

Glacier County Commissioners
Monday, August 17, 2020
Regular Meeting (GoToMtg)
Cut Bank, MT

The Glacier County Board of Commissioners met at a regular scheduled meeting at 9:00 am Monday, August 17, 2020. Commissioners Michael DesRosier, Tom McKay & John Overcast were present and Austin Parrent taking minutes.

Present at the Meeting: LeAnne Kavanagh, Press; Carolyn Popelka, Payroll; Mandi Bird Kennerly, Clerk & Recorder

Present via Go To Meeting: (1) Caller; Christie Eney, Public; Cut Bank Airport Authority; Elaine Mitchell, Public; Linda Luther, Public; Janine Scott, Clerk of District Court; Stephanie Eney, Public

A. Roll Call

Meeting called to order @ 9:03 a.m.

B. Approval of Agenda

Commissioner McKay states that Chancy Kittson would like item G:

Discussion/Approval: 3-year Audit Contract with Wipfli – Glacier County

Commissioners & Chancy Kittson, GC CFO tabled until the meeting on August 20th, 2020 because Terryl Matt, Glacier County Attorney is still reviewing the contract.

Commissioner DesRosier agrees to remove the item until the next meeting. He also adds a discussion on the Zoom meetings and Go To Meetings that are being had over the phone and video after item F.

C. Approval of the Minutes

Tom McKay motions to approve minutes 6/30, 7/7, 7/9, 7/14, 7/20, 7/22, 7/23 & 7/28/2020; John Overcast seconds the motion; motion carried.

NEW BUSINESS

D. Approval: Resolution #2020-20 2020 November General Mail Ballot Election – Mandi Bird Kennerly, Glacier County Clerk & Recorder/Election Administrator

Michael DesRosier states that the first item on the agenda is the resolution that was put together by the county attorney along with the State of Montana on the proper wording for the November general election concerning mail ballots. He goes on to say that because of COVID-19 there has been a lot of discussion on whether or not there will be voting in person or an all-mail ballot election. If there is to be an all-mail ballot election then a resolution will need to be passed. We've always had the option of a request for absentee ballots so we have experience with mail ballots. Our primary election was conducted by mail ballot. He believes that the elections department and the elections

clerk have the proper methods in place to conduct a mail ballot election. He starts the discussion by reading the resolution:

GLACIER COUNTY RESOLUTION
2020 NOVEMBER GENERAL MAIL BALLOT ELECTION
Resolution No. 2020-20

A RESOLUTION CALLING FOR THE NOVEMBER 3, 2020 GENERAL
ELECTION TO BE CONDUCTED BY MAIL BALLOT

This Resolution was introduced by Commissioner DeRosier; moved by Commissioner Tom McKay; and seconded by Commissioner John B. Overcast. This Resolution was adopted 8-17-2020.

WHEREAS, due to the global outbreak of COVID-19 Novel Coronavirus, on March 25, 2020 and reaffirmed and extended on August 6, 2020, Governor Bullock of the State of Montana issued a Directive implementing the Executive Orders 2-2020 and 3-2020, permitting counties to opt to conduct a mail ballot election under the mail ballot provisions of Title 13 Chapter 19, and to the limited extent that § 13-19-104(3), MCA, is in conflict, suspending strict compliance with its provisions.

WHEREAS, Governor Bullock's directive recognizes that the Centers for Disease Control and Prevention has urged states to "encourage voters to use voting methods that minimize direct contact with other people and reduce crowd size at polling stations;" and

WHEREAS, on March 16, 2020, the Glacier County Board of Commissioners passed Resolution No. 2020-11 proclaiming a Health Emergency in Glacier County, Montana; and

WHEREAS, conducting a polling place election poses an enhanced risk to public health and human safety due to the COVID-19 pandemic by promoting community transmission of the virus and endangering voters, poll workers, and non-voters alike; and

WHEREAS, §13-19-202, MCA, allows a governing body to request that the election administrator conduct an election by use of mail ballots; and

