

**Stevensville Special Town Council Meeting Minutes
for MONDAY, JUNE 28, 2021**

1. Call to Order and Roll Call

Mayor Dewey called the meeting to order. Councilmembers Devlin and Ludington were present.

2. Pledge of Allegiance

3. Public Comments (Public comment from citizens on items that are not on the agenda)

Jim Crews: 316 9th Street. A couple of things calling a special meeting the mayor is supposed to call the meeting and only those things can be on the agenda. and who is signing the checks when we don't have a financial officer. When you read the town ordinance the mayor the finance officer and the town council president are the only ones authorized to sign checks.

Public comment was sent via mail: Sharon Gee

Public comment was sent via email: Audree Tribbensee and Mark and Jane Harris.

4. Approval of Minutes

NONE

5. Approval of Bi-Weekly Claims

a. Claims #16798-#16853

Mayor Dewey: introduced the claims including the two new claims 16852 and 16853. Council has a claims sheet for their review, 16852 Ravalli Electric Co-op for \$100.00 and 16853 to Project 59870 for \$25,000.

Councilmember Devlin: make a motion.

Councilmember Ludington: 2nd.

Mayor Dewey: it has been moved by Ms. Devlin and 2nd by Mr. Ludington. Council discussion?

Councilmember Ludington: 16837 to Cody and Associates. \$4489.00. Overview of the claim.

Mayor Dewey: a multiple amount that she submitted in one batch for the work that her and Robert had done to get the books reconciled for the AFR. That AFR has been filed

with the state and Jennifer has provided us with a bulk of the information that we need to provide to the auditors for that fiscal year.

Councilmember Ludington: any timeline on an answer from the state?

Mayor Dewey: they already called and said you are in compliance.

Councilmember Ludington: that is what they said, no other statement.

Mayor Dewey: they just wanted to make sure we submitted it through the online portal in fact we uploaded it to the portal on Thursday and she called within an hour and was sending back another version of the PDF for us to utilize for the auditors it is submitted they are happy they are fine. We have a couple of weeks left to get the audit completed and over to them as well. Any further questions from the council? Public comment?

Bob Michalson: 222 Turner Street, Motorola solutions 6 of them for \$375.00. dating back into august of last year.

Mayor Dewey: so, they are for a subscription service for police department records software. We are not sure why the previous invoices were not paid but they were in touch with the claims clerk and determined that several payments were delinquent and so we have rectified that immediately and that is part of this back. We went back in the accounting system it was sporadic we can't understand why they weren't paid.

Leanna Rodabaugh: I don't know the number of this. \$515.00 for tables what was that for.

Mayor Dewey: they were for the tables for this room a couple more of these rolling tables for this room.

Leanna Rodabaugh: pretty expensive I am still asking along with Mr. Crews on how you are going to pay these claims when there is nobody authorized to write checks. I am very uncomfortable with one person writing checks.

Mayor Dewey: that is the situation that we are in today.

Leanna Rodabaugh: not according to the checks and balances sir.

Mayor Dewey: with out getting into much further of a dialog because not necessarily what public comment is for the claims are entered by a separate person and the checks are written by a separate person and all the checks are audited and when the auditors come through they look at check numbers they insure that all the vendors that those checks went to are legitimate vendors and if there is a gap in those checks they flag it, if there is a gap in numbers of claims they flag it and you have to provide an explanation on why that happened. There are checks with balances.

Leanna Rodabaugh: I don't have a problem with that explanation I do have a problem with I don't see any kinds of reports on what the auditors found. I am a little uncomfortable the town is watching, and we will try to figure it out.

Jim Crews: 316 9th Street, because the town has a clerk and a finance officer where the decision made to split the two separate offices the only people that can sign town checks are the finance officer and the mayor or the council president acting as the mayor if the mayor is not present. Now that is a town law, (recited town ordinance) so who is the second signer, the request was also submitted to the town attorney and both councilmembers.

Mayor Dewey: there is only one signer in the organization currently.

Trevor Motley: 318 9th street, I guess my question is there are only two council members there is not a quorum how do you vote to approve town business?

Mayor Dewey: quorum is established by the number of people on council not by the number of seats. We went through this with other council vacancies.

Pat Groninger: 3rd street, Paul are you comfortable with this?

Councilmember Ludington: yep.

Pat Groninger: 100%

Councilmember Ludington: yep.

Pat Groninger: it is different from today and yesterday; I am saying yesterday when we were sitting in this monkey seat. Why is it different today with the allowance of the individual to write checks free willy not that I am accusing him of doing so, the fact is that it is the law, if I would have done that the lovely Ms. Howell would have had me all over the paper. Why is it different yesterday as it is today?

Councilmember Ludington: part of the reason is that we have a software for that, that we didn't have then.

Pat Groninger: we are changing our laws and the town of Stevensville has an ordinance that says that because we have software? What is it?

Councilmember Ludington: I don't know what is it?

Pat Groninger: I am asking how are we here today? allowing one individual with back up of checks and balances signing a check with out this secondary signature that has always been, why is it different today?

