

**SEELEY LAKE SEWER DISTRICT**  
**SPECIAL BOARD MEETING**  
**December 31, 2020**

Tom Morris	President	PRESENT	Pat Goodover	Director	PRESENT
Beth Hutchinson	Vice President	PRESENT	Walt Hill	Director	PRESENT
Jason Gilpin	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 6:02pm. The meeting was held remotely via Zoom, due to COVID-19.

**APPROVAL OF AGENDA:**

The agenda was approved as presented.

**PRESIDENT'S COMMENTS:**

Tom Morris cautioned everybody to be careful when discussing the lawsuit, especially pertaining to strategic information and names. The Board discussed whether the meeting could be closed to discuss legal strategy, when legal counsel was not present and an Executive Session had not been posted.

**PUBLIC COMMENTS:**

None.

**NEW BUSINESS:**

**New Lawsuit & Retaining Legal Counsel**

Tom Morris noted that Jean Curtiss had done a lot of footwork at his request, which he thanked her for. Jean Curtiss brought the Board up to date on the status of the lawsuit and that Cincinnati Insurance had been notified. However, Cincinnati Insurance had not yet determined whether they would cover the claim and assign one of their contracted attorneys. The District's general counsel had been consulted and his firm was amenable to responding by the deadline if needed. The Board's options regarding the lawsuit and hiring an attorney were reviewed.

**Beth Hutchinson moved to reach out to Aaron Neilson's firm and contract with them to file for an extension.** The Board discussed hiring a litigation attorney at the next meeting, as well as appointing a committee to work with Cincinnati Insurance prior to the next meeting. Filing for an

extension and reviewing the response were discussed. The discussion turned to the contents of the response. There was no further discussion. The motion failed.

Pat Goodover had left the Zoom meeting due to technical difficulties and now rejoined.

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

Waiting until the next meeting, which would be held on Tuesday, January 5, 2021 to hire an attorney was discussed.

**Jason Gilpin moved to wait until Tuesday to retain legal counsel.** Walt Hill seconded the motion. The Board discussed hiring one of the insurance company's attorneys and filing a response or an extension after the Tuesday meeting. The motion was carried unanimously.

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

#### **NEXT SCHEDULED MEETING:**

The next scheduled meeting would be January 5, 2021.

#### **AGENDA ITEMS FOR THE NEXT SCHEDULED MEETING:**

The Board discussed and agreed to add an Executive Session for legal strategy to the agenda for the next meeting.

The discussion turned to the need to hire an attorney no later than Tuesday and if an attorney could be hired prior to the meeting. Forming a committee to attain that and inviting the attorney to attend the next meeting was discussed. The Board discussed how to word a motion that would authorize Tom Morris to invite an attorney to attend the next meeting, at which the Board would hire an attorney. Discussion followed on possible attorneys that the Board could hire.

**Pat Goodover moved that Tom Morris be authorized to speak to any attorneys regarding the litigation process and if they would be interested in taking on the case, either short term or long term.** Discussion followed as to whether specific attorneys should be named and what authorization should be given to Tom Morris. Walt Hill seconded the motion. **Beth Hutchinson moved to amend the motion, that Tom Morris was authorized to speak with the District's general counsel to request his presence at the Tuesday meeting, if it is necessary because**

**Cincinnati has not cleared up its responsibility, or offered a specific attorney. If Cincinnati has offered a clear pathway, then Tom Morris is authorized to speak with that attorney.** Discussion followed as to whether that would be a substitute motion. Pat Goodover felt his motion gave Tom Morris the freedom to do what was needed. The wording of the motion was discussed. Pat Goodover authorized Jean Curtiss to summarize his motion. **Jean Curtiss restated Pat Goodover's motion as follows: Pat Goodover moved to authorize Tom Morris to speak to attorneys regarding the lawsuit and the litigation process and their ability to work with the District to respond to this lawsuit and be invited to attend the Tuesday night meeting.** There was no further discussion. The motion was carried unanimously.

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

The Board confirmed that an Executive Session would be added to the agenda for the next meeting.

### **ADJOURNMENT OF BOARD MEETING:**

Walt Hill moved to adjourn the meeting at 6:44pm. Tom Morris seconded the motion.

Attest:

---

Tom Morris, President

---

Felicity Derry, Secretary