans) . He said nothing so we drew. Netzey looked at them and had no issues. George Thomas came to the site and had no issues. George even said he wanted NO drainage system as he did not want to deal with the State on 4th street.

He wants to start a project that long ago presented no issues that Mayor brought forward. His statement of no issues at that time should not allow such issues now. To stop the process eliminates the building altogether as subs will go to the next jobs. Undo costs associated with an irrational flow of subs will deem the project something Schlock will not want to be involved with.

advise anything you can, and thanks again for your input and shared frustration,

dave

On Tuesday, March 31, 2020, 06:55:48 PM MDT, ROBERT MICHALSON <mutt5784@msn.com> wrote:

Dave,

What a mess. Did you get a permit?? If so, I would say to start building. Dewey is out of control.

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From: Dave Laursen <drlaursen@yahoo.com>
Sent: Tuesday, March 31, 2020 4:47 PM
To: Admin Schrock <admin@schrockinc.com>
Cc: ROBERT MICHALSON <mutt5784@msn.com>
Subject: Re: Variance request

Ed, I will NOT pay \$450 for this to be reviewed. Mayor had any and all chances to say his peace when the preliminary plans were submitted. I do not fall under manufacturing. I actually do not know of what I do or should fall under so

----- Forwarded Message -----

From: ROBERT MICHALSON <mutt5784@msn.com>
To: drlaursen@yahoo.com <drlaursen@yahoo.com>
Sent: Tuesday, March 31, 2020, 10:58:39 PM MDT
Subject: Re: Variance request

Dave,

The mayor is cuckoo!. He's getting personal and that's a bad deal. If you have a permit in hand I would say to start building.

bob

From: Dave Laursen <drlaursen@yahoo.com>
Sent: Tuesday, March 31, 2020 8:25 PM
To: ROBERT MICHALSON <mutt5784@msn.com>
Cc: Ed Breneman <ed@schrockinc.com>; William Schrock <wl@schrockinc.com>; Robin Holcomb <robin@townofstevensville.com>
Subject: Re: Variance request

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March 2020

Facebook Post



2 >



Bob Michalson Dewey said a officer?? Maybe...



[Redacted name]

I hope all the Council members drown in guilt other than Council Member Michalson. I have no faith in the 3 that sit in those chairs. Its very sad that we vote against a claim for a contract and then this. Let baby Dewey take control on town. Also I have to say is Wow.

1h · Like

[Redacted name]

Wow! Robin demanded an audit be done because she wanted to be sure he didn't do something sneaky last time he signed his own checks! What did that cost us? And now?

26m Like

[Redacted name]

[Redacted name]



Bob Michalson

I am aghast. I honestly cannot believe 3 council members would blatantly break the law for the betterment of the town. What good is a town council that breaks its own laws?. Where is the trust when the council goes against the best wishes of its own citezens?.

20m Like

To post and comment, join **Citizens of Stevensville.**


Join










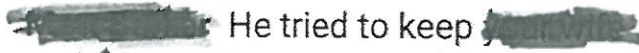











Replies

 
 who has said 
 2h Like 

 **Bob Michalson**
 Dewey said a officer??. Maybe Marble?
 1h Like

 



 6m Like

  **Bob Michalson**
 He tried to keep 
 and  out, but I told him he
 couldn't deny the public. The only Virus
 in town hall is the BEDV-1.
 5m Like

 





 Just now Like

Actual vs. Expenditures

Bob Michalson <bob@townofstevensville.com>

Wed 4/15/2020 9:19 AM

To: Robert Underwood <robert@townofstevensville.com>

Cc: Robin Holcomb <robin@townofstevensville.com>; Dempsey Vick <dempsey@townofstevensville.com>; Jaime Devlin <jaime@townofstevensville.com>

Robert,

Would you mind sending me a updated list of each dept. Actual vs. Expenditures.
It's the same one you were making me copies of in Jan, feb. and march.

Thanks

BOB MICHALSON
COUNCIL PRESIDENT- WARD 2
TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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Brandon E. Dewey

From: Bob Michalson
Sent: Tuesday, May 19, 2020 7:32 PM
To: Brandon E. Dewey
Subject: Re: Open Letter Response

Brandon,

That's not my call. I have no complaint to file against anyone. My email is self explanatory.

regards

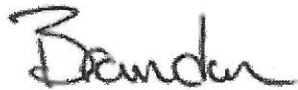
bob Michalson
town council president
ward 2
town of stevensville

From: Brandon E. Dewey <brandon@townofstevensville.com>
Sent: Tuesday, May 19, 2020 4:37 PM
To: Bob Michalson <bob@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>
Subject: RE: Open Letter Response

Mr. Michalson,

Am I to accept this response as a complaint against the four employees involved for violating the personnel policy? Please clarify.

Thank you,



BRANDON E. DEWEY
MAYOR
TOWN OF STEVENSVILLE
406.777.5271 x108
BRANDON@TOWNOFSTEVENSVILLE.COM



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From: Bob Michalson <bob@townofstevensville.com>
Sent: Monday, May 18, 2020 5:48 PM
To: Brandon E. Dewey <brandon@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>
Cc: Robin Holcomb <robin@townofstevensville.com>
Subject: Open Letter Response

Mayor Dewey,

In response to the employee(s) letter accusing current and former elected officials and an unknown number of citizens or specific citizens of the town of wrong doing and maltreatment of the staff, I find this letter to be unethical and irresponsible on the part of the four employees who have filed this open letter to the Town Council Members and the Citizens of the Town of Stevensville. The authors of this letter have broken the chain of command as far as local and state laws. And the personal policy manual in that any complaint of this sort should be filed through you within ten days with specific dates, times and area of complaint.

The Town Council has no authority over personnel issues until you bring it before the council, this falls on you and your office. As the employees have chosen to take their complaint directly to the Council and the Citizens of the Town shows a lack on your part as the supervisor to address any employee concerns in accordance with the Personnel Policy Manual. The Town Staff should not and are not allowed to engage in the politics of the town. Their jobs are defined by their job descriptions, state law, town law and other resolutions. Their involvement in any actions against you, the Mayor or against the Town Council is not within their area of authority or responsibility. They should not be defending you, answering any questions regarding any allegation or any other political activity on town time and on town property.

Employees have no authority, duty or responsibility to deny or confirm any allegations against any current or past elected officials or a member of the staff. That is the job of the Mayor and/or the town's legal officer. It appears that a violation of the Personnel Manual, Chapter 46. Professionalism Policy has been committed by the four employees that signed this letter.

regards

BOB MICHALSON
COUNCIL PRESIDENT - WARD 2
TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM

Attorney April invoice

Bob Michalson <bob@townofstevensville.com>

Fri 5/22/2020 11:54 AM

To: Robert Underwood <robert@townofstevensville.com>; Brandon E. Dewey <brandon@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>

Cc: Dempsey Vick <dempsey@townofstevensville.com>; Jaime Devlin <jaime@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>

Robert,

Would you mind forwarding our town attorney's April invoice to me please.

regards

BOB MICHALSON
COUNCIL PRESIDENT - WARD 2
TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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Re: 5-4-20 Council meeting

Bob Michalson <bob@townofstevensville.com>

Tue 5/26/2020 1:28 PM

To: Brandon E. Dewey <brandon@townofstevensville.com>; Monica Hoffman <monica@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>
Cc: Dempsey Vick <dempsey@townofstevensville.com>; Jaime Devlin <jaime@townofstevensville.com>

THE PUBLIC HAS A RIGHT TO KNOW.

The councils objections to virtual meetings was because the public was overwhelming in favor of not having meetings without the right to participate in person. 3 months worth of agenda's doesn't need to be done in one meeting. Your lack of respect once again in your emails shows your true colors. It's no wonder some council members don't want to reply to you. Don't bother responding back with your tirades.

bob Michalson
town council president
ward 2
town of stevensville

From: Brandon E. Dewey <brandon@townofstevensville.com>

Sent: Tuesday, May 26, 2020 10:59 AM

To: Bob Michalson <bob@townofstevensville.com>; Monica Hoffman <monica@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>

Cc: Dempsey Vick <dempsey@townofstevensville.com>; Jaime Devlin <jaime@townofstevensville.com>

Subject: RE: 5-4-20 Council meeting

Mr. Michalson,

There is 3 months' worth of business on the agenda to complete because of your objection to virtual meetings. All councilmembers were given ample notice about the meeting in order for you to make arrangements to attend, and no objections have been raised until now. Because there was no response to the initial proposal to hold the meeting at 5:00, we moved forward with publishing public notices stating 5:00 in the paper.

The 5:00 meeting will proceed as scheduled.