Councilmember Ludington: it is not different today.

Pat Groninger: how many signatures are going to be on that check?

Mayor Dewey: only one.

Pat Groninger: I think that it is different today, we only have one signature we used to have two, by city ordinance I feel, and also state law. And once again here we go, without a quorum shouldn't even be having this meeting.

Mayor Dewey: we will go ahead and call for the vote on the claims, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Mayor Dewey: the motion passes unanimously.

6. Administrative Reports

NONE

7. Guests

NONE

8. Correspondence

a. Resignation of Councilmember Dempsey Vick

9. Public Hearings

10. Unfinished Business

11. New Business

a. Discussion/Decision: Town Council vacancy in Ward 2 created by the resignation of Patrick Shourd

Mayor Dewey: the council has a single application in their packet from Ms. Sydney Allen who is here this evening. I will defer to the council on how you would like to proceed.

Councilmember Devlin: I have already interviewed Ms. Allen I chose some questions to ask her.

Councilmember Ludington: the application period has ended, and she was the only applicant I think that we should fill the vacancy in ward 2 of Patrick Shourd and replace with Sydney Allen.

Councilmember Devlin: I will 2nd that.

Mayor Dewey: Moved by Mr. Ludington and 2nd by Ms. Devlin. Any further council discussion, public comment? Ms. Cook.

Kathy Cook, this is not regarding this appointment why item 4 of your agenda approval of minutes was overlooked. And it is in the agenda packet. It is still in your agenda.

Mayor Dewey: there are no minutes in the approval of minutes section of the agenda. Is there any public comment on filling the vacancy at hand? Hearing none we will call from the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Mayor Dewey: that motion passes, with councils indulgence so that you can move along with your agenda, we can go ahead and swear in Ms. Allen at this time. (Mayor Dewey swore in Ms. Allen as a councilmember)

b. Discussion/Decision: Town Council vacancy in Ward 2 created by the resignation of Dempsey Vick

Mayor Dewey: introduced new business item (b). (Interruption from the audience) We called for public comment and then we called for the vote.

Councilmember Devlin: I am going to recuse myself from this and escort myself out and would you please let me know when this is done.

Mayor Dewey: the council has two applications in front of them one from Sue Devlin and the other from Jim Crews. That is why Jaime has recused herself from this conversation. (Chatter from the audience) lets try to be respectful. Council?

Councilmember Ludington: I am not sure how we want to actually proceed here other than the fact I don't think that we have a viable candidate for Mr. Vicks position I will agree with Mr. Crews in this instance to not appoint Ms. Devlin's mother there isn't anything on the planet that would make me appoint Mr. Crews to a position on the town council so I would make a motion that we again put out an application and ask for application for ward 2. And not appoint anyone this evening.

Mayor Dewey: is there a 2nd?

Councilmember Allen: I will 2nd.

Mayor Dewey: it has been moved by Mr. Ludington and 2nd by Ms. Allen. Does council want to delineate a time frame on how long you want to take applications, council rules say we have to leave that open for ten days following the notice.

Councilmember Ludington: based on that we are going into a holiday weekend I think we should run it for two weeks.

Mayor Dewey: any further council discussion on that? Public comment?

Jim Crews: I may be wrong with this, but I think you only advertise for eight days to begin with than ten days and you have thirty days from the time of filling the position and secondly, I don't think that council appointee Allen is able to take her seat until after her oath of office has been placed on file with the clerk and recorder's office and I find that Mr. Ludington's comment to not consider me for council I find to be highly inappropriate because he hasn't justified it in any shape or form if I do get up and say something I am usually pretty good at backing up what I say and I find the actions of this council currently to be obscene, you all have a great evening.

Bob Michalson: 222 Turner Street, I think that it is sad that that we have a former Mayor and Council member who has given his time and his effort to this town whether he is a little loud and doesn't fit into this your, (unclear audio) it is so sad and backwards. Thank you.

Leanna Rodabaugh: I would like to know personally Mr. Ludington just for my own education are you afraid of him.

Mayor Dewey: we are not going to engage in a Q&A.

Leanna Rodabaugh: (unclear audio) Mr. Crews on the council I think that you have to have some guts there.

Councilmember Ludington: I don't believe that there is anything that Mr. Crews has to offer other than obstruction there are a lot of things that are going on in this town and I am witnessing it right now that need to be dealt with I don't think that he has anything constructive to add to that based on the fact of his past history and his relationship with me and the fact that he blatantly lied to me more than once I would not consider him to be somebody that I could trust.

Leanna Rodabaugh: he got up and that is something that is more than anybody, Ms. Allen had no business being on there tonight Ms. Allen being legally sworn in (unclear audio) according to Jaime we are kind and we love each other and we can all get along and that has to be an effort on your part and on his to try and make this work and it isn't working right now when you refuse to even consider him to step up this isn't a fun position that you guys have and we all sympathize but there are rules and laws and resolutions that you must follow and to just not consider somebody makes it look like you are a little lacking in compassion and a little lacking in caring. Mr. Crews knows the laws and codes and you don't.

