

COMMISSIONERS APPROVAL

IMAN JR

CHILCOTT G

FOSS SF

KANENWISHER MW

STOLTZ RZ

PLETTENBERG (Clerk & Recorder)

Members Present.....Commissioner J.R. Iman, Commissioner Greg Chilcott, Commissioner Suzy Foss, Commissioner Matt Kanenwisher and Commissioner Ron Stoltz

Date.....April 4, 2011

► Minutes: Beth Perkins

► The Board met to award the bid for the audio system at 9:00 a.m. Present were I.T. Director Joe Frohlich and Chris Hockman.

Joe Frohlich stated both bids received have the components required however; TRC Solutions came in \$1,000 lower. Commissioner Chilcott questioned the number of microphones and if there would be one available for the front table. Joe replied the bid was for eight microphones. Commissioner Iman suggested having a speakerphone set up for conference calls. Commissioner Kanenwisher discussed taking minutes during lengthy meetings and requested more recorded meetings. **Commissioner Chilcott made a motion to accept the bid from TRC Solutions for the audio system. Commissioner Kanenwisher seconded the motion and all voted “aye”. (5-0)**

Commissioner Kanenwisher suggested investigating the ability to be able to respond during conference calls through the microphones rather than being “huddled” around the phone. Chris Hockman asked if the audio will be webcast ready. Joe replied yes.

► Commissioner Stoltz participated in Family Transfer Evaluation for VonEschen at 9:30 a.m.

► The Board for discussion and decision on an Adhoc Committee for Federal Agency coordination policies and contract for consultants at 10:30 a.m. Present were Maggie Wright, Lee Tickell, Ren Cleveland, William Menager, Ravalli Republic Reporter Whitney Bermes and Bitterroot Star Reporter Michael Howell.

Commissioner Kanenwisher gave a review of the previous meeting and the need for expertise within the valley to assist with Federal Agency Coordination policies and contract for consultants.

Commissioner Foss stated it will give the Board one year to finish and a very workable relationship. Commissioner Chilcott stated he would like to utilize this process for the Transportation Management Plan. His concern is the funding and there may be some funds available from the Legislative travel budget due to MACo paying for much of the fiscal year's expense.

Maggie Wright asked which Commissioners attended the training and asked if one could describe the relationship. Commissioner Kanenwisher replied four of the five commissioners attended the training session. There are several statutes that include language referring to coordination. A federal agency making a plan or a determination based on an environmental assessment, must coordinate with local governments. Many local governments do not require federal agencies to coordinate with them. The first item needed is to develop a policy. At that point, local government can hold a meeting with the federal agency to follow the policy developed. It is a check and balance system. Maggie asked what if the federal agency comes in with a plan that is in conflict with the local policy. Commissioner Kanenwisher replied the statute requires the federal agency to resolve inconsistencies and make the effort to compromise with the local government. Maggie stated if the onus is on the federal agency, why does the local government need to get involved? Commissioner Kanenwisher replied because federal agencies don't have anything to coordinate with if a policy is not established by local government.

Commissioner Chilcott stated what is being proposed is to create an adhoc committee to work on the process. Commissioner Kanenwisher stated the Board is not setting a process within the contract. American Stewards are a consultant and the question is what they can provide for the County if their services are utilized. Maggie suggested having more public meetings regarding what coordination is, how it is fundamentally different from what is currently being done, who are American Stewards, Inc., the steps and the process for policy. Commissioner Chilcott stated the information is available online for coordination. In the legislature, it has been a big topic of discussion and debate. This contract will help resolve much confusion by educating not only the commission but the adhoc committee and the public. Maggie stated the subdivision regulations review, is available online for process and the same standard should be the same for this with the public. Commissioner Chilcott stated there is significant difference between the two. One is regulatory and the other is not. The development of policy is a very public process. Commissioner Foss stated when talking about public, there were at least 20-25 meetings from Sula to Florence opened to the public. Maggie stated they were not Commissioner Meetings but held during campaign season.

Commissioner Iman stated whether it was done in the past or not doesn't matter. What is happening now is the consideration of a policy and the need is for a consultant to help develop the process. Commissioner Kanenwisher stated there is a huge difference of developing a policy versus developing the process for a policy. What the Board would like to do is start the process of developing a policy.