Thank you,



BRANDON E. DEWEY

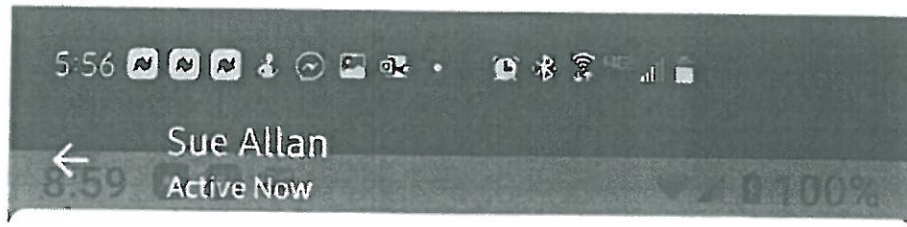
MAYOR

TOWN OF STEVENSVILLE

406.777.5271 x108

BRANDON@TOWNOFSTEVENSVILLE.COM

Received from Public/Citizen
On 6/15/2020



< **Replies**

9h Like Reply



Bill Kelly

Bob Michalson it's called checks and balances. The names of add hoc persons are located on the town Web page.

2h Like Reply



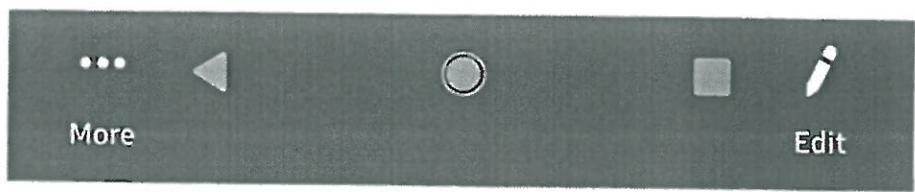
Bob Michalson

Bill Kelly You don't even know what a towns budget looks like. And people outside of city limits have no business telling people who pay city taxes what to do. Go cry to Chilcot.

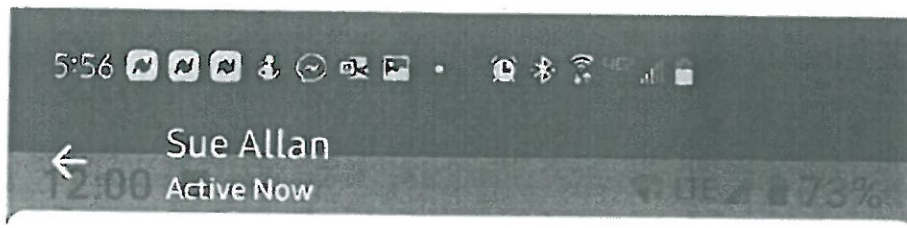
15m Like Reply



Write a reply...



Received from Public/Citizen
on 6/15/2020



Replies

in an email to Councilor Robin Holcomb. In the Bitterroot Star, March 27 2018. This is something you said right?

2h Like Reply



Bob Michalson

Bill Kelly it is, but I live in town, you don't. What gives you the right to tell people in city limits how to run its affairs? I don't tell you how to run your property I made Dewey's life miserable many times because of his lack of oversight

1h Like Reply



Write a reply...



More



Edit



Wages percentages

Bob Michalson <bob@townofstevensville.com>

Thu 6/18/2020 10:42 AM

To: Robert Underwood <robert@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>; Brandon E. Dewey <brandon@townofstevensville.com>; Dempsey Vick <dempsey@townofstevensville.com>; Jaime Devlin <jaime@townofstevensville.com>

Cc: Robin Holcomb <robin@townofstevensville.com>

Robert,

Would you provide me with the percentages of each employees wages that is coming out of what dept.? ie. Mayor- 20% out of water sewer, etc. also still waiting on my last email on last two years revenues out of Public Safety

regards

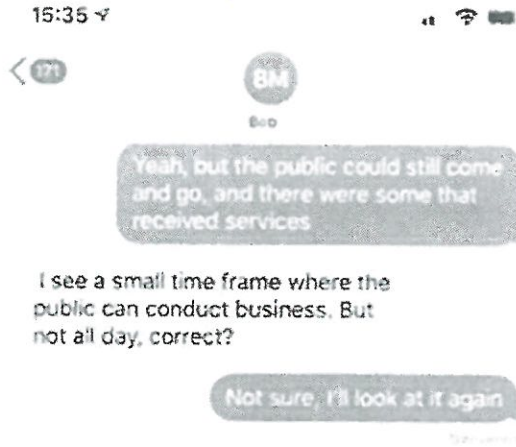
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COUNCIL PRESIDENT- WARD 2
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Friday June 19



A council person's #1 job is the budget. Missing budget workshops is not setting a good example for representing your ward or town. Not even giving your fellow council members know your absent is worse. I have to say I'm dissapointed in you. There is no excuse for your actions.

Just casually coming back to vote on a budget you had no part of tells me your priorities as a ward 2 council member is construed. Over twenty people voiced there opinions at a public hearing also wed. Your absence speaks volumes for your so called leadership.



Brandon E. Dewey

From: Jaime Devlin
Sent: Saturday, June 20, 2020 7:03 PM
To: Brandon E. Dewey
Subject: Fw: Letter
Attachments: Assistance Request.docx; Violations.pdf

Good Evening Mayor,

I know that the agenda has already been sent out. I am hoping to have an amendment made. I have attached a letter that I received today from Dempsey Vick, as well as evidence of this concerns. As you can see, there are Code Of Conduct violations, Oath of Office violations and Improper Influence all conducted by Robert Michalson against Dempsey Vick. This is of great importance and can not wait until our July meeting. As I am aware, these violations must be handled by the Council. Please let me know what you need from me, or if this is an item that can be added at this time.

Thank you,

Jaime

From: Dempsey Vick <dempsey@townofstevensville.com>
Sent: Saturday, June 20, 2020 9:08 AM
To: Jaime Devlin <jaime@townofstevensville.com>
Subject: Letter

Dempsey H. Vick II
Council Member
Town of Stevensville

dempsey@townofstevensville.com



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Councilmembers Devlin and Holcomb,

I am reaching out to you to request help in an issue that I have been having with Councilmember Michaelson since his return to the council in January. Since his return, he has made attempts to sway my vote in council matters while stating "I don't tell you guys how to vote" and has followed that up with rude and uncalled for text messages in an attempt to bully and shame me because of how I voted. I have received numerous messages from him that could be construed as harassment or bullying.

I have made several attempts to show Mr. Michaelson respect, but he does not show the same back to me. When I disagree with him on an agenda item or if I challenge his ideas, he becomes irate and is typically inconsolable.

Again, I am reaching out in an attempt for all of us to find a way to come to a resolution so that we can all work together as one governing body.

Thank You
Dempsey Vick
Councilmember Ward 2

Received from Citizen
6-20-2020.

9:50 90%

Replies

[Redacted]

16h Like Reply 1

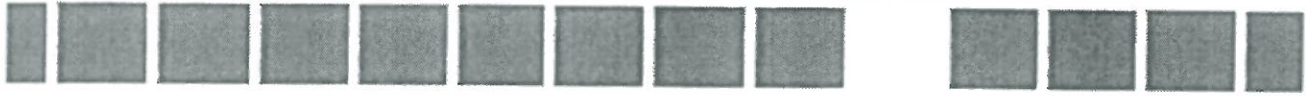
[Redacted]

3h Like Reply 1

Bob Michalson
Chris Sheridan Your pretty
cocky on social media
Chris. Why not call or
meet me to discuss this.
Oh I forgot, you don't live in
town or pay taxes now do
you.

28m Like Reply

Write a reply... 😊



[EXTERNAL] FW: 3-24-16 minutes

Jaime Williams <jaime@a2zpersonnel.net>

Wed 6/24/2020 11:42 AM

To: Jaime Devlin <jaime@townofstevensville.com>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



Jaime Devlin

President

186 South 3rd St. Hamilton, MT 59840

Cell-396-0831

Office- 363-0723

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From: Monica Hoffman <monica@townofstevensville.com>

Sent: Wednesday, June 24, 2020 11:33 AM

To: Bob Michalson <bob@townofstevensville.com>; Brandon E. Dewey <brandon@townofstevensville.com>;

Scott B. Owens <scott@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>

Cc: Dempsey Vick <dempsey@townofstevensville.com>; Jaime Williams <jaime@a2zpersonnel.net>

Subject: RE: 3-24-16 minutes

Mr. Michalson,

I'm sorry to inform you but your expectations on turn around are not something I can accomplish in that time period, as I have other projects needing my attention in line to complete by the end of today. If you can drop off a thumb drive, that would be helpful. I have other projects I'm working on that have other time sensitive timelines. I am forwarding this list of requests to the Mayor for direction.

