

COMMISSIONERS APPROVAL

IMAN

CHILCOTT 

FOSS 

KANENWISHER 

STOLTZ 

PLETTENBERG (Clerk & Recorder)

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

Date.....July 27, 2011

► Minutes: Beth Perkins

► The Board met for discussion and possible decision on approval of HB 130 FY 12 grant application at 9:30 a.m. Present were Civil Counsel Karen Mahar and Administrative Assistant Glenda Wiles.

Civil Counsel Karen Mahar presented the Board with a grant draft application. After review and some minor corrections from the Board, it was agreed to have the Sheriff review this application and Glenda Wiles will then prepare the final package with a resolution bringing it back for Board signature prior to August 5th which is the grant deadline. The Board concurred with the application.

► The Board met for the following administrative matters at 10:00 a.m.:

- Approval of MTUPP Contract: Commissioner Kanenwisher made a motion to execute with Chair signature the MTUPP contract. Commissioner Stoltz seconded the motion and all voted "aye". (5-0)
- Approval of Extension Request for Hamilton Heights, Block 2, Lots 6&7: Commissioner Kanenwisher made a motion to approve the extension request for Hamilton Heights, Block 2, Lots 6&7 for a period of two years. Commissioner Stoltz seconded the motion and all voted "aye". (5-0)
- Approval of Extension Request for Corvallis Tracts, Block 1, Lot 4-A: Commissioner Chilcott made a motion to approve the extension request for Corvallis Tracts, Block 1, Lot4-A for a period of two years. Commissioner Kanenwisher seconded the motion and all voted "aye".

- Approval of Extension Request for Rivers Edge II: Commissioner Kanenwisher made a motion to approve the extension request for Rivers Edge II for a period of two years. Commissioner Stoltz seconded the motion and all voted “aye”. (5-0)
- Approval of Final Plat for Ziegler Lots Lot A AP: Commissioner Kanenwisher made a motion to approve the final plat for Ziegler Lots Lot A AP. Commissioner Stoltz seconded the motion and all voted “aye”. (5-0)
- Approval of DEQ Contract for Air Quality #512010: Commissioner Chilcott made a motion to approve the DEQ Contract for Air Quality Monitoring. Commissioner Foss seconded the motion and all voted “aye”. (5-0)
- Commissioner Kanenwisher made a motion to execute with Chair signature the contract for Blueweed. Commissioner Chilcott seconded the motion and all voted “aye”. (5-0)

► The Board met for discussion and decision on I.T. policy for Video and Audio Recording of BCC Meetings at 10:35 a.m. Present were Civil Counsel Dan Browder, Clerk & Recorder Regina Plettenberg, Bitterroot Star Reporter Michael Howell, Mary Barton, Bill LaCroix and Administrative Assistant Glenda Wiles.

Commissioner Iman confirmed the policy has been reviewed by both legal counsel and Patti Borsberry the State’s Record Retention Division.

Commissioner Kanenwisher does not see how taking public comment via WebEx could work practically with the Board accepting verbal public comment versus receiving “e-mail” comment without rebuttal or discussion ability. Discussion followed regarding utilizing WebEx for public comment. Commissioner Iman discussed the issues of when is it appropriate and noted additional training is needed. Commissioner Stoltz expressed his concern with having live streamlining and possible technical issues and the question of record retention with online comments.

Commissioner Iman opened public comment.

Clerk & Recorder Regina Plettenberg discussed the records retention policy. Glenda Wiles stated the 30 days policy was due to space available on the server. She suggested burning DVDs of the meetings to be included with the written minutes for up to one year to give ample time to the public to request the video of the meetings.

Bill LaCroix suggested utilizing a zip drive for storage of the videos. He expressed his concern with accepting funds for a video system and then not using it for that purpose. This is a service and a responsibility of local government for transparency. This is an opportunity to allow all citizens to talk and the Board to listen.

Kelsey Milner stated the WebEx is a useful benefit. He asked what the issue between public meetings and public hearings is.

Michael Howell encouraged the Commissioners to “get on the ball” and learn how to use the WebEx software in order to have people participate. The storage questions can be answered.

W.C. Bolin stated the typed up minutes are not totally accurate and there is evidence against them from a court reporter. The audio and visual should run side by side along with the minutes. There needs to be a way to challenge the minutes.

Mary Barton stated WebEx would also provide the ability for a missing Commissioner to participate in a hearing especially when a quorum is needed.

Commissioner Iman closed public comment.

Dan Browder reiterated the need to follow the State Record Retention Policy. He advised any sort of schedule for destroying records should be adopted upon contingency of State approval. Commissioner Foss addressed the comment made for destruction. There hasn't been any discussion yet of destruction of video. She expressed the need to incorporate public comment into the meetings and hearings. There isn't any attempt to hide or destroy public comment or video.

Commissioner Chilcott is not aware of another county that has an inter-active web video system. He is aware of the issue of transparency. The video alone was the goal to provide the transparency. He does not recall the inter-active portion being discussed until this year. We are not ready for that leap. He disagrees with Bill LaCroix's statement that this is a responsibility. It is a service. He agrees with having the camera in the room but there isn't any responsibility to have one. Official record should be the minutes only and not include the video or audio.

Commissioner Kanenwisher discussed the difference between a public meeting and a public hearing. He further discussed the need for the Board to select certain meetings for recordings.