WHEREAS, the mail ballot provisions of Title 13, Chapter 19, MCA, still allow for in-person voting if the November 3 general election is conducted by the use of mail ballots and, consequently, Governor Bullock's August 6, 2020 directive includes measures required for safe registration and voting, such as the adoption and enforcement of social distancing policies at polling locations; and

WHEREAS, for a county choosing to conduct the November 3 General by mail ballot election, Governor Bullock's August 6, 2020 directive requires the county to expand opportunities for early voting, as described in the directive;

WHEREAS these opportunities include a requirement that counties receiving a request for satellite voting services from a tribal government must provide a satellite voting office capable of providing the early voting services described in the directive from October 2, 2020, until the

end of the election in accordance with the Secretary of State's Election Directive #01-2015 and any relevant agreements in the *Wandering Medicine v. McCulloch* settlement; and

WHEREAS the Blackfeet Tribe made a perpetual request for satellite voting services years ago, and Glacier County has provided a satellite office on the Blackfeet Indian Reservation and will continue to do so; and

WHEREAS, Governor Bullock's August 6, 2020, directive also requires that a county conducting the November 3 General by mail ballot election submit a written plan to the Secretary of State under §§ 13-19-201, MCA, et seq. by September 4, 2020; and

WHEREAS, the Board of County Commissioners of Glacier County finds that conducting the November 3 General by mail ballot election is necessary to protect the health, safety, and general welfare of the citizens of Glacier County.

NOW THEREFORE, it is hereby resolved as follows:

1. The Board of County Commissioners of Glacier County, Montana, hereby determines that the Glacier County Clerk and Recorder shall, as election administrator for Glacier County, conduct the November 3, 2020 general election by mail ballot.
2. The November 3 general mail ballot election shall be held consistent with Governor Bullock's August 6, 2020 directive, including the requirements that the election administrator:
 - A. Make ballots available at his office or other designated location from October 2, 2020 until the end of the election;
 - B. Allow voters to apply for, receive, and mark a ballot in-person in a manner consistent with § 13-13-222, MCA (and, if the voter does so and also has been sent a mail ballot, marking the mailed ballot as void in the statewide voter registration system);
 - C. Send mail ballots 25 days before the end of the election, on October 9, 2020, consistent with the timeline for absentee ballots at § 13-13-205, MCA;
 - D. Include *a prominent notice* with instructions sent to voters with mail ballots that a postage stamp is not necessary to return the ballot by mail;
 - E. In advance of the election, publicize and provide information to voters about polling locations and designated drop-off locations, as well as any changes or updates to those locations through website updates, letters, posters, advertising, posted signs, or other; this is just one of the "Measures Required for Safe Registration and Voting."; and
 - F. Submit a written plan to the Secretary of State under § 13-19-201, MCA, et seq. by September 4, 2020.
2. The election administrators are encouraged to coordinate with Western Native Voice or similar nonprofit organizations advocating for Native Americans to facilitate voting on reservations, including but not limited to arrangements for adequate designated drop-off

locations on the reservations or making transportation arrangements for voters seeking to vote in person.

3. The election administrator shall establish, implement, and enforce the Measures Required for Safe Registration and Voting set forth in the Governor's directive identified in Governor Bullock's August 6, 2020 directive for all in-person voting for the November 3 general election.

ADOPTED this 17th day of August, 2020.

ATTEST:



Mandi Bird Kennerly, Clerk & Recorder

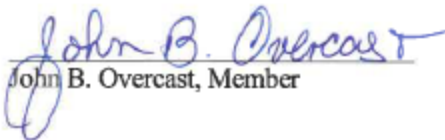
**BOARD OF GLACIER COUNTY
COMMISSIONERS:**



Michael J. DesRosier, Chairman



Tom McKay, Vice-Chairman



John B. Overcast, Member

Michael DesRosier states that a copy of the resolution will be available in the Commissioner's Office. He also asks for a motion to pass the resolution after it has been discussed. He states that the public may have heard of the recent news of the slow down of the postal service and possible shut down. There may be some problems with the delivery of the mail and the mail ballots to the voters and also returning them to the elections administrator. He thinks that the Governor and the Secretary of State's Office has given leeway with the 25 day mail out deadlines prior to the end of the election. When the ballots go out there should be plenty of time to get them in the mail, sign them, and return them. Commissioner DesRosier states that there should be encouragement to turn ballots in right away in any noticing or publicity that is done. There are also other directions on the State website which should allow you to track your ballot: when it was sent, when it was delivered, where it is at, and the general status of your ballot.