MONICA HOFFMAN

TOWN CLERK

TOWN OF STEVENSVILLE

406.777.5271 x102

MONICA@TOWNOFSTEVENSVILLE.COM



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From: Bob Michalson <bob@townofstevensville.com>
Sent: Wednesday, June 24, 2020 11:12 AM
To: Monica Hoffman <monica@townofstevensville.com>; Brandon E. Dewey <brandon@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>; Robin Holcomb <robin@townofstevensville.com>
Subject: Re: 3-24-16 minutes

Monica,

Sorry for the confusing emails. It's been a bad morning for me. I apologize. If I said the 3-24-19 meeting I meant the 3-24-2016 meeting. Would you provide the following:

1. The audio recording of the 3-24-2016 council meeting?. (Either flash drive or cd or dvd will work.)
2. Pages two and four of the minutes of the 3-24-2016 council meeting.
3. A copy of the Task work order agreement between the town of stevensville and HDR from April 4th 2016. (this pertains to the agenda item a under new business on tomorrow nights council meeting).
4. A physical copy of the agenda.
5. Disregard my other emails please, I can come by say 4:00 today to pick these up if that works for you.

regards

bob Michalson
 town council president
 ward 2
 town of stevensville

From: Monica Hoffman <monica@townofstevensville.com>
Sent: Wednesday, June 24, 2020 10:49 AM
To: Bob Michalson <bob@townofstevensville.com>; Brandon E. Dewey <brandon@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>
Cc: Robin Holcomb <robin@townofstevensville.com>; Jaime Devlin <jaime@townofstevensville.com>; Dempsey Vick <dempsey@townofstevensville.com>
Subject: RE: 3-24-16 minutes

Mr. Michalson,

I am not sure why we have so many different email threads going on, with different people Cc'd? As per the last request, for the audio; I do have the audio for the 3/24/2019 meeting, however, the file is too large to attach, even a zipped file is too large to send. I have not gotten to the first or second request for today. I can download it onto a thumb drive and bring it to the meeting tomorrow for you to download onto your computer, if that works for you. When do you expect the turn around time for the first 2 requests?

MONICA HOFFMAN
TOWN CLERK
TOWN OF STEVENSVILLE
406.777.5271 x102
MONICA@TOWNOFSTEVENSVILLE.COM



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Monica,

No problem, I will patiently await your response. I would like a audio recording of the minutes for the 3-24-16 meeting.

regards

bob Michalson
town council

From: Monica Hoffman
Sent: Wednesday, June 24, 2020 10:15 AM
To: Bob Michalson <bob@townofstevensville.com>; Brandon E. Dewey <brandon@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>
Cc: Robin Holcomb <robin@townofstevensville.com>; Jaime Devlin (jaime@townofstevensville.com) <jaime@townofstevensville.com>; Dempsey Vick <dempsey@townofstevensville.com>
Subject: RE: 3-24-16 minutes

Mr. Michalson

I am currently working on your request this morning, since you have inquired about that prior information request, with many, many distractions in between. I am extremely behind with information requests, as they are coming in, multiple a day, including the Arbitration case. I was not here during 2016 but will look and see what I can find for the information you are inquiring about. I just wanted to email you, and let you know I have received those 2 requests today and will hopefully find the information you are inquiring about shortly.

MONICA HOFFMAN
TOWN CLERK
TOWN OF STEVENSVILLE
406.777.5271 x102
MONICA@TOWNOFSTEVENSVILLE.COM



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From: Bob Michalson <bob@townofstevensville.com>
Sent: Wednesday, June 24, 2020 10:04 AM
To: Brandon E. Dewey <brandon@townofstevensville.com>; Scott B. Owens <scott@townofstevensville.com>;
Monica Hoffman <monica@townofstevensville.com>
Cc: Robin Holcomb <robin@townofstevensville.com>
Subject: 3-24-16 minutes

Monica,

According to the minutes of the 3-24-16 town council meeting, the council approved the solicitation of bids for the park street to third street project. I remember this one well. I cannot find supporting documentation of minutes supporting the signing of an agreement with HDR pertaining to tomorrow night's council meeting? Can you supply me this documentation and when this was brought before the town council for approval?? Where are pages two and four of the minutes? Better yet, I would like an audio copy of the minutes of the 3-24-16 meeting. I will come by this afternoon to pick it up and a physical copy of the agenda for tomorrow night.

regards

BOB MICHALSON

COUNCIL PRESIDENT - WARD 2


TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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I, Bill Kelly, hereby affirm under penalty of perjury, that the content in the Facebook ~~Messenger~~ message below is true and correct. Stevensville Town Councilmember Robert Michalson, also known as Bob Michalson wrote this message to me. The content of this message is a violation of the Town of Stevensville's Code of Content: Section A.1. "Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards, Committees, Commissions, staff or the public." This message is also a breach of his Oath of Office.

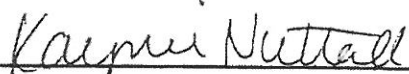
 **Bob Michalson**
Bill Kelly This is a culture that has been here long before I came aboard. Move to to town and run and change it. Instead of standing on the sidelines bitching like a little child that you are. And put the bottle down you look stupid on your posts.


Bill Kelly, Resident Ravalli County, Montana

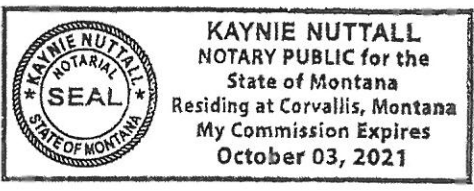
30 - June - 2020
Date

On this 30 day of June, 2020, before me, a Notary Public for the State of Montana, personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first hereinabove written.


NOTARY PUBLIC FOR THE STATE OF MONTANA
Residing at: Corvallis
My commission expires: 10/3/21

(NOTARIAL SEAL)



Affidavit

I, Dempsey Vick, citizen of the Town of Stevensville, and Stevensville Town Councilmember, hereby affirm under penalty of perjury, that the following statements and screenshot messages included are true and correct.

Stevensville citizen and Town Councilmember Robert Michalson, also known as Bob Michalson Town of Stevensville Council President. He uses his official title and positions to improperly influence how I feel about Town of Stevensville, Town Council business and how I chose to vote on agenda items. If I disagree or chose to vote differently than Mr. Michalson, he becomes upset with me and progressively uses varying degrees of bullying tactics and threats in order to get me to vote his way and influence the outcome of the vote. He also engages his friends and family to put additional pressure on me for the same reasons. Specific high profile instances include a resolution which was brought forward by myself and Council member Jaime Devlin regarding disciplinary consideration for Mr. Michalson and the highly contested Information Technology First Call contract and miscellaneous budget items earlier in 2020. When I recently missed a budget meeting due to a friend visiting from out of state, he used intimidation and insults to try and shame me. Most recently, I asked fellow Council members Jaime Devlin and Robin Holcomb for help to address Mr. Michalson's bullying behavior. ~~The June 25, 2020 agenda was revised to include an item to discuss and possibly discipline Mr. Michalson. Prior to the meeting, Mr. Michalson emailed me stating the item should be off the agenda because there wasn't supporting evidence, even though the written evidence was included in the Council packet.~~ Mr. Michalson continues to make statements to me about this item and others for the sole purpose of intimidating me as a Council member. DV

These actions described above and content of the screenshot message examples provided below violates:

Montana Code Annotated Section 45-7-102 Threats and Other Improper Influence in Official and Political Matters - 45-7-102. Threats and other improper influence in official and political matters. (1) A person commits an offense under this section if the person purposely or knowingly: 4. (iv) privately addresses to any public servant who has or will have official discretion in a judicial or administrative proceeding any representation, entreaty, argument, or other communication designed to influence the outcome on the basis of considerations other than those authorized by law;