Vicki Motley: 318 9th street, I agree that Sue should not be considered I feel that it would be a conflict of interest, but I feel that you need to consider Jim yes he does know a lot about the town yes there are times that he pushes buttons and I don't think that is a bad thing I think that it holds everybody accountable and I think Jim would be a good fit for ward 2 it is where I live, thanks.

Jim Tadvick: 509 Mission Street, this position is for only 6 months, can't we get along for 6 months. And Jim is very knowledgeable on a lot of stuff, and I don't care for his approach sometimes (unclear audio) I was going to apply but I don't want to get blasted on face book and I am being very honest, thank you.

Leslie Tadvick: 509 Mission Street, I have known Jim Crews for a long time, he is knowledgeable, I am also in his ward and I would request that you put him on the council because his knowledge would be good he knows the laws he knows some of the things that are going on are not quite right and I think that Jim could add to this so I suggest to the council that you put him on and it is a request from his ward. We would be voting for him. I hope that we find somebody quickly are we getting a new person in the accounting department. Do we have any applications? Do we have anybody in line?

Mayor Dewey: outside of the agenda item I am not going to answer it, it is separately. Any further public comment?

Karen Wandler: 311 6th Street I am also in ward 2 I appreciate Ludington's answer, ward 2 has voted against him before I think that he could be a problem, he is a bully he has caused problems with the clerks and the other people, I agree that he should not be on the board he has voiced his opinion for things that we have done wrong I can see the town going on with people that are courteous to other people he has cost the town a lot of money and I don't think that he should be in that position.

Mayor Dewey: any further public comment? Any last-minute comments from the council?

Councilmember Allen: yes, I would like to comment why I supported Paul in his decision to seek further applications. I am reading Mr. Crews application I am looking at an incomplete application so if I am impressed with Jim's application, I don't know how to get a hold of Thomas at APS or Craig in Stevensville so I would like to see a complete application.

Mayor Dewey: if there is nothing further from council we will go ahead and call for the vote, the motion on the floor is to readvertise and not make an appointment at this time. Ms. Berthoud

Councilmember Ludington: aye.

Councilmember Allen: aye.

Mayor Dewey: we will take a short break and have Ms. Devlin join us.

c. Discussion/Decision: Investigation into legal fee claim

Mayor Dewey: introduced new business item (c) council has an email in their packet from the city attorney regarding the facilitation of an investigation following the

documents that you asked for in your last council meeting on the subject. With that council can provide direction on how they would like to move forward.

Councilmember Ludington: I will make a motion to engage in the services of Isaac Canter to do the investigation, independent investigation suggested by the town attorney.

Councilmember Allen: 2nd

Mayor Dewey: it has been moved by Mr. Ludington and 2nd by Ms. Allen. Council discussion?

Councilmember Devlin: is there belief that there was criminal intent with what happened in this claim?

Councilmember Ludington: no, but we should make it clear that we are not going to just let this go that we should have somebody look into this from outside the perimeter of the town. To say here is what happened here is what they investigated and here is what they found and submit that. I realize that it is \$200 per hour but I think that it is worth it for the towns people based on the recent situation that we ran into with the mayor's legal fees we need to make sure that things were done properly and have somebody outside of the town and the town attorney look at it and make sure we can look ourselves in the face and say that was right.

Mayor Dewey: any further council discussion? Public comment? Hearing none we will go ahead and call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Allen: aye.

Mayor Dewey: okay motion passes.

d. Executive/Closed Session: Records Request from the Bitterroot Star Regarding Tribbensee v. Town of Stevensville

Mayor Dewey: introduced new business item (d) to the public and to the council.

CLOSED SESSION

Mayor Dewey: we will reconvene the town council meeting after a closed session. The result was for council to release the records if the employee waives her right to privacy if that does not occur, we take the next appropriate steps.

12. Executive Report

Mayor Dewey: we do have a candidate for the finance officer we are just kind of buttoning up a few things on the finalist and then I will be prepared to finally offer the position to the individual so we are just working through our process there and we will hopefully get somebody in that position forthwith. Barring any further questions from the council I guess the only other thing that I will mention is I will go ahead and get availability for budget workshops. Ms. Allen is seated as a councilmember the last time we had a mass exits of the town council the clerk and recorder was fine as long as the town clerk received the document, it is not uncommon for us to hold things to be filed and file all at once you are fine decisions are legal we went through this when councilmember Holcomb was the last standing so we are not going to be in any trouble there. Town council comments?

13. Town Council Comments

Councilmember Devlin: I just want to thank all the volunteers and organizers that put Western Heritage Days together and I know that everyone sitting up here had their hand in it in one shape or form I thank you personally for your help with the event. Most people don't know that it starts in January putting that together July 7th there is going to be a meeting at the American Legion for anyone that is interested in volunteering for the Creamery Picnic we definitely need volunteers for that we like to keep our traditions going here in Stevensville in order to do that it takes volunteers.

14. Board Reports

NONE

15. Adjournment

APPROVE:



Brandon E. Dewey, Mayor

ATTEST:



Jenelle S. Berthoud, Town Clerk