Commissioner McKay questions whether Glacier County will be picking up the postage costs. Commissioner DesRosier responds that the money that a mail ballot election would save in terms of hiring poll workers and election judges would more than cover the costs of postage for a mail ballot election.

Commissioner Overcast states his concern that a lot of people would like to be able to go to the polls and vote in person. Commissioner DesRosier states that they are allowed to do so as it states in the resolution but that Glacier County does have to have safety

protocols in place. Commissioner Overcast asks if in-house voting would be done here in the courthouse. Commissioner DesRosier states that it will be and that a plan will need to be submitted by September 4th, 2020 to the Secretary of State's Office. People can come to the polls and safety protocols will need to be followed. The elections administrator's task is to submit that plan. He is sure that it will be similar to the regular protocols already in place in most places: 6 feet social distancing, wearing face masks, and sanitizing voting booths and other surfaces.

Clerk & Recorder Mandi Bird Kennerly states that a ballot plan will need to be submitted to the Secretary of State. The first thing that needs to be done is the passing of the mail ballot resolution and then mail ballot planning will start. Clerk & Recorder Kennerly states her concern for what the weather will be like since the election is on November 3rd. Social distancing could cause members of the public to have to wait outside. The mail ballot election will not be any different from what was done during the primary election. You will still be able to come in and vote at the satellite office in Browning or at the courthouse in Cut Bank. You can also drop your ballot off at either location rather than mailing it back. If you would like to vote in person, you can come into the satellite office or the courthouse, vote at a voting booth, and submit your ballot.

Clerk & Recorder Kennerly also states that the public will be educated through radio stations such as KSEN, Thunder Radio, and others. She goes on to say that Leanne [Kavanagh] agreed to send out some information to the public because people will have questions about what they should do and whether or not they can go and vote in person. They can. The only thing that changes in a mail ballot election is that you will get your ballot in the mail. However, the public can still come in and vote in person if they want to.

Commissioner Overcast asks if the voting percentages were up for the mail ballot election during the primary.

Clerk & Recorder Kennerly states that it was and that she believes it was somewhere between 15-20% for the entire state of Montana. For a reservation county, ours was up by 5%. We have 7,944 voters in Glacier County. Of those, 1,297 are inactive. 6,620 are active. 25 are provisional. 4,158 are absentee voters. Right now, 63% of all our active voters are absentee, which is a mail ballot election. A mail ballot and an absentee ballot are the same thing.

Commissioner McKay states that the actual percentage of people who voted, he was told, was only 27% who voted in the primary. Clerk & Recorder Kennerly responds not for Glacier County. Commissioner McKay amends that it may have been for the reservation itself, and not the entire county.

Clerk & Recorder Kennerly goes on to state that our numbers were up compared to the previous presidential election. She thinks we were up 10%. The whole state was up compared to previous years.

Commissioner Overcast questions whether the officials of the election have to look at each signature on the affirmation envelopes. Clerk & Recorder Kennerly responds that every state is different and that Montana in particular is very strict. We go through and verify every signature. An example is: Mike DesRosier decides to sign his ballot Michael DesRosier and his signature on file is always M. DesRosier. We would flag that because he has never used Michael in the past 10 voter registration cards that we have on record. One thing we are going to do differently this time is to call you if we see a change in signature and have you come into the courthouse or satellite office depending on which is closer. You'll have to bring your ID in and we have you sign a form and take a copy of your ID. In the past we have just sent a letter out saying you need to do this and get it back to us. This time we are going to take extra measures to try to get your ballot processed on election day. We have already decided we are going to go above and beyond what we normally do for this election.