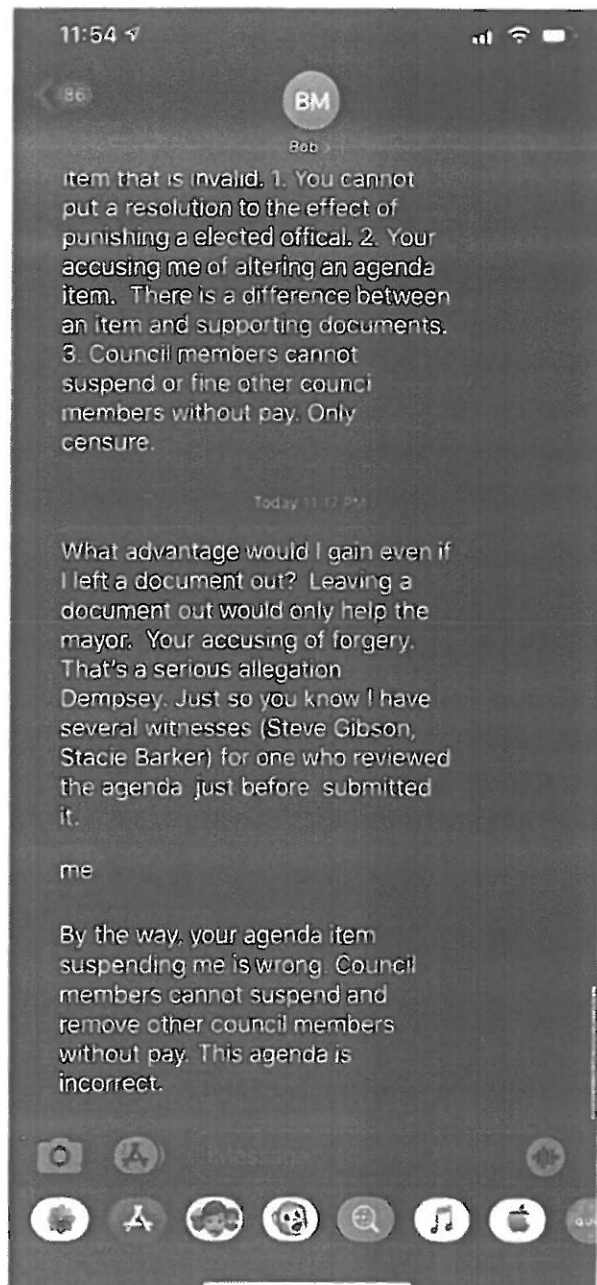
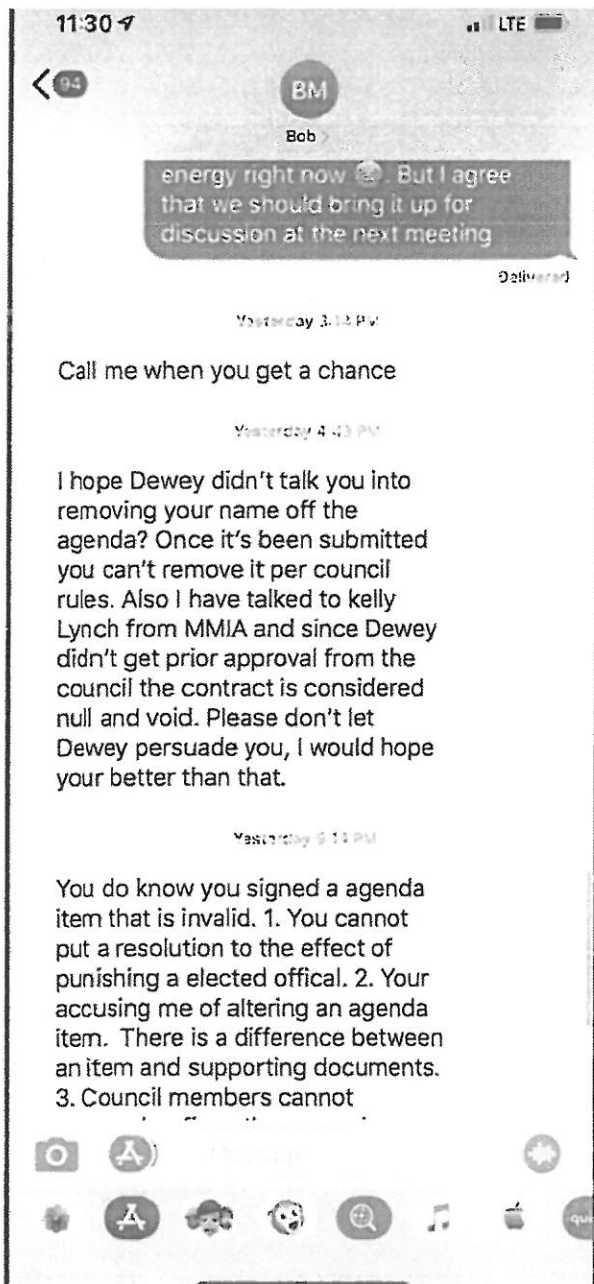
Oath of Office

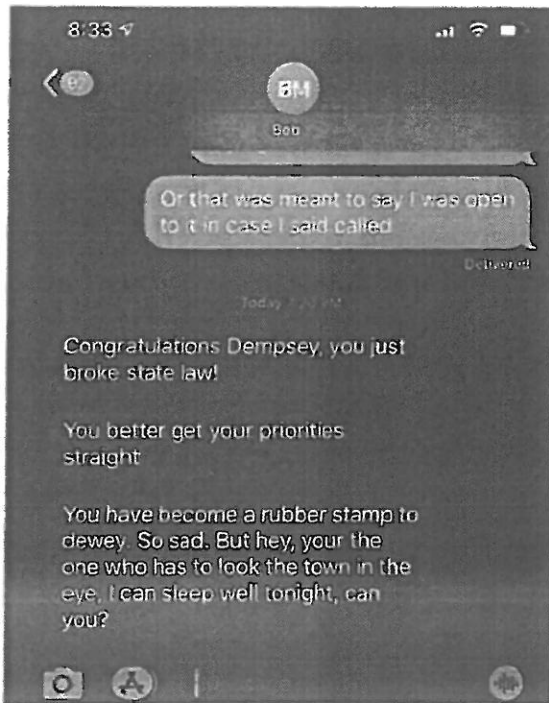
Town of Stevensville's Code of Content

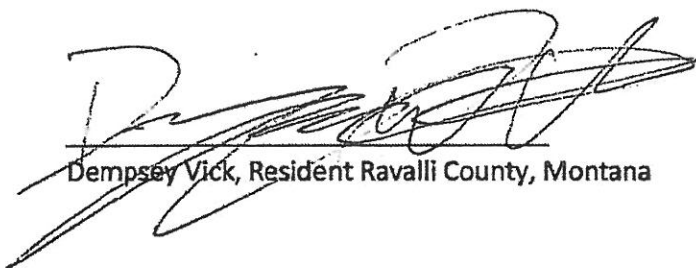
Section A.1. *"Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards, Committees, Commissions, staff or the public."*

A.6.d. "Members shall not make any personal comments about other Members. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Members, their opinions or actions."

A.6.e. "Members are constantly being observed by the community every day that they are in office. Their behaviors and comments serve as models for proper deportment in the Town of Stevensville. Honesty and respect for the dignity of everyone should be reflected in every word and action taken by a Member, 24 hours a day, seven days a week. It is a serious and continuous responsibility."





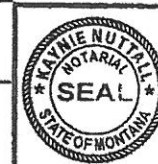

Dempsey Vick, Resident Ravalli County, Montana

6/30/2019²⁰²⁰
Date

On this 30 day of June, 2020, before me, a Notary Public for the State of Montana, personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first hereinabove written.

Kaynie Nuttall
NOTARY PUBLIC FOR THE STATE OF MONTANA
Residing at: Corvallis
My commission expires: 10/3/21 Notorial Seal



KAYNIE NUTTALL
NOTARY PUBLIC for the
State of Montana
Residing at Corvallis, Montana
My Commission Expires
October 03, 2021

Received from a Citizen June 2020



1 >



Bob Michalson

Our Attorney does not know Montana
Municipal Law.

4m Like



Join

To post and comment, join **Citizens of Stevensville.**





2 >



group and the negativity and damage it is bringing to your very o... See More

1h Like Reply



Bob Michalson

Dewey does not follow the rules or directions given to him. That's why he's being recalled. He spends and spends and has no regard to council rules.

1h Like Reply



Renee Christensen

Funny, my point of view on the employees letter is that their problem is with the Council Members (more specifically TWO OF THEM) NOT the Mayor. What will you all do if the Mayor is recalled and the entire town staff quits?

3h Like Reply

View 5 more replies...



Recall of Brandon Dewey Renee Christe...



Bob Michalson

You have your opinions I have mine. Unless you know the inner workings of gov. and how he abuses the system. You can only go on what he tells you. Trust me, he's one of the best pathological liars out there.

1h Like Reply



Ashley Mae Bob Michalson I'll be keepin...



Write a comment...





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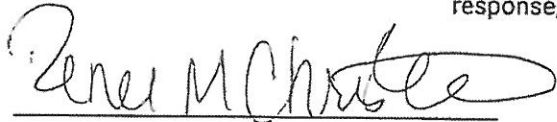
Affidavit

I, Renee Christensen, hereby affirm under penalty of perjury, that the content in the Facebook Messenger message below is true and correct. Stevensville Town Councilmember Robert Michalson, also known as Bob Michalson wrote this message to me. The content of this message is a violation of the Town of Stevensville’s Code of Content: Section A.1. “Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards, Committees, Commissions, staff or the public.” This message is also a breach of his Oath of Office.

👍 Likes 💬 Comment

 **Bob Michalson**
It's to keep curious mindless people like you guessing? It's my decision no one else's. Maybe you should worry about your own damn business instead of wasting your valuable time on mine which you know nothing about.

 **Renee Christensen**
Bob Michalson What a kind and thoughtful response, Sir. Thank you.



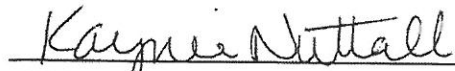
Renee Christensen, Resident Ravalli County, Montana

7/1/20

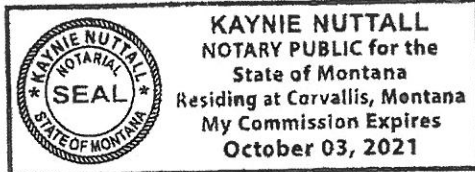
Date

On this 1 day of July, 2020, before me, a Notary Public for the State of Montana, personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first hereinabove written.


NOTARY PUBLIC FOR THE STATE OF MONTANA
Residing at: Corvallis
My commission expires: 10/3/21

(NOTARIAL SEAL)



July 2, 2020

Dear Mayor Dewey,

It saddens me greatly that I am submitting to you my resignation notice; my last day will be July 15, 2020. While I tried very hard to weather the storm of negativity and hostility, I simply do not have the energy or strength to continue to listen to more lies, defend myself and subject myself to the existing working conditions at Town Hall. Further, I cannot work for an organization where certain members of the legislative branch outwardly and vocally do not support staff or the Mayor. What is very concerning to me and should be to the public, is I am now the 3rd Town Clerk in about 2 ½ years that has resigned due to the bad behavior and rude treatment of staff by the same certain Council members and their family and friends. Because of this, I am providing several examples that would not normally be included in a resignation letter, in hopes that the next Clerk is not subject to the same rude, insulting and unbearable working conditions.