Lee Tickell, speaking as an individual, stated the problem is the public was effectively shut out of the training session of the American Stewards. When he asked Commissioner Foss if the training session could be recorded for the Planning Board and the public, he was told no. There was a \$45 fee to attend and some of the public cannot afford to pay it. He requested confirmation that every meeting with American Stewards and the commissioners will be opened to the public and be able to be recorded. Commissioner Kanenwisher replied any meetings for the commissioners are public meetings. American Stewards are consultants and that is what they do for a living. The Commissioners who attended paid to go as individuals. The Board cannot ask American Stewards to give away their work product because an elected official attended their meeting. There was nothing closed about it. The fact is there has been nothing about this that hasn't been completely 100% out in the open. He resents the accusation that something has gone on behind closed doors. There is a website for American Stewards and it is open to the public. Commissioner Foss stated their cost was to cover their expenses. Commissioner Chilcott stated when the final terms of the contract are negotiated, it should be noted that meetings with County Commissioners are public and no fee can be assessed. It should resolve the issue for Lee.

Ren Cleveland stated online doesn't buy it. Not everyone is online. If something should be noted, it should be published in the paper for public notice. Commissioner Chilcott stated we don't advertise the constitution or the bills in front of the legislature. This is an informational resource and is not limited to online.

**Commissioner Kanenwisher made a motion to contract with American Stewards per the letter received in the amount of \$1,500 one-time fee with the addition that all meetings are to be public and including consultation. Commissioner Chilcott seconded the motion and all voted "aye". (5-0)**

Commissioner Chilcott suggested advertising for the adhoc committee and suggested contacting Former Commissioner Alan Thompson for his planning experience in travel management and Pat Connell. Commissioner Kanenwisher it would be a resource advisory utilization committee. There will be a time this small committee would get together and research the issue once identified. Commissioner Foss has three names with expertise in water issues to add to the pool of candidates. Commissioner Kanenwisher further suggested expertise in economics and wildlife biology for the committee.

Discussion followed regarding contacting people and advertising for additional people needed to serve on the adhoc committee. Commissioner Kanenwisher made a motion to have travel management to be addressed first with the consultants, set a date for a meeting and contact known people with expertise to participate. Commissioner Foss seconded the motion. Commissioner Chilcott stated this does not need a motion but can be done with board consensus. Commissioner Kanenwisher withdrew his motion and Commissioner Foss withdrew her second. **The Board concurred to have travel management to be addressed first with the consultants, set a date for a meeting and contact known people with expertise to participate. Commissioner Kanenwisher will coordinate with American Stewards to set up a date for a meeting.**

► The Board for discussion and decision on Montana Mental Health Settlement Trust grant agreement at 11:30 a.m. Present were Civil Counsel Karen Mahar, William Menager, and Bitterroot Star Reporter Michael Howell. Commissioner Kanenwisher was not present for this meeting.

Civil Counsel Karen Mahar reviewed the grant agreement with the Board.

**Commissioner Chilcott made a motion to approve the grant agreement with the Montana Mental Health Settlement Trust for \$425,000 as presented by Counsel. Commissioner Foss seconded the motion and all voted “aye”. (4-0)**

► Commissioner Chilcott participated in MACo Legislative Conference Call at 12:00 p.m.

► The Board for discussion and possible decision on voiding and rescheduling decision on planning administrator position at 1:30 p.m. Present were Civil Counsel Karen Mahar, Human Resource Director Robert Jenni, William Menager, Bill LaCriox, Maggie Wright, Lee Tickell, Jan Wisniewski, Ren Cleveland, Bitterroot Star Reporter Michael Howell, Ravalli Republic Reporter Whitney Bernes and several other citizens. Commissioner Kanenwisher was not present for this meeting.

Commissioner Iman stated according to Resolution No. 1372, the action taken last week needed a 48 hour notice and therefore was in violation. Civil Counsel Karen Mahar confirmed due to an administrative error, the meeting having significant public interest was not given proper public 48 hour notice. She therefore recommended voiding the decision made during the March 29<sup>th</sup> meeting and then re-schedule the meeting with proper public notice for participation. Commissioner Iman called point of clarification. Due to him being the officer presiding at the time, all action of that meeting would be voided and the meeting would have to be placed back on the agenda with proper notice. Karen stated there have also been inquiries for public records for the position so the public can review those and comment. After confirming with Human Resource Director Robert Jenni, both the job posting and position description are public and available in the Commissioners’ Office. The applications received can also be public and may be reviewed upon given permission from the applicants. Any identifying information will be redacted from those applications prior to being released to the public.