Glenda Wiles agreed with Dan Browder regarding details of how the Commissioners come to a certain decision and how video could be utilized to fill in the gaps from the minutes. Commissioner Kanenwisher addressed Glenda's comments regarding minute summary.

Commissioner Kanenwisher made a motion to no longer have any additional WebEx recordings until the policy can be reviewed by the State. Commissioner Stoltz seconded the motion. Discussion: Dan Browder discussed the option of having a recorded copy of meetings when there are going to be citizen recordings. **All voted "aye". (5-0)**

Commissioner Iman requested any public comments not otherwise on the agenda. Hearing none, he then closed public comment.

► Commissioner Iman met with the Road Department Fire Restoration Coordinator at 1:30 p.m.

7/27

Ravalli County
Information Technology Policy 13
Video and Audio Recording of BCC Meetings
July 2011

This policy does not supersede state or federal laws and acceptable use policies

SCOPE:

This policy applies to meetings of the Ravalli County Board of County Commissioners ("BCC").

PURPOSE:

The purpose of this policy is to provide requirements and guidance for using the recording equipment installed in the BCC meeting room on the third floor of the County Administrative Building to videotape and/or audio-record certain BCC meetings.

REQUIREMENTS:

1. Unless prevented by technical difficulties, all BCC meetings noticed as public hearings held in the BCC meeting room on the third floor of the County Administrative Building shall be recorded and streamed live to the County's website, www.rc.mt.gov/commissioners. *The board concurred* *to the County's website*
2. Unless prevented by technical difficulties, public comment may be taken by viewers of a live streamed hearing, provided a viewer possesses the necessary technical equipment to provide comment via web feed. *- MC Strike -*
3. Other BCC meetings shall not be recorded using the equipment installed in the BCC meeting room on the third floor of the County Administrative Building unless notice that the meeting will be recorded is placed on the BCC agenda posted in advance of the meeting and an announcement is made at the beginning of the meeting that the meeting will be recorded.
4. *only* Written Minutes are the Official Record of all BCC meetings.; audio and video files are not the official record. *+ are a service to the public*
5. Audio and video recordings held by Ravalli County of BCC meetings and hearings will be held by Ravalli County for 30 days after the official written minutes are approved. *After which the recording will be destroyed.*

ELECTED OFFICES OR BOARD RESPONSIBILITIES:

Elected offices and County boards may develop policies relating to this topic should the office or board use the BCC meeting room on the third floor of the County Administrative Building. Office or Board policies may not supersede this policy.

Please refer to this policy for guidance in creating your Office or Board policy.

BACKGROUND/HISTORY

Date	Purpose of Revision
	Adopted – County Commission

REFERENCES -Laws, rules, and applicable policies:

MCA 2-2-121; MCA 45-6-311; Ravalli County Personnel Policies; Ravalli County IT Policies

SUMMARY OF CHANGES:

Change Date:

Beth Perkins

From: Joe Frohlich
Sent: Wednesday, July 20, 2011 8:17 AM
To: Commissioners Department
Cc: Dan Browder; Regina Plettenberg
Subject: Video-Audio of BCC Draft Document Summary

Since I will most likely not be at Monday's meeting I thought it necessary for a summary of how we got where we are with the draft document on video-audio.

See the email sent by me on 6/27: The Commission, Glenda and I met on 6/27 to craft this 6 bullet point document. See below for bullet points. I sent this document to Patti Borsberry from the State's Record Retention Division.

DRAFT Policy for use of video equipment to broadcast BCC Meetings

1. Written Minutes are the Official Record of Ravalli County Board of Commission
2. Audio and Video of BCC Meetings is a service.
3. Audio and Video are not official record.
4. All public ~~meetings~~ ^{hearings} will be videotaped for live viewing from our website.
5. Public comment will not be taken from web during live recordings.
6. Audio and Video of BCC Public Meetings will be held by Ravalli County until 30 days after date of scheduled public meeting.

On July 11th, I spoke with Patti Borsberry about the above bullet points. See the email that I sent on 7/11 to BCC, Dan, Regina, Karen. In that I said I changed the wording to fit what Patti thinks is best (with in mind the BCC will have ultimate decision). Her two biggest points were:

- On #6 - She said she would only support a policy that stated: Destroy of video 30 days after official written minutes are approved. Her comment was this "If this policy is for legal purposes to make sure what is said in meetings is correct, there must be a time period to dispute what was said in the meeting." She said even if that was not our intent, 30 days after written official minutes are approved is what she would recommend to us and support.
- On #5 – She said that we must be careful about excluding public comment. If our intent is to provide public access, but do not give them some way to participate, it could lead to trouble. You could with WebEx just ask them if there is public comment from anyone from WebEx, and just during that time Glenda or Beth could turn their mic's on, we can play with this to see what works best.

I know the BCC, Dan, and Regina are very busy, but after sending that email on 7/11 and having no comment from anyone I proceeded, getting with Dan to craft the latest draft which just took the above 6 bullet points with Patti's edits on bullet point number 5 and 6 and wrote the document to be like all of the other IT policies so there is consistency. The latest draft, and final draft from IT and legal consol before the July 25th meeting I sent yesterday 7/19 to BCC, Dan, Regina.

The decision to edit/approve/dismiss is now with the BCC.

Thanks,

Joseph Frohlich

DeWavalli County - Montana

Information Technology Director

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Glenda Wiles

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