There is a small handful of citizens, who are facilitating the recall effort and are friends of Council member Bob Michalson, who have harassed me and other staff at Town Hall for many months now. We have repeatedly asked them to stop their bad behavior and as a last resort effort, drafted an open letter to Council and the citizens of Stevensville asking that they discontinue the abuse. This letter unfortunately had no effect on their behavior and may have actually increased the negativity we experience at Town Hall.

Leslie Tadvick, a citizen and close friend of Mr. Michalson's stood up during Public Comment and requested all employees resign. We, the Town Hall staff, have done nothing wrong or illegal. We only assume that we were asked to resign because we support and work in the same building as the Mayor, who Mr. Michalson and his friends are currently and aggressively attempting to recall.

Leanna Rodabaugh, another close friend of Mr. Michalson constantly posts on Facebook comments that are half-truths, twisted facts, outright lies, and cruel in nature against my supervisor, Mayor Brandon Dewey and staff.

The final straw happened on June 30th, when Council member Bob Michalson hand delivered to me a letter filed against me by citizen Jim Crews. Ironically, Mr. Crews is well known at Town Hall for constantly harassing staff for years. Mr. Crews, usually calls requesting information, complaining about everything and sending employees on wild goose chases. They usually are for little things such as, *I received an advertisement in the mail, can you check to see if they have a business license or there are flyers on the light poles on Main St,*

remove them or sharing another situation that he feels is against code or something staff or the Mayor did that he feels is against the law. While these situations described are legitimate, the tone and agenda behind these calls are not acceptable. No one should have to be constantly yelled at and belittled, as Town Hall employees are by Mr. Crews. Mr. Crews and his friends have this belief that we, as staff are supposed to drop what we are doing to attend to his/their wants and needs, every other day.

In summary, I can no longer work in unhealthy working conditions created by the Council President and his family and friends. I believe you, as the Mayor, have tried to help, but understand that you have no control over what Council President Bob Michalson or certain citizens say or do.

-Monica Hoffman

A handwritten signature in cursive script that reads "M. Hoffman". The signature is written in black ink and is positioned below the typed name.

RESOLUTION NO. 444

**A RESOLUTION OF THE TOWN OF STEVENSVILLE, TOWN COUNCIL
ESTABLISHING CODE OF CONDUCT FOR ELECTED AND APPOINTED
OFFICIALS**

WHEREAS, the Town is authorized by MCA 7-5-4103 to establish Council rules and discipline; and

WHEREAS, on December 3, 2018 Mayor Brandon E. Dewey issued a statement to the Town Council recommending the adoption of a Code of Conduct in response to a personnel complaint, and

WHEREAS, on December 10, 2018 at a regular Council meeting, Town Attorney Brian West, recommended that Town Council adopt a Code of Conduct, and


WHEREAS, on December 10, 2018 at a regular Council meeting, Town Council, through unanimous consensus, authorized the initiation of the process to draft a Code of Conduct, and

NOW THEREFORE BE IT RESOLVED, by this Town Council of the Town of Stevensville that the attached "Code of Conduct for Elected and Appointed Officials" be and is hereby adopted.


PASSED AND ADOPTED by the Town Council and approved by the Mayor this 28th day of March 2019.

Approve:

Attest:



Brandon E. Dewey, Mayor



Audree Tribbensee, Town Clerk



**Town of Stevensville
Code of Conduct
for
Elected and Appointed Officials
and Citizen Interaction**

"Always do right. This will gratify some people and astonish the rest." – Mark Twain

Glossary of Terms:

Attitude	The manner in which one shows one’s dispositions, opinions and feelings
Behavior	External appearance or action; manner of behaving; carriage of oneself
Boards	Official Town Boards, Commissions, and Committees established to participate in proceedings related to Town business
Civility	Politeness, consideration, courtesy
Conduct	The way one acts; personal behavior
Courtesy	Politeness connected with kindness
Decorum	Suitable; proper; good taste in behavior
Manners	A way of acting; a style; method or form; the way in which things are done
Members	Individuals formally elected or appointed to participate in proceedings related to Town business – Council, Mayor, Boards, and Town staff
Membership	The body of Members – Council, Mayor, Boards and Town staff
Protocol	The courtesies that are established as proper and correct
Respect	The act of noticing with attention; holding in esteem; courteous regard

It is the policy of the Town of Stevensville to expect, promote, and uphold the highest protocol of conduct from its elected and appointed officials. For local government and democracy, the Mayor, Councilmembers, Board members and Town staff are dedicated to promoting values, integrity, and committed to governing efficiently and effectively. After taking the Oath of Office as a Councilmember and Mayor, they agree to conduct themselves in accordance with the following Code of Conduct (Code).

A. CONDUCT GUIDELINES

Elected and appointed officials have the responsibility to take the high road on conduct and to treat everyone as they would like to be treated. This Code is designed to describe the manner in which all elected and appointed officials should treat one another, Town staff, constituents, and others they come into contact with while representing the Town of Stevensville. Stevensville's Town Council adopts this Code to assure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operations and integrity of Stevensville's Town government. The term "Members" referenced throughout this Code includes elected and appointed officials, Town Board and Commission members as well as Town staff.

1. General

The professional and personal conduct of Members while exercising their office must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards, Committees, Commissions, staff or the public.

Members shall perform their duties in accordance with the processes and rules of order established by the Town Council with respect, courtesy and integrity.

Members shall support the maintenance of a positive and constructive workplace environment for its members, the Mayor, Town staff and for citizens and businesses dealing with the Town. Members shall conduct themselves when dealing with Town employees to, in no way, create the perception of inappropriate direction to staff.

The Council or individual Council members and Board members shall not attempt to supersede the Administration's powers and duties.

2. Elected and Appointed Officials' Conduct with Each Other in Public Meetings

Elected and appointed officials are individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. All have chosen to serve in public office in order to preserve and protect the present and the future of the Town of Stevensville. In all cases, this common goal should be acknowledged even though individuals may not agree on every issue by doing the following.

- a. Honor the role of the chair in maintaining order. It is the responsibility of the Chair to keep the comments of Members on track during public meetings. Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
- b. Practice civility and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate by a free democracy in action. Free debate does not require nor justify public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments.
- c. Avoid personal comments that could offend other Members. If a Member is personally offended by the remarks of another Member, the offended Member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Member to justify or apologize for the language used. The Chair will maintain control of this discussion.
- d. Demonstrate effective problem-solving approaches. Members have a public stage and have the responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

3. Elected and Appointed Officials' Conduct with the Public in Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of a Member toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- a. Be welcoming to speakers and treat them with care and respect. While questions of clarification may be asked, the official's primary role during public testimony is to listen.
- b. Be fair and equitable in allocating public hearing time to individual speakers. The Chair will determine and announce limits on speakers at the start of the public hearing process.
- c. Practice active listening. It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest.
- d. Members shall try to be conscious of facial expressions and avoid those that could be interpreted as "smirking," disbelief, anger or boredom.
- e. Maintain an open mind. Members of the public deserve an opportunity to provide input in the decision-making processes of their elected and appointed officials.
- f. Ask for clarification, but avoid debate and argument with the public. Only the chair, not individual Members, can interrupt a speaker during a presentation. However, a Member can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Member finds disturbing.
- g. Members make a commitment to attend and partake in discussions. It is important that discussions on issues be relative to the topic at hand. It is not appropriate to discuss other

issues not related to the topic at hand.

- h. Members should not disrupt other Members during discussions and from performing their respective roles.

4. Elected and Appointed Officials' Conduct with Town Staff

Governance of the Town of Stevensville relies on the cooperative efforts of elected and appointed officials who set policy and the Town staff who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community. The Town of Stevensville has a Personnel Policy in place for all Town employees. That Policy should be used in conjunction with this Code of Conduct.

- a. Treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff will not be tolerated. The employees of the Town of Stevensville are also expected to adhere to this Code.
- b. Do not disrupt Town staff from performing their jobs. Elected and appointed officials should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend Town staff meetings unless requested by staff. Even if the elected or appointed official does not say anything, his or her presence may imply support, show partiality, intimidate staff, and/or hamper staff's ability to do their job objectively.
- c. Never publicly criticize an individual employee. Elected and appointed officials should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the Mayor through private correspondence or conversation.
- d. Prudent Councilmembers will take care to deal with staff and department heads through the Mayor to avoid any possibility of disrupting the supervisory chain of command. The individual likely to be compromised in such a circumstance, as too often occurs in municipal government, is not the Councilmember nor the Mayor but the staff member or department head, who is, after all, supervised by the Mayor. Members have the same rights and access to information as the general public. However, limitations to staff resources must be considered. Staff will make every effort to ensure that general information will be available online. Requests that may require substantial staff time must be approved by the Mayor. If the Mayor is not available, he shall be copied on or informed of such request. When in doubt about what staff contact is appropriate, Members must consult with the Mayor. Materials related to an item under the Council's or Board's consideration, supplied to a Member, will be made available to all members so that all have equal access to information.
- e. Attorney-Client Relationship: The Town Attorney represents the Town and not individual Members. Members cannot not establish a personal attorney-client relationship with the Town Attorney. Members shall not seek to establish an attorney-client relationship with the Town Attorney for personal purpose. Members may contact the Attorney in accordance with

policies and protocols established by the Town.