Commissioner Iman opened public comment related to the topic being discussed.

Michael Howell asked if all the applications will be redacted and made public. Karen replied the tier of applicants that were interviewed can be public if they permit. Human Resource Director Robert Jenni stated the applicants do not want their applications public. Karen stated normally the hiring of a position for the County would not be held in full public view. Due to this position being of significant public interest, it is being held in a public forum. The privacy rights of those individuals can only be made public upon

their permission. Commissioner Iman stated the difference in the previous public forum is it was an elected office versus a general position. Karen stated the Human Resources Department frequently reviews job applications and discusses them during the proper administrative time.

Jan Wisniewski asked who declared their applications ok to disclose their information and who didn't. Commissioner Iman ruled out of order since the question is not regarding the revocation of the decision made on March 29<sup>th</sup>.

Rich Morrissey would like to make some comments about the job description at the appropriate time.

David Irwin stated he is from Darby and read a brief prepared statement. Commissioner Iman ruled out of order due to it being inappropriate at this time.

Pam Erickson asked if public comment is allowed at the opening of the meetings or other. Commissioner Iman stated at the beginning of the meeting, the Board allows public comment related to the matter of discussion. There is time available for comments not otherwise on the agenda at the conclusion of every meeting for the public. Pam stated as for what is happening right now is asking for comments on voiding the previous action to hire Terry Nelson as the Planning Administrator. Karen stated the only two exceptions of public meetings are those of personnel matters and those of litigation matters (MCA 2-3-203).

Bill LaCroix disagreed with Civil Counsel. He submitted written public comment.

Lee Tickell, speaking as an individual, stated there are two Supreme Court cases on point whether or not the application material is public or private. The cases he is referring to are Billings Gazette vs. Yellowstone County and the Missoulian vs. the Board of Regents. He requested the Board review those two rulings to determine whether or not those materials can be rightfully viewed by the public. Karen replied she is familiar with those two cases and can address those if the Board wishes. The Supreme Court has carved out exceptions for public employees that they consider to be in a heightened position of public trust that include law enforcement officers and school teachers. The County is bound to protect the privacy rights of employees that have not been specifically held by case law to be made public. Commissioner Iman asked if they would be part of a regularly scheduled meeting for this purpose not for voiding a past action today. Karen replied the Board can address those at the next subsequent meeting.

**Commissioner Chilcott made a motion to void the action of the meeting on March 29<sup>th</sup> specific to the filling of the position of the Planning Administrator and schedule a discussion and possible decision for hiring the Planning Administrator on April 7<sup>th</sup> at 11 a.m. Commissioner Foss seconded the motion and all voted "aye". (4-0)**

Commissioner Iman then requested any public comment not otherwise on the agenda. Citizens gave comment as follows:

David Irwin read his prepared statement to the Board. His points were that Mr. Nelson does not have the education or training as a planner, he is the head of the Republican Committee, and asked how this hiring cannot be politically driven. Terry Nelson owned 15 acres in Stevensville and questioned the lots being sold and not transferred to his family. It was in violation of the Ravalli County Subdivision regulations. He strongly opposes the hiring of Terry Nelson based on these facts. He requested the job posting be re-opened and the description be revised for land use planning.

Rich Morrissey discussed the job description posted. All previous job openings for the head of the Planning Department required a certified land planner and it was changed. This change was based on an exit interview with John Lavey and a statement made the position was more than 50% public relations. The position is not just public relations but planning. He questioned why the County would be hiring a public relations person? The Planning Department is a technical office. If anyone is a public relations person, it is a commissioner. Also if the job is 50%-60% public relations, what about the other 40%-50%? Does that mean the candidate that was hired is only 50%-60% qualified?

Bill LaCroix submitted written comment. He questioned the job posting for this position being changed and also the previous meeting regarding hiring a consultant for coordination. He further questioned the quorum of the Commissioners attending the American Stewards and discussing the qualifications of the Planning Administrator. These training sessions cost \$1,500 plus travel expenses. He asked what is the financial relationship between American Stewards for Liberty and Commissioner Foss. The point is there are serious ethical and legal issues with these far right tendencies of this Board. Why is Ravalli County willing to take this up?