Clerk & Recorder Kennerly goes on to state that if you do not trust the postal service you can always drop your ballot off here at the courthouse or the Browning Satellite Office, however, she has 100% faith in our postal service and is not worried at all.

Commissioner McKay comments that during the primary we mailed ballots out on Thursday. By Friday afternoon I was in the Browning post office and there were already ballots in the trash. He asks if we are going to talk to the post office and tell them if ballots are found in the trash to return them to the Cut Bank or Browning offices so those voters can be called.

Clerk & Recorder Kennerly states, "No because those ballots in the trash don't mean anything. Those ballots have to come in with a [matching] affirmation signature [in order to be counted]."

Commissioner McKay goes on to say that people weren't even opening the envelopes. They were taking the entire thing and throwing it in the trash. Clerk & Recorder Kennerly responds that when you send your ballot in the signature has to match in order for the vote to be counted. It is the voter's responsibility.

Further discussion was had on this topic.

Clerk & Recorder Kennerly goes on to state that four of the five polling places on the reservation are not in the county's control. They are not certain on whether or not they would be allowed to be used as polling places.

Commissioner McKay states that he thinks a mail ballot election would be best.

Commissioner McKay motions to approve resolution #2020-20 calling for the November 3rd general election to be conducted by mail ballot; Commissioner Overcast seconds the motion; motion carried.

- E. Discussion/Approval: Employee Insurance Program – Human Resources & Payroll**
Payroll Clerk Carolyn Popelka presented her request to increase the employee insurance amount per month by \$7.10. An oversight was made on the original agreed upon insurance amount. With MACo, the county always provided the basic life insurance. With the new insurance it was separated out and was missed.

Commissioner Overcast motions to approve a \$7.10 increase per month per employee to cover the cost of basic life insurance; Commissioner McKay seconds the motion; motion carried.

- F. Discussion/Approval: Lease for Copy Machine – Michael Kittson, HR Director**
Payroll Clerk Carolyn Popelka presented a lease for a new copy machine to be shared between Human Resources (Mike Kittson), CFO (Chancy Kittson), and herself (Carolyn Popelka). Their current printer setup is giving them errors and is malfunctioning in general. The lease would cost \$2,880.84 per year for three years. It was discussed that the lease amount on a shared copier would be the cheapest option and that the cost would be split between the HR and CFO budget.

Commissioner Overcast motions to approve a new copy machine lease for \$2,880.84 per year for three years; Commissioner McKay seconds the motion; motion carried.

- G. Discussion/Approval: 3-year Audit Contract with Wipfli – Glacier county
Commissioners & Chancy Kittson, GC CFO**

**Will be tabled until the next meeting on August 20th, 2020; county attorney [Teryl Matt] is reviewing the contract.*

- H. Discussion: Zoom and Go To Meeting services currently offered by the county –
Commissioner Mike DesRosier**

A letter from an attorney in Helena had been received by the commissioners stating they would be taking on a potential liability if they didn't follow the guidelines provided to them by their county attorney and MACo in regards to providing the Go To Meeting service for the full duration of their meetings.

OTHER BUSINESS

- I. Public Comment**

LeAnne Kavanagh, Press asks if preliminary budget questions should be referred to Chancy Kittson, GC CFO. Commissioner DesRosier affirms that she should talk to Chancy. LeAnne then asks if the school district #9 funds have been transferred yet or if they are still researching. Commissioner DesRosier responds that there was a contract agreement that had to do with the transfer but he wasn't sure if the agreement was complete yet. Commissioner DesRosier also stated to LeAnne that there will be a chance to ask the Glacier County CFO Chancy Kittson questions on the scheduled hearing in the Commissioner Chambers (notice in the paper).

J. Next Meeting-Thursday, August 20, 2020 – Cut Bank

Commissioner McKay motions to adjourn @ 10:12 a.m.; Commissioner Overcast seconds the motion; motion carried.