5. Elected and Appointed Officials' Conduct with Boards

The Town of Stevensville has established several Boards, as a means of gathering more community input. Citizens who serve on Boards become more involved in government and serve as advisors to the Town Council. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

- a. Councilmembers may attend any Board meeting which is open to any member of the public. When attending a Board meeting in a personal capacity, Councilmembers should be careful to only express personal opinions regarding the issues. However, they should be sensitive to the way their participation, especially if it is on behalf of an individual, business or developer, could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a Board meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Town Council.
- b. It is inappropriate for a Councilmember to contact a Board member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Councilmembers to contact Board members in order to clarify a position taken by the Board.
- c. Respect that Boards serve the community, not individual Councilmembers. The Town appoints individuals to serve on Boards, and it is the responsibility of Boards to follow policy established by the Town. Board members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten Board members with removal if they disagree about an issue. Appointment and re-appointment to a Board should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board appointment should not be used as a political "reward."
- d. Be respectful of diverse opinions. A primary role of Boards is to represent many points of view in the community and to provide the Town with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on Boards, but must be fair and respectful of all citizens serving on Boards.

6. Elected and Appointed Officials' Conduct Outside of Public Meetings

- a. Make no promise on behalf of the Town, the Mayor, or Council without the express authority or permission to do so granted by a majority vote of the Council and/or the Mayor.
- b. Members will frequently be asked to explain a Council/Board action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of the issue and to refer to Town staff for further information. Overt or implicit promises of specific Council action or promises that Town staff will take some specific actions will not be tolerated.
- c. Members must ensure that in expressing their own opinions they do not mislead any listener

into believing that their individual opinion is that of the entire Membership, unless a vote has been taken on that issue and the Member's opinion is the same as the decision made by the Membership. Likewise, no Member should make a statement in writing that implies it is the position of the entire Membership.

- d. Members shall not make any personal comments about other Members. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Members, their opinions or actions.
- e. Members are constantly being observed by the community every day that they are in office. Their behaviors and comments serve as models for proper deportment in the Town of Stevensville. Honesty and respect for the dignity of everyone should be reflected in every word and action taken by a Member, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

B. SANCTIONS

1. Behavior and Conduct

The Stevensville Code of Conduct expresses standards of conduct expected for Members of the Stevensville Town Council, Mayor, Boards and Town staff. Members themselves have the primary responsibility to assure that conduct standards are understood and met, and that the public can continue to have full confidence in the integrity of government. Additionally, the responsibility to intervene, when the actions of Members appear to be in violation of this Code, falls on all Members.

2. Councilmembers

It is the responsibility of the Council to educate and, when necessary, discipline other Councilmembers who violate this Code. Discipline shall be progressive, from the least punitive to the most punitive measures, unless the Council believes that the progressive discipline does not provide the appropriate sanction because of the gravity of the offense, or because the Council does not believe the sanction would deter future misconduct. In all instances, the totality of the circumstances shall be taken into consideration in resolving the matter, including the intent of the one accused of wrongdoing.

Possible Penalties and Sanctions may include:

- a. An informal censure by the Council, which would only be made as part of a motion in a public meeting.
- b. A formal censure by the Council, which would be made by motion in a public meeting and then published in the newspaper as a public notice.
- c. Attendance at counseling or mediation sessions.
- d. Any other sanctions available by law by an appropriate tribunal.

The Town Council Rules may be used to guide sanctions and the process that the Council uses to impose such sanctions.

The imposition of any of these penalties or sanctions will require a 2/3 vote of the Council, other than an informal or formal censure which shall only require a majority vote of the Council. A violation of the penalties imposed by Council may constitute grounds for removal from office under Montana law and in accordance with Stevensville Municipal Code.

Town staff and citizens should also point out to the Mayor any perceived infractions of this Code. If the Mayor is the individual whose actions are being questioned, then the matter should be addressed directly with he or she so that corrective action can be taken. It is the responsibility of the Mayor or President of the Town Council to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor or President of the Town Council, then the alleged violation(s) can be brought up with the full Council.

3. Board Members

Counseling, verbal reprimands, and written warnings may be administered by the Mayor to Board members failing to comply with this Code. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the Chair of the respective Board, the Town Clerk, the Town Attorney, and the Town Council.

The Town Council may impose sanctions on Board members whose conduct does not comply with this Code, up to and including removal from office in accordance with municipal code section 2-119. Any form of discipline imposed by Council shall be determined by a majority vote of the Council at a noticed public meeting and such action shall be preceded by a Report to Council with supporting documentation.

When deemed warranted, the Mayor or majority of Council may call for an investigation of a Board member's conduct. The Mayor or Town Council shall ask for an investigation into the allegation and the findings must be reported to the Membership.

4. Public Disruptions

Members of the public who do not follow proper conduct, after warning by the Chair in a public meeting, may be barred from further testimony at that meeting or removed from the Council Chambers.

5. Inappropriate Staff Behavior

Any Town employee who does not follow proper conduct in their dealings with Membership, other Town staff, or the public should be referred to the Mayor. The staff member may be disciplined in accordance with the Town's Personnel Policy for such actions.

C. IMPLEMENTATION

This Code of Conduct is intended to be self-enforcing by Members and is an expression of the standards of conduct for Members expected by the Town of Stevensville. It therefore becomes most effective when Members are thoroughly familiar with it and embrace its provisions.

For this reason, this document shall be included in the regular orientations of candidates for Town Council, Town Clerk, Town Treasurer, applicants to Boards, and newly elected and appointed officials. Members entering office shall sign a statement acknowledging they have read and understand the Code of Conduct. In addition, the Code of Conduct shall be periodically reviewed by the Town Council, Mayor, Boards, and staff, and updated as necessary.

1. Principles of Proper Conduct include:

- Serving as a model of leadership and civility to one another and the community
- Inspiring public confidence in Stevensville's Town government
- Demonstrating honesty and integrity in every action and statement
- Keeping promises
- Being dependable
- Building and maintaining a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles
- Listening attentively
- Studying thoroughly
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner, attitude and appearance

2. Proper Conduct is not:

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner
- Attempting to supersede the Administrations powers and duties

3. It all comes down to respect:

- Respect for one another as individuals.
- Respect for the validity of different opinions.
- Respect for the democratic process.
- Respect for the community that we serve.

4. Checklist for Monitoring Conduct:

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my ulterior motives and the spirit behind my actions or words?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if my conduct is not illegal or unethical, is it done at someone else's expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reasons to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas and opinions?
- Will my conduct cause public embarrassment to someone else? The Town? The Council? The Mayor? Staff?

Resolution No. 387d

A RESOLUTION AMENDING TOWN COUNCIL RULES FOR THE TOWN OF STEVENSVILLE

WHEREAS, on March 24, 2016 the Town Council revised and adopted Council Rules by Resolution No. 387;

WHEREAS, on March 23, 2017 the Town Council amended Council Rules by Resolution No. 387A;

WHEREAS, on September 24, 2018 the Town Council amended Council Rules by Resolution No. 387A;

WHEREAS, the Town Council has determined a need to revise the Council Rules as indicated at the Town Council meeting on January 9, 2020;

WHEREAS, changes were necessary clarify when the agenda and Council packet are to be made available prior to the meeting;

WHEREAS, changes to the agenda format will allow for the implementation of a consent agenda item, grouping routine agenda items into a single item to be approved in one action;

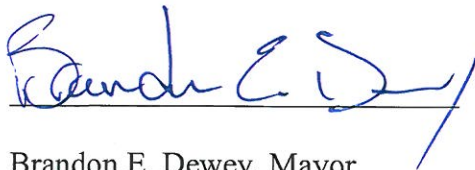
WHEREAS, changes to the agenda format will allow for the implementation of public hearings during a regular meeting;

WHEREAS, changes to the rules allow for the review of agenda item submissions by the Town's Attorney prior to placement on and agenda;

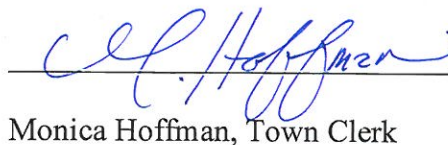
NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Stevensville, hereby amends the Council Rules as revised, as attached to this resolution.

PASSED AND ADOPTED by the Town of Stevensville, Montana this 13th day of February, 2020.

APPROVED:


Brandon E. Dewey, Mayor

ATTEST:


Monica Hoffman, Town Clerk

PART I. General Provisions

Section 1.

These rules are supplementary to the provisions of Title 7, Chapter 1, Part 41, Montana Code Annotated (hereinafter MCA), Title 7, Chapter 5, Parts 41 and 42, MCA and Title 2, Chapters 2 and 3, MCA and Chapter 2 of the Stevensville Municipal Code (hereinafter SMC), as they relate to procedures for conducting meetings and public hearings before the Town Council of the Town of Stevensville.