Chuck Roubik stated when the decision was made to hire Terry Nelson, it was written up in the Ravalli Republic and the Bitterroot Star. This resulted in numerous blogs and it should be entered into public record for comment. Commissioner Chilcott asked if these comments were signed. Chuck replied some did have names however most have pseudonyms. Commissioner Chilcott stated as a commissioner representing Ravalli County, public comment needs to be submitted and signed by actual Ravalli County citizens. There isn't a way to verify the blogs submissions with pseudonyms as actual Ravalli County citizens. Chuck asked about the actual signed comments. Commissioner Chilcott stated the contact information of the commissioners is public and comment can be submitted by email, mail, fax, phone and orally. Comments made on a blog for an independent news publication are not comments submitted to the Commissioners. Karen confirmed blogs are not legally submitted comments but can be considered and go towards the weight of the consideration. Commissioner Iman stated he does not read the blogs. The blogs are for people who want to remain anonymous and their comment shouldn't be considered. Personally, it does not have any weight with him unless it is a signed or oral public comment submitted to the Commissioners.

John Meakin asked if comments signed by an individual by name would be submitted on the record as comments regarding this issue. Commissioner Chilcott stated oral comment

given during public meetings will be entered into the record as well as written public comment.

Ann Harding asked if other applicants will be considered during the April 7<sup>th</sup> meeting. Commissioner Iman replied the motion is to discuss and possibly decide. All final applicants will be considered at that time as well as the possibility of re-opening the applicant pool.

Pam Erickson requested the Board to re-open the applicant pool to consider other more qualified applicants.

Ren Cleveland agreed with David Irwin. He requested clarification of the vagueness of the response of the Board when asked if they are planning to rehire Terry Nelson without considering the other applicants. Commissioner Chilcott stated the agenda will reflect the possibility of a decision but it is not a guarantee an action will be made. Action is determined after discussion.

Maggie Wright asked if the Board is not going to clearly consider other applicants, are you not already making the decision by not reconsidering the other applicants. Commissioner Foss replied the board has not made a decision and the whole point of a new meeting is to possibly make one.

Jan Wisniewski asked if the Board is going to take in new applications. Commissioner Foss replied no, just review the final applicants. Jan stated for clarification that the final applicants will be reviewed and then a decision can be made.

John Meakin stated there is a meeting set for three days away but we do not know who the applicants are that can be reviewed. He requested a pool of applicants. Karen replied it is a public meeting and Robert Jenni can make available the application materials plus the description for the job.

Charlotte Gray asked if the applicant can have personal information removed for public reviewing. Karen replied many apply for jobs however she would like to contact the applicants directly for permission rather than just redact and release to the public.

Mary Barton stated she is confused on the rights of the applicants. She asked when applying for a public job, doesn't that make you application public? Karen replied her understanding of the law is the job description and the application material is public. Mary stated she understands the right to privacy supersedes the sunshine law in that case but once the candidate is interviewed, doesn't that make it public. The public would like to meet these candidates. She suggested hosting a public meeting so the public could meet the candidates. Commissioner Chilcott stated when hiring personnel in the past, the Board has never had to go through this process other than the resignation of an elected official. The County hires people as an administrative action. Mary stated this is the opportunity to involve the public given the fact that planning is a hot button topic in this county. .

Lee Tickell asked in the Missoulain vs. the Board of Regents case, the numerous people that arrived at the performance appraisal were guaranteed privacy. In the Billings Gazette vs. Yellowstone County case, the investigation of the Sheriff's deputy was made public at the request of the Gazette. He can go right now and Google the individual applicants and get more information than what is on the applications including bankruptcies and criminal records. Saying the public cannot have access by virtue of their own application, to participate in the meeting in three day. He doesn't understand how it can fall to the level of protected information. Karen replied the difference in the scenario is the County being an agency disseminating that information versus finding it on Google, is not the same thing. The County can't be in the business of disseminating private information even if you could get it elsewhere. The County has an obligation to follow its policies and laws to the best of its justification. An individual claiming the right of privacy cannot be told the County will release the information because it can be goggled anyway.

Chris Linkenhoker stated his friend posted an ad for free guns at Radio Shack if Dish Network was purchased and it went viral in two days. He stated this looks really bad and it looks like cronyism and corruption. This could go internet and viral in the same way.

Frank Wright asked what the job pays. Commissioner Chilcott stated the range is \$45,000 to \$55,000.

