

SEELEY LAKE SEWER DISTRICT
SPECIAL BOARD MEETING
June 22, 2020

Tom Morris	President	PRESENT	Walt Hill	Director	PRESENT
Beth Hutchinson	Vice President	PRESENT	Jason Gilpin	Director	PRESENT
Pat Goodover	Director	PRESENT	Felicity Derry	Secretary	PRESENT
Jean Curtiss	Manager	PRESENT	Kim Myre	Missoula Co	PRESENT

Public Attendance - Appendix A

CALL TO ORDER:

The meeting was called to order by Tom Morris at 6:01pm. The meeting was held remotely via Zoom, due to the ongoing COVID-19 situation.

APPROVAL OF AGENDA:

Beth Hutchinson moved to approve the agenda as presented. The Board discussed the listing of one resolution on the agenda while there were three possible resolutions that were in the Board packet. Also, what information had been made available for the public to review and the possibility of a special meeting. The correct way to pass a resolution and an ordinance was discussed. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Walt Hill	Aye
Jason Gilpin	Aye

PUBLIC COMMENT:

Nathan Bourne asked when the meeting had occurred that had moved the lawsuit forward against Tom Morris and Jason Gilpin. Also, how the Board members had voted on that topic. Pat Goodover requested that be covered during the legal update.

Tom Morris had technical difficulties and left the meeting.

OLD BUSINESS:

None.

NEW BUSINESS:

Review of Matters Leading to the Calling of This Special Meeting

Beth Hutchinson chaired the meeting in the President's absence. Beth Hutchinson gave some background for this item and what had led to this special meeting being called.

Tom Morris rejoined the meeting; however, had some audio issues. Tom Morris left the meeting and rejoined once more.

With regard to Nathan Bourne's question, Pat Goodover noted that a closed meeting had been held on May 21, 2020 prior to the regular meeting. Attorney client privilege and releasing information from a closed meeting were discussed. The discussion turned to taking action in closed meetings and the filing of the declaratory judgement.

Nathan Bourne commented that the Board should not make decisions in closed meetings and questioned who had authorized the lawsuit.

Tom Morris yielded the Chair to the Vice President, Beth Hutchinson.

Legal Counsel Resolution#06222020 to Address Legal Counsel Resignation

Beth Hutchinson noted that Jon Beal had sent a letter of resignation as the District's business counsel to herself, Pat Goodover and Walt Hill.

Beth Hutchinson proposed the following resolution: That whereas, Board members Goodover, Hill and Hutchinson were emailed a letter from Jon Beal, on June 17th, 2020 notifying them that the Beal Law Firm had resigned as the Seeley Lake Sewer District's business counsel. Beth Hutchinson moved, therefore, be it resolved, that the Seeley Lake Sewer Board acknowledges the resignation of the Beal Law Firm as the Seeley Lake Sewer District's business counsel as of June 17, 2020. Beth Hutchinson moved that the Board follow through with the resolution.

The Board discussed the language of the resolution and whether to clarify that Jon Beal would complete the unfinished business of the lawsuit as the Board's litigating attorney.

Pat Goodover proposed adding, whereas Jon Beal is still willing to continue as the litigation attorney. Discussion continued regarding including language pertaining to Jon Beal continuing as the litigation attorney or to simply acknowledge the letter of resignation. Beth Hutchinson, Pat Goodover and Walt Hill agreed that Jon Beal should continue with the litigation of the lawsuit. There was further discussion of the language of resolution.

Resolution#06222020 to Address Legal Counsel Resignation

Whereas Board members Goodover, Hill and Hutchinson were emailed a letter from Jon Beal on June 17th, 2020 notifying them that the Beal Law Firm had resigned as the Seeley Lake Sewer District business counsel.

Therefore, be resolved that the Seeley Lake Sewer Board of Directors acknowledge Jon Beal's resignation as general business counsel per his letter of June 17th, 2020, effective immediately.

The Board voted as follows on Resolution#06222020 to Address Legal Counsel Resignation:

Tom Morris	Recused
Beth Hutchinson	Aye
Pat Goodover	Aye
Walt Hill	Aye
Jason Gilpin	Recused

Beth Hutchinson relinquished the Chair to Tom Morris.

Execution of Contracts

Jean Curtiss reviewed the status of the TSEP and WRDA grants, and noted that due to the resignation of the District's business counsel an attorney needed to be engaged to review the grant documents. This would allow the agreements to be executed, enabling the grant funds to be utilized. The Board discussed the possibility of Dan Semmens reviewing the documents and having Jean Curtiss research engaging an attorney to review the contracts and then setting a special meeting to hire an attorney.

Pat Goodover moved to authorize Jean Curtiss and Beth Hutchinson, in consultation with the President, Tom Morris, to hire an attorney to sign the TSEP and WRDA documents. Walt Hill seconded the motion. There was no further discussion. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Walt Hill	Aye
Jason Gilpin	Aye

Tom Morris yielded the Chair to Beth Hutchinson.

Review of Matters Leading to the Calling of This Special Meeting - Continued

The Board discussed the declaratory judgement against Tom Morris and Jason Gilpin and the request for Jon Beal to withdraw the judgement. The discussion turned to the possibility of removing Tom Morris and Jason Gilpin from the declaratory judgement and using it to request guidance from the court. The Board discussed passing a resolution to instruct Jon Beal to withdraw the declaratory judgement and that it was not listed on the agenda.

Beth Hutchinson moved to send a letter to Jon Beal and say that Walt Hill, Pat Goodover and Beth Hutchinson wish him to remove the declaratory judgement action that was filed. Doing this in an open board meeting, acknowledging the fact that there was never any formal action by the Board to

file the judgment. The Board discussed who should sign the letter and agreed to add to the motion that Walt Hill should sign the letter. The motion was carried.

Tom Morris	Recused
Beth Hutchinson	Aye
Pat Goodover	Aye
Walt Hill	Aye
Jason Gilpin	Recused

NEXT REGULARLY SCHEDULED MEETING: July 16, 2020

ADJOURNMENT OF MONTHLY BOARD MEETING:

Tom Morris adjourned the meeting at 7:05pm

Attest:

Tom Morris, President

Felicity Derry, Secretary