Section 2.

To assure effective participation by all members of the Council and to protect the right of participation by all individuals appearing before the Council, all Council meetings and hearings shall be conducted in general conformance with "Robert's Rules of Order", except as otherwise provided by law.

Section 3.

A majority of those present and voting may suspend any of these rules or Robert's Rules.

Section 4.

Amendments to the Stevensville Town Council Rules for the Conduct of Council Meetings and Business shall require an affirmative vote of three fourths of Town Council members.

Section 5.

When a Council Meeting is in session, all communication concerning public matters between council, staff, and the public shall be openly performed and subject to public inspection and record keeping.

PART II. Duties of the Presiding Officer

Section 1.

The presiding officer of the Council shall be the Mayor who shall arrange the meeting agenda in accordance with Part IV, coordinate the affairs of the Council, and preside at all meetings of the Council.

Section 2.

In the absence or disability of the Mayor, the President of the Council shall serve as its presiding officer and may vote as other members of the council. In the absence of the Mayor and of the President of the Council, the Council shall select one of its number to serve as its temporary presiding officer.

Section 3.

The Town Clerk shall record and maintain the minutes of the Council's proceedings, showing the vote of each member upon every question, or if failing to vote, indicating that fact; shall keep records of its examinations and other official actions; shall summarize briefly and accurately the substance of all matters proposed, discussed or decided; shall record the names and addresses of all persons appearing before the Council; shall, subject to the direction of the Council and presiding officer, conduct the correspondence of the Council; shall file said minutes and records in the office of the Council, which minutes and records shall be a public record; and shall be the custodian of the files and records of the Council.

Section 4.

The Presiding Officer shall interpret and apply the rules. If the Presiding Officer's ruling is challenged by a majority of those Council members present and voting, the current meeting shall recess, and the Council shall take up the question and issue a parliamentary ruling.

PART III. Meetings

Section 1.

Regular meetings of the Council shall be held on the second and fourth Thursday of each month at 7 PM in the Council Chambers of Town Hall, or at such other time and place as designated by the Council.

If the regular meeting day is on a recognized holiday the Council shall, with proper notice, set an alternate day for the meeting.

In January of each year, the Council shall, after having established a schedule of the time, date and place of regular meetings for the year, cause a notice of the same to be published in the *Bitterroot Star*.

The notice and agenda of all regular meetings of the council shall be posted by the Town Clerk on the Town Hall bulletin board located at 206 Buck Street, Stevensville, Montana, no later than 5:00 p.m. on the Thursday prior to the regularly scheduled Council meeting. Additionally, the Clerk shall provide copies of the notice, agenda, and supporting documents to each of the Council members, be made available to the Bitterroot Star, and posted on the Town Hall "notice board" and the Town of Stevensville website.

Section 2.

Special meetings of the Council may be called in accordance with Sections 7-5-4102(1) (c) and 7-5-4122, MCA.

Section 3.

To ensure public participation all meetings of the Council shall be open to the public except as provided in Section 2-3-203, MCA.

Section 4.

A majority of the members of the council constitute a quorum for the transaction of business, but a less number may meet and adjourn to any time stated and may compel the attendance of absent members, under such rules and penalties as the council may prescribe MCA §7-5-4121. The affirmative vote of a majority of the members physically present at a lawful meeting of the Council shall be necessary to adopt or reject any motion, resolution, or ordinance or pass any measure unless a greater number is required by law.

PART IV. Agenda

Section 1.

All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council, shall be submitted by 12 o'clock noon on the Wednesday immediately preceding the Thursday agenda publishing deadline to the Town Clerk.

- A late submission deemed necessary by the Mayor shall be delivered to the Town Clerk with a list of matters according to the order of business.
- Copies of the submissions and list shall be provided to each member of the Council no later than 5 p.m. on the Thursday preceding the Council meeting.

All Agenda Items to be considered by the Council shall be submitted via forms available from the Town Clerk or on the Town's website.

- The Mayor, with the assistance of the Town Clerk, shall prepare all council agendas.
- In addition to the Mayor, any one Council member may submit an item of business for consideration by the council.
- Any member of the public may submit an item for consideration by the Council.
- The Mayor must approve all agenda items before they are added to the agenda.
- The Mayor may delay the addition of any agenda item submission to the agenda in order for the submission to be reviewed by the Town's attorney within 30 days.
- Any two Council members may override the Mayor's objection to adding of any agenda item by jointly requesting that the item be placed on the agenda.
- The Mayor may elect to revise the agenda by adding an item for consideration, provided the revised agenda shall be posted and distributed no less than 48 hours before the meeting.

PART V. Order of Business

Section 1.

The presiding officer shall prepare the Council agenda, which shall be in substantially the following form and order of business:

- | | |
|--|---------------------------|
| 1. Call to order and Roll Call | 8. Correspondence |
| 2. Pledge of Allegiance | 9. Public Hearings |
| 3. Public Comment (Public comment from citizens on items that are not on the agenda) | 10. Unfinished Business |
| 4. Approval of Minutes | 11. New Business |
| 5. Approval of Claims | 12. Executive Report |
| 6. Administrative Reports | 13. Town Council Comments |
| 7. Guests | 14. Board Reports |
| | 15. Adjournment |

Council members may, by voting to “Suspend the Council Rules,” consider and act upon routine and/or administrative items not on the agenda.

Unscheduled Matters: An item that is not listed on the agenda for the current meeting may be addressed during the Council comments section of the Agenda. As a general rule, no matter of significant interest to the public shall be decided by the Council without prior notice to the public as a scheduled Council agenda item.

Section 2.

The order of business may be adjusted by consent of the Council by Suspension of the Council Rules by a majority of the Council Members Present.

PART VI. Rules of Council Debate

Section 1. Debate

Council debate shall proceed in accordance with the following rules:

1. Every member desiring to speak shall address the presiding officer and, upon recognition, shall confine himself/herself to the question under debate, avoiding abusive and indecorous language.
2. A member, once recognized, shall not be interrupted when speaking unless it is to call him to order, or as herein otherwise provided. If a member, while speaking is called to order, he/she shall cease speaking until the question of order is determined, and, if in order, he/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.

Section 2. Motion to Reconsider

A motion to reconsider any action may be made at any time before or during the second regular meeting after such action is taken. Such a motion may be made only if it has been regularly placed on the agenda by a Council Member who voted with the prevailing side in the original vote on the item. Approval of a motion to reconsider requires two-thirds of those members present and voting.

Section 3. Potential Conflicts of Ethics or Interests

Any member of the Council who has an interest in a matter before the Council as defined by the laws of the State of Montana (Title 2, Chapter 2, MCA) or as advised by the Town Attorney shall not participate in the debate, nor vote in the matter, nor seek to influence the vote of members of the Council. Any Council member attempting to so participate may be censured by a majority vote of the remaining members of the Town Council. "Censured" is defined as a formal resolution of the legislative body reprimanding a member for specified conduct. It is an official reprimand or condemnation for improper conduct pursuant to §7-5-4103, §7-5-4109 MCA.

If the presiding officer of the Council has an interest in a matter pending before the Council, as defined by the laws of the State of Montana or as advised by the Town Attorney, he/she shall yield the chair to a member of the Council during the course of debate and decision concerning the matter in which he/she has an interest.

Section 4. Motions

After a motion is duly made and seconded by the Council, no person shall address the Council without first securing the permission of the presiding officer.

Refer to Exhibit A for sample motions.

Section 5. Consideration of Section by Section

Any member desiring that a measure be considered section by section may request, stating how the matter is to be divided. After consideration section by section, the entire measure, as amended, shall be voted upon.

PART VII. Presentation to the Council (Other Than a Public Hearing)

Section 1.

The general manner in which items other than public hearings are handled by the Council shall be as follows:

1. The presiding officer or staff member presents the item to the Council along with a brief summary of the matter for discussion, with or without recommendation.

2. For purpose of clarification, Council Members, after recognition by the presiding officer, may direct questions to the presiding officer or staff member.
3. Upon recognition by the presiding officer, comments from the applicant will be heard by the Council.
4. After recognition by the presiding officer, Council members may direct questions to the applicant.
5. All testimony shall be directed to the presiding officer.
6. The Council may, upon a proper motion and second, vote on the matter at hand or table the matter until a date certain.

Part VIII. Voting.

All contracts, service agreements, grant acceptance, ordinances, and resolutions require a roll call vote.

Any action of the Council shall be by roll call vote.

The Mayor has the authority to break tie votes with the exception of when the Council is selecting its officers, when the Council is voting to appoint a Council member as its representative to a board, committee, or commission.

When a Council member is acting as a Presiding Officer during the absence of the Mayor, they have the ability to vote in the same manner as they would as a Council member.

PART IX. Public Hearings

Section 1.

The Council may conduct public hearings or may appoint a committee or hearing officer for that purpose as provided in Section §7-1-4131, MCA. When heard by the Council the items will be presented to the Council in the same format as described in PART VII.