► The Board met for discussion and decision on meeting for Hayes Creek complaint at 2:30 p.m. Present was Lea Guthrie and several citizens.

Lea stated the Environmental Health Department received a complaint on a property up Hayes Creek. She presented photos to the Board of the property. The Environmental Health Department has addressed the complaint in the standard procedure. There is a community meeting tonight and the neighbors have requested a representative from the County be present for informational purposes only. Commissioner Foss stated if it is appropriate, she will attend. Discussion followed regarding a Commissioner attending a meeting in a personal manner for informational purposes only.

Commissioner Iman opened public comment.

John Germann stated he drives by this mess every day. They are logging and he was told a lot line adjustment was being done, however that is not the case. There is nothing that can be done other than make a complaint that there isn't any septic or water. He knows where the people used to live up Saw Mill in Conner. The neighbor put up a fence so he didn't have to look at the mess anymore. Commissioner Foss asked if these people own the property or rent it. John Germann replied the Tingles passed away and the girlfriend of the son (who also passed) inherited it all. Commissioner Kanenwisher stated what regulations are being violated that may have to be enforced and if it is a work site. John Germann asked if they are allowed to place a port-a-potty on the property. Commissioner Kanenwisher replied if it is a work site.

**Commissioner Foss will attend the meeting tonight for informational purposes only.**

**▶ The Board with the Western Predator Control Association to give update on wolves at 3:00 p.m.**

**▶ Commissioner Kanenwisher attended the Hamilton City Planning Council meeting at 6:00 p.m.**

SIGN IN SHEET – COMMISSIONERS MEETING ROOM

**\*\*PLEASE PRINT YOUR NAME LEGIBLY\*\***

THANK YOU!

DATE: April 4

MEETING: \_\_\_\_\_

Chris Linkenkoker

Bill LaCroix

Dick Morrison

Larry Campbell

Les Rutledge

Chuck Roubik

Ken Cleveland

Leslie Striebel

Jim Striebel

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# AMERICAN STEWARDS

*of Liberty*

March 30, 2011

Matt Kanenwisher  
Ravalli County  
215 S. 4th Street, Suite A  
Hamilton, MT 59840

Dear Mr. Kanenwisher,

American Stewards of Liberty appreciates the opportunity to help you protect the health, safety, and welfare of your community. Deciding to use the coordination process is one of the greatest steps you can take for the well-being and future of your constituents.

We understand this is new to you and your community, but American Stewards can help guide you through the process in the most cost-effective and efficient manner possible. Coordination is not new nor is it difficult, but to obtain the most benefit for your local community, it is crucial that it be implemented correctly and that is where we can help.

It's not enough to merely adopt a resolution to coordinate, there is research, issue development, notice letters, responses to government agencies, legal issues and questions, short and long-term strategy, and meeting preparation and implementation. All of those areas are what American Stewards of Liberty can provide for you and your community.

Below is a fee structure for specific services we can provide. Remember, we are a 501(c)3 nonprofit organization. We do not advocate any particular policy nor will we assist or get involved in any local political issues or situations. We provide the education and the tools by which you can either utilize them for your benefit or not.

The following is a suggested fee structure for our services. Your community may be in various stages of the coordination process and may not need all of the suggested services, however, our fee is a one-time annual charge of \$1,500.00. Please remember, coordination is a long-term process and we want to provide you with the best strategy possible. Below is a list of various services we can provide with a suggested fee structure:

*Review per MK*  
\$1,500.00 – a one-time ~~annual~~ charge for local governmental unit to include:

1. Draft or Edit Resolution Adopting Coordination;
2. Draft or Edit Policy Statement for Adoption by Local Entity;
3. Draft or Edit Notice Letter to Proper Agencies;
4. Development of Local Strategy and Research Issue\*;
5. Draft Agenda for First Meeting with Agency;
6. Help Guide Meeting Preparation with Local Representatives via telephone\*\*;
7. Answer Questions and Provide Assistance Throughout One Year Membership;
8. Receive All Publications and Analysis Produced by ASL for Membership.

*\*If there is more than one issue, we may have to adjust the one-time fee commensurate to the number of issues and time spent researching and developing your strategy. However, before this can occur, your board must approve any additional expenditure.*

**\*\* If, at your request, you would like us to attend the coordination meeting(s) to help advocate your position, we will need to discuss added expenses to cover preparation time and travel to attend.**

In addition to the above one-time fee, should we need to travel to your community for meetings, we ask that you also cover our travel expenses to include air fare, hotel accommodations, rental car if needed, parking, and meals.

