

Bitterroot STAR

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JAN 23 2014

Ravalli County Commissioners

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January 23, 2014

To the Ravalli County Commissioners,

This is to inform you that the Bitterroot Star has discovered through official inquiry with the County's Finance Office that Ravalli County Treasurer Valerie Stamey, aka Valerie Scott, is in violation of 7-6-612(2)(a)MCA: The county treasurer shall make a detailed monthly report to the governing body of the county all receipts, disbursements, debt, and other proceedings of the treasurer's office.

Officials in the finance office have confirmed, as of today, Thursday, January 23, 2014 that the treasurer is and has been for months, in violation of this law.

Montana statutes (7-6-2113MCA) "Effect of failure to make a treasurer's report." articulate further that, "If a county treasurer neglects or refuses to settle a report as required inn 7-6-612, the county treasurer forfeits and shall pay to the county the sum of \$500 for each neglect or refusal. The board of county commissioners shall institute suits for the recovery of the sum." (italics added)

According to Ravalli County Chief Finance Officer Klarysse Murphy, as of today, January 23, 2014, to the best of her knowledge, the treasurer has not forfeited the said amounts for repeated violations of the above referenced law, nor has the board of county commissioners instituted any suits for the recovery of said sums as the law also requires.

This failure of the treasurer to meet the legal requirements of her office meets the definition of official misconduct as articulated in the statutes.

45-7-401 (1) A public servant commits the offense of official misconduct when in an official capacity the public servant commits any of the following acts: (a) purposely or negligently fails to perform any mandatory duty as required by law or by a court of competent jurisdiction; (b) knowingly performs an act in an official capacity that the public servant knows is forbidden by law;...

45-7-401 (4) A public servant who has been charged as provided in subsection (3) may be suspended from office without pay pending final judgment. Upon final judgment of conviction, the public servant shall permanently forfeit the public servant's office. Upon acquittal, the public servant must be reinstated in office and must receive all backpay.

It is a matter of public record that the treasurer is in violation of the law. The board of county commissioners is also in violation of the law and the violations obviously amount to official misconduct according to the law. We strongly urge the board of county commissioners to charge the treasurer with official misconduct and conduct a competent investigation of the charges. Following the legal procedures this would require the immediate suspension of the treasurer from her duties, however, once completed, the treasurer may be reinstated with backpay once cleared of the charges.

Please, we urge you not to force the newspaper to take these extraordinary steps to force you to act on this matter.

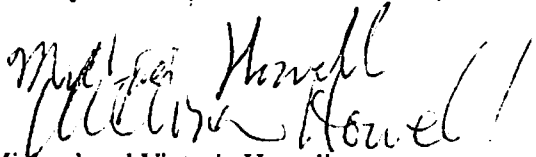
The laws were put in place because the required reports are extremely important for school districts and other districts and agencies within the county's jurisdiction to perform their own fiduciary responsibilities to the public and taxpayers. It's a very serious matter.

To date we are all still in the dark concerning the status of these reports and at the last treasurer's update we got zero information about the status of those reports.

These delinquencies and the concomitant refusal on the treasurer's part to address them at this point is absolutely unacceptable. For the commissioners to sit by and refuse to act in the face of these obvious and demonstrable violations of the law and acts of misconduct is also completely unacceptable.

If the county refuses to take the steps required by law and make the charges in district court and initiate the proper investigation of the charges today at their appointed meeting to discuss the matter, the Bitterroot Star is prepared to file in district court a Writ of Mandamus and force the commission to act according to the statutes.

Thank you for attention to this matter,

Handwritten signatures of Michael and Victoria Howell in cursive script.

Michael and Victoria Howell
Co-publishers, Bitterroot Star