In addition, when public hearings and public interest matters are being heard and it is anticipated that a large number of citizens may wish to present Public Comment, the presiding officer, with the consent of the Council, may, prior to opening the hearing, establish reasonable guidelines, including reasonable time limits for presentations, for the conduct of the hearing. The presiding officer shall explain these guidelines to the audience prior to taking Public Comments.

Section 2.

The Council shall not be bound by the strict rules of evidence, but may exclude irrelevant, immaterial, incompetent, or unduly repetitious Public Comment. The ruling of the presiding officer may be overruled by a majority vote of the Council.

Section 3.

The proponents or opponents, their agent or attorney, may submit petitions and letters during or prior to the closing of the hearing and the same shall be entered by reference into the minutes and considered as other Public Comment received at the hearing.

Section 4.

Following the presentation of all comments, the Council may:

1. Continue the hearing from day to day or to a date certain to allow additional information to be submitted to the Council as a body on any unresolved issues;
2. Close the public hearing and proceed to Council debate of the matter; or
3. Close the hearing and continue the Council debate and vote to a date certain.

A public hearing which has been formally closed may not be reopened. If additional information is required before a decision can be made, the Council, upon motion duly made, seconded and passed, may call for an additional public hearing which hearing shall be duly noticed, specifying date, time, place and subject matter of the hearing.

PART X. Addressing the Council

Section 1.

The public is invited to speak on any item under discussion by the Council after recognition by the presiding officer. The speaker should step to the lectern or front of the room and, for the record, give his/her name and address and, if applicable, the person, firm, or organization he/she represents.

Prepared statements are welcomed and should be given to the Town Clerk to become part of the public record. All prepared statements shall become a part of the hearing record.

Comments are to be directed to the presiding officer.

Section 2.

While the Council is in session, the members must preserve order and decorum. A member shall not delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer.

Any person making personal, impertinent or slanderous remarks or who shall become abusive or disruptive during the Council meeting shall be forthwith barred from further presentation to the Council by the presiding officer, unless permission to continue is granted by a majority vote of the Council.

PART XI. Ordinances and Resolutions

Section 1.

Ordinances and resolutions must be introduced by a member of the Council or the Mayor.

- If the draft ordinance is approved by the Mayor, it shall then be placed on the Council agenda for first reading, with second reading and final adoption by the Council occurring at least twelve (12) days after the first reading and provisional adoption.
- After being adopted, the ordinance shall be posted on the Town's posting board and copies shall be made available to the public by the Clerk of the Council.
- The reading of the ordinance's title and number shall be sufficient to constitute a reading and an actual oral pronouncement of each word contained therein of the proposed ordinance shall be waived unless required by a majority vote of the Council.

Section 2.

All ordinances, except emergency ordinances, shall become effective thirty (30) days after the second reading and final adoption. All resolutions and emergency ordinances shall become effective immediately, unless a delayed effective date is specified.

Prior to the next regularly scheduled Town Council meeting, all ordinances and resolutions approved by the Town Council must either be vetoed by the Mayor, signed by the Mayor, or returned to the Town Clerk without the Mayor's signature.

If an ordinance or resolution is not signed or vetoed by the Mayor prior to the next regularly scheduled meeting, the ordinance or resolution will go into effect without the Mayor's signature. In the Mayor's absence, the Council President may sign ordinances and resolutions, except those ordinances or resolutions the Mayor requests not be signed.

Section 3.

Resolutions adopting or amending the town's budget and resolutions setting usage, license, and permit fees shall be adopted only after notice given in accordance with §7-1-4127, MCA and a public hearing held thereon.

Section 4.

Details relating to Emergency Measures shall be handled in accordance with §7-5-4204, MCA, Details relating to emergency measures.

- The nature of the emergency must be expressed in the preamble or body of the ordinance
- The ordinance must receive two-thirds vote of all members present and voting
- An emergency ordinance can only be passed if it is immediately necessary for the preservation of the peace, health and safety of the citizens of Stevensville

- An ordinance passed as an emergency ordinance shall remain effective for no more than ninety (90) Days

PART XII. Election of Council President

Section 1.

Prior to the first regularly scheduled Town Council meeting in January following a general municipal election, any member of the newly organized Town Council who wishes to be a candidate for Council President shall notify the Town Clerk, in writing or via e-mail, of her/his desire to be President. The Town Clerk shall communicate the desire to become Council President to the Town Council and the Mayor.

Section 2.

The election of Town Council President shall be taken up as an item of new business on the agenda of the first regular Town Council meeting January following the municipal election. The election of Council President will be by voice vote recorded. A majority vote of Town Council is required to elect a nominee.

Section 3.

If a candidate(s) fails to obtain a majority, new nominations will be allowed after two successive votes fail to produce a majority. Unsuccessful candidates may be nominated.

Section 4.

If the position of Council President is vacated, the Town Council shall elect a new Council President at the first regularly scheduled meeting after the vacancy occurs.

PART XIII. Absences of a Town Council Member for more than 10 days

A Town officer desiring to be absent from the Town continuously for ten (10) calendar days or more shall submit a written or electronic request for permission to be absent to the Town Clerk's office. The request shall be directed to the Town Council members and the Mayor. The Town Clerk shall forward a copy of the Town officer's request to be absent to each Town Council member and the Mayor. If three (3) or more Council members have an objection to the absence, they may object, in writing or via e-mail, within three (3) calendar days after a copy of the request for absence has been sent to the Town Council membership.

If no written objection is filed, the request shall be deemed approved. Pursuant to Section 7-4-4111, MCA entitled, "Determination of Vacancy in Municipal Office," this provision shall be applicable to all Town officers who are elected or appointed to a term of office, and this shall be

the Town Council's mechanism for giving its consent pursuant to Section 7-4-4111 (5), MCA, and shall provide for objecting parties to show cause for objection to request for absence.

After three (3) calendar days, the Town Clerk will notify the Town Officer of approval or objection.

PART XIV. Town Council Procedures for filling a Vacancy in an Elected Town Office

Section 1.

All vacancies within the Town of Stevensville shall be filled in accordance with §7-4-4112, MCA, Filling of vacancy and § 2-118, SMC.

Whenever Town Council has sufficient advance notice of a future vacancy in an elected office, Town Council shall attempt to fill the vacancy in advance of the actual vacancy in order to prevent an elected office from incurring a period of vacancy. A vacating Council member may vote for their replacement, if available.

Section 2.

Pending an election and qualification, the council shall appoint a person within 30 days of the vacancy to hold the office until a successor is elected and qualified.

Vacancies on the Council may be filled by an application process as described in Section 3.

The Town Council may determine the method of filling a vacancy of the Mayor's Office using one of the following methods at the next available council meeting.

In the case of a Mayor who has vacated office before a successor is appointed or elected, the Town Council may, by a majority vote of its members, appoint the Town Council President to act as Mayor until a successor is either appointed, elected by Special Election or elected during the next General Municipal Election.

If a Mayor gives advance notice that he will vacate the office, the council may fill the office as follows:

- Appointment of the Council President to the office of Mayor until such time as a Special Election or General Municipal Election can be held.
- By an application process as described in Section 3.

Section 3.

As soon as the Mayor or Town Council President becomes aware of a vacancy in an elected Town Office, or as soon as the Mayor or Town Council President receives official notice that an elected Town Office will become vacant at a specified date in the future, the Mayor or Town Council President shall

make arrangements with the Town Clerk to publicly announce the vacancy using the same manner of advertising as when publicizing a public meeting, and the Town of Stevensville website.

The Town Clerk will receive written applications from citizens interested in applying to fill the vacancy in the elected office for ten calendar days from the date of the first public announcement by the Town Clerk's office.

The public announcement issued by the Town Clerk's office shall identify all the statutory established qualifications for an individual to be eligible to hold the vacant office.

The Town Clerk, in conjunction with the Town Attorney, shall prepare an application form for use by applicants interested in being selected to fill the vacant position if a preapproved application is not available. The application once prepared, shall be submitted to the Town Council at a regularly scheduled council meeting for approval for use. The application, once approved by the Town Council, shall be maintained for future use and reviewed for accuracy before being used to fill a vacancy.

The application form shall request information as to the full name and address of the applicant, as well as all information necessary to determine if the applicant meets the statutorily established qualifications to fill the office.

The Town Clerk will review the written application in order to determine if an applicant meets the minimum qualification to fill the office as specified by State Law.

A list of all applicants, as well as a status of their eligibility, will be submitted by the Town Clerk to Town Council at its next regularly scheduled or special meeting after the application deadline. Each Town Council Member is entitled to select for interview or nomination a final slate of candidates.

All members of the Town Council who choose to apply for the Office of Mayor via the application process shall recuse themselves from the interview and selection process. The remaining members of the Town Council will complete the interview and selection process.

All applicants shall be interviewed using the same interview questions, without the presence of another applicant. No applicant shall be afforded an advance copy of the interview questions.

Upon completion of the interview process, each member of the Town Council will evaluate each applicant and then nominate an applicant for final selection via a majority vote of Town Council, in accordance with §7-4-4112, MCA Filling of Vacancies and § 2-118, SMC. The successful applicant shall be sworn in at the earliest convenient time and date to assure continuity in Town government.