Should it be mutually agreed to and determined our attorney is needed to assist in any of the above matters, we will charge an extra \$150/hour for his time. However, prior to any work performed by our attorneys, we will discuss the cost and number of hours needed to resolve your issue and will only proceed with your prior approval. Those charges will be forwarded after the work is completed and is payable on a net 30-day basis.

Additionally, there may be unexpected issues and costs that may exceed the above detailed services. Should this situation arise, we will inform you within a reasonable timeframe and will not proceed until we receive prior approval from you.

We hope this answers your questions, but should you think of something else, please give us a call. We look forward to working with you and your community.

Thank you for the opportunity to help.

Yours truly,



Dan Byfield  
CEO

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**Please detach and return to:  
American Stewards of Liberty  
P.O. Box 1190  
Taylor, Texas 76574**

\_\_\_\_\_ (Government/Entity Board)  
agree to pay a one-time fee of \$1,500.00 for the above mentioned services provided by American Stewards of Liberty. We also agree to pay \$150 an hour for attorney's fees related to any services provided by American Stewards in conjunction with this agreement with our prior written approval. We also understand that should American Stewards need additional contributions, those will need our prior written or verbal approval and will not be unreasonably withheld.

Signed, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Contact: 363-1329

- There was a quorum of commissioners at the American Stewards for Liberty “coordination training seminar” in Hamilton that Commissioner Foss organized (a), but it cost \$45/person and the public was not allowed to film it. Did that quorum of commissioners, at this private, for-profit meeting, discuss qualifications they would like add to the planning staff’s job description, including the addition of “knowledge of coordination process government-to-government agencies” (b)?
- Commissioner Foss: According to American Stewards’ website, these training sessions cost “\$1500 plus travel expenses” (c). Apparently over 50 people attended the private seminar at \$45/person and there were also private donations for the event according to Commissioner Kanenwisher (a). That would make the gross receipts for this event well over \$2000. What’s your financial relationship with American Stewards for Liberty?
  - Did the county incur any expenses in this training?
- American Stewards recommends that you represent these self-described “coordination” meetings with federal agencies as “government-to-government” meetings where “there will be no public comment because of the government-to-government nature of the meeting”. Do you believe citizens shouldn’t be able to comment if the Ravalli Co. Board of Commissioners succeeds in setting up a “coordination” meeting with, say, the Forest Service (d)?
- Do you think there might be resistance to your “coordinating” efforts here in Ravalli Co.?
- Are you considering working “quietly” within the BCC on implementing “coordination”, without the benefit of public involvement, as stated by American Stewards in their training material that you should if you meet resistance (d)?
- Commissioner Foss: Given the change of wording in the Job Posting for our County Planner (“...knowledge of coordination process Government to Government agencies preferred” (b)) have you and your colleagues determined that the BCC is your preferred local governing body to be working with privately, without public input, on your “government-to-government coordinating” effort (c), or are you concurrently pursuing your “coordination” strategy with other local government entities, such as cemetery boards, to assert local control over federal lands?
- “Coordination”, as described and defined by American Stewards for Liberty in their training material (reference footnotes below), holds that a local board such as the Ravalli County Board of Commissioners, or even a cemetery board, represents a government entity equal in standing to the federal government. Now that “knowledge of coordination process government-to-government” (sic) is a preferred qualification for our chief county

planner, can you explain why “coordination” is not a core tenet of “County Supremacy”, which was ruled unconstitutional by the Supreme Court?

**Footnotes:**

a. Ravalli Republic, 1/17/11; “Ravalli Co. Commissioners attend training on ‘coordination’ with state, feds”

b. Ravalli Co. Job Posting--Planning Office Manager/Administrator/Qualifications and Experience.

