

## Commissioners

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**From:** Jeffrey S. McDowell <js.mcdowell@yahoo.com>  
**Sent:** Friday, January 24, 2014 3:56 PM  
**To:** Commissioners  
**Cc:** editor@bitterrootstar.com; sdevlin@missoulian.com  
**Subject:** Ravalli County government  
**Attachments:** JSM Chilcott let 24-Jan-2013.pdf

To whom it may concern, please see the attached letter to the Honorable Greg Chilcott, Chairman of the Ravalli County Board of Commissioners.

Jeffrey S. McDowell  
Hardin

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January 24, 2014

The Honorable Greg Chilcott, Chairman  
Ravalli County Board of Commissioners  
215 S. 4th Street, Suite A  
Hamilton MT 59840-2703

Chairman Chilcott:

Although I am no longer a resident of Ravalli County, I remain a taxpayer and I am concerned about the apparent incompetence in Ravalli County government.

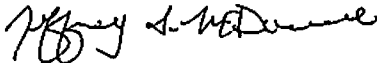
I am not referring to the clearly inept current Treasurer. I am referring to the Board of Commissioners.

The Board failed in its responsibility to thoroughly vet Valerie Stamey's qualifications prior to appointing her. Further, the Board failed in its responsibility to supervise Ms. Stamey to ensure that she was performing her duties and treating her employees in a professional manner.

I have attached the pertinent citations from Montana Code Annotated 2013. By the way, the taxpayers of Ravalli County are stuck with Ms. Stamey for the duration of her term. She was appointed to an elective office, which is not subject to the pleasure of the commission, contrary to your statement to the *Missoulian*.

Thanks for giving her an indefinite paid vacation. Keep up the good work!

Regards,



Jeffrey S. McDowell

Attachment: MCA 7-4-2110. Supervision of county and other officers.; and MCA 7-4-2206. Vacancies – appointment of interim officer.

cc: *Bitterroot Star*  
*Missoulian*  
*Ravalli Republic*

Montana Code Annotated 2013

7-4-2110. **Supervision of county and other officers.** The board of county commissioners has jurisdiction and power, under the limitations and restrictions that are prescribed by law, to:

- (1) supervise the official conduct of all county officers and officers of all districts and other subdivisions of the county charged with assessing, collecting, safekeeping, managing, or disbursing public revenue;
- (2) see that the officers faithfully perform their duties;
- (3) direct prosecutions for delinquencies;
- (4) when necessary, require the officers to renew their official bonds, make reports, and present their books and accounts for inspection; and
- (5) require the officers to supervise staff in a manner that complies with personnel policies and procedures adopted by the county governing body.

History: Secs. 4465-4465.29, R.C.M. 1935, en. as Sec. 4230, Pol. C. 1895; re-en. Sec. 2894, Rev. C. 1907; amd. Sec. 1, Ch. 15, L. 1919; Subd. 5 amd. Sec. 1, Ch. 84, L. 1919; amd. Sec. 1, Ch. 94, L. 1919; re-en. Sec. 4465, R.C.M. 1921; Cal. Pol. C. Sec. 4046; amd. Sec. 1, Ch. 95, L. 1923; amd. Sec. 1, Ch. 54, L. 1927; amd. Sec. 1, Ch. 38, L. 1929; Subd. 28 amd. Sec. 1, Ch. 142, L. 1929; amd. Sec. 1, Ch. 100, L. 1931; re-en. Sec. 4465, R.C.M. 1935; amd. Sec. 1, Ch. 16, L. 1965; R.C.M. 1947, 16-1001(part); amd. Sec. 1, Ch. 112, L. 2003.

7-4-2206. **Vacancies -- appointment of interim officer.** (1) For the purposes of this part, "vacancy" has the same meaning as prescribed in 2-16-501.

(2) (a) Vacancies in all county offices, except that of county commissioner, must be filled by appointment by the board of county commissioners. Except as provided in subsections (3) and (4), the appointee holds the office, **if elective**, until the person elected at the next general election is certified pursuant to 13-15-406. If the office is **not** elective, the appointee serves at the pleasure of the commissioners.

(b) The commissioners may appoint a person to serve as an interim officer for the time period between occurrence of the vacancy and the date on which the vacancy is filled pursuant to this section. A person appointed as an interim officer must have the qualifications required under this chapter for the office to which the person has been appointed. Upon appointment, the interim officer is authorized to perform the duties assigned by law to that office.

(3) Whenever a vacancy occurs prior to August 1 before the general election held during the second year of the term, an individual must be elected to complete the term at that general election. The election procedure to be used to elect the successor is as follows:

(a) Whenever the vacancy occurs prior to March 1 before the primary election during the second year of the term, the same procedure must be used as is used to elect a person to that office for a full 4-year term.

(b) Whenever the vacancy occurs on or after March 1 before the primary election, any political party desiring to enter a candidate in a partisan election in the general election shall select a candidate as provided in 13-38-204. A political party shall notify the county election administrator of the party nominee. A person desiring to be a candidate as an independent shall follow the procedures provided in 13-10-501 and 13-10-502. The petition for an independent candidate must be filed with the county election administrator prior to August 1 before the general election. A candidate for a nonpartisan office shall file as provided in Title 13, chapter 14.

(4) Whenever a vacancy occurs on or after July 31 before the general election held during the second year of the term, the person appointed by the commissioners under subsection (2) shall serve until the end of the term.

History: En. Sec. 4315, Pol. C. 1895; re-en. Sec. 2960, Rev. C. 1907; re-en. Sec. 4728, R.C.M. 1921; Cal. Pol. C. Sec. 4109; re-en. Sec. 4728, R.C.M. 1935; amd. Sec. 1, Ch. 134, L. 1939; amd. Sec. 16, Ch. 123, L. 1973; amd. Sec. 1, Ch. 129, L. 1973; amd. Sec. 12, Ch. 491, L. 1973; amd. Sec. 3, Ch. 253, L. 1975; R.C.M. 1947, 16-2406(part); amd. Sec. 3, Ch. 526, L. 1979; amd. Sec. 15, Ch. 250, L. 1985; amd. Sec. 33, Ch. 42, L. 1997; amd. Sec. 1, Ch. 226, L. 1997; amd. Sec. 1, Ch. 51, L. 2013; amd. Sec. 4, Ch. 143, L. 2013.