c. “Our fee for the Coordination Class is \$1500 plus Travel Expenses. In addition, the course material provided is \$25 per attendee. Usually, an organization, individual or even local government sponsors the course and charges a nominal fee to attendees recovering their expenses.”  
<http://americanstewards.us/>

d. <http://americanstewards.us/coordination/introduction/how-it-works> 3. **Implementing the Coordination Process/ a. Coordination Agenda:** After the meeting is scheduled, you should send an agenda labeled “Coordination Agenda for \_\_\_\_\_,” state your agenda and then ask for the agency to add anything to the agenda they would like to discuss. State that this will be a “government-to-government coordination meeting.” It will be an open meeting so that the public can attend, but there will be no public comment because of the government-to-government nature of the meeting.” The Agenda should be sent at least ten days prior to the meeting date. If they respond and even add to the agenda, then they have tacitly agreed to coordination <http://americanstewards.us/coordination/introduction/how-it-works>

d. <http://americanstewards.us/coordination/introduction/how-it-works> 1. **Navigating Potential Opposition/d.:** Depending upon the political climate of your area, you may meet resistance from advocacy groups or even elected officials. In this case, you need to assess whether you should work publicly or quietly to get the local government committed to coordinate. Identifying these people before you begin making the effort public is critical to your success. You need to understand the political mine fields upfront, or your entire effort can be derailed. The one-on-one conversations with the elected leaders whom you know will be friendly are very important to determining whether you should work to get the public behind the process first or whether you should work quietly to get the local government on board. If there is going to be major opposition from board members, give strong consideration to choosing a different local government unit. Key to successful coordination is a committed and unified board, one that cannot be swayed by agency pressure or politically split because there is no unified consensus.

e. American Stewards for Liberty is the for-profit entity that put on the “coordination” training workshop that a quorum of county commissioners attended, and that now seems to be a preferred qualification for our chief county planner

Monday, April 4, 2011 Submitted by David Irwin

Honorable County Commissioners and others who have gathered here today,

Joe Friday; played by Jack Webb in the 1950's TV show Dragnet, is credited with saying, "Just the facts, Ma'am." What Friday actually said was, "All we want are the facts."

This afternoon the Commissioners are gathered to examine the facts confronting us regarding the hiring, voiding of hiring, and potential rehiring of Mr. Terry Nelson for the leadership position of the Ravalli County Planning Department.

Here are the facts:

1. The job ~~for~~ was posted from Feb. 2 to 25. In all, 17 people applied for the position and out of that number 4 applicants were interviewed. I have been in contact with Ravalli County Human Resources Director, Robert Jenni, and have asked to examine the applications of the other candidates. My intention was to compare the qualifications of other candidates with Terry Nelson, who was hired as Planning Office Manager/Administrator in violation of providing the public sufficient notice, by the County Commissioners. Mr. Jenni informed me that applications are not released to the public as they contain personal information that is protected as personal privacy under the Constitution of Montana, Article II, Declaration of Rights, Sec 2 and MCA 39-71-224. He did tell me that due to similar requests he asked the four applicants whom the Commissioners interviewed if they were willing to have their applications disclosed for public inspection. Three said they did not want the disclosures and the 4th did not respond to Jenni's request. Nelson has offered his application for disclosure.
2. Terry Nelson chairs the Ravalli Republican Central Committee, the same organization that helped fund the County Commissioners who hired him. Specifically, funds generated in part by Mr. Nelson contributed to the election of the Commissioners hiring him.
3. The dissenting County Commissioner, J.R. Iman, objected, stating that Mr. Nelson has not been educated nor trained as a public planner.
4. Commissioner Foss stated that Nelson's hiring would "foster community relations" (Ravalli Republic). So why am I, a registered Ravalli County voter and resident concerned over this hiring practice by the Commissioners? More accurately, there is a strong possibility that his hiring will likely hamper community relations.
5. How can this hiring choice be non-politically motivated? It is not difficult to consider this hiring as political cronyism.
6. Nelson owned about 15 acres off Airport Road in Stevensville. In 2004, he applied for a subdivision exemption for a family transfer. He was awarded the family transfer,

splitting the 15 acres into seven parcels, six to be transferred to family members with one parcel remaining. As it turned out, none of the parcels ended up in hands of family members but Nelson ended up selling off the parcels, clearly in violation of Ravalli County subdivision regulations (Ravalli Republic).

I have never met Terry Nelson and have no reason to personally object to his recruitment as the Planning Office Manager/Administrator. There are no personal vendettas here. However, I strongly oppose his hiring based on the facts I have provided and respectfully ask the Commissioners and the HR Planning Director that the job listing be reposted. I further suggest that the posting be more precise and should emphasize more specific qualifications including suggested degrees in the environmental sciences and public administration in addition to land use planning.

Sincerely,  
David E. Irwin  
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