

SUBDIVISION MEETING

May 6, 2004

Chairman Mike Murray called the meeting to order at 9:00 a.m. Commissioner Tinsley was present. Commissioner Varone was absent on medical leave. Others attending all or a portion of the meeting are Ron Alles, Nancy Everson, Lindsay Morgan, Sheriff Cheryl Liedle, Jaci Grenfell, Marc Adams, Deborah Jones, Wayne Lewis, Jake Stavo, Jason Mohr, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Agreement with Spectrum Firm, Inc. for Radio Project Grant (FEMA Grant).

Mark Adams will propose the agreement for frequencies licenses. Award amount is not to exceed \$15,100.

Mark Adams: This is an agreement with a firm that specializes in licensing frequencies for the radio project. It is the time and materials contract not to exceed, I believe, around \$14,000.

Ron Alles: \$15,100.

Mark Adams: \$15,100, thank you.

Commissioner Murray: As part of the contract you'll do?

Mark Adams: What they will do is work with the Motorola engineers. The engineers will identify the frequencies required for the radio system. Once those frequencies have been identified they will complete the FCC license applications and obtain for us temporary use authorizations for the frequencies until the final authorizations are approved.

Commissioner Murray: Thank you. Questions of Mark? Sheriff, we went ahead without you. Do you wish to comment?

Sheriff Liedle: I think Mark has probably already covered it.

Commissioner Murray: Commissioner Tinsley.

Commissioner Tinsley: Mr. Chairman, I'd like to make a motion that we approve the agreement with Spectrum Firm, Inc. for the Radio Project Grant for frequencies licenses and the award amount is not to exceed \$15,100 and authorize chair to sign.

Commissioner Murray: Second. All in favor of the motion signify by saying "Aye".

Commissioners Murray and Tinsley: "Aye".

Commissioner Murray: Motion carries.

Resolution Setting the Fees of the Sheriff for Services in Preliminary Breathalyzer Tests (PBT's).

Sheriff Liedle: Good morning Commissioners. This resolution is a resolution designed for the County to be able to recoup the costs of administering Breathalyzer tests to people who have been court ordered to take such tests. They are administered in our detention center and the certified breath test analyst conducts those tests. It will recoup the cost of the disposable mouthpiece and probably just a little bit of the officers' time. I don't have a good estimate. We've been increasing in the number of those that we do per week. They do take some time. I am asking for your approval on this resolution.

Commissioner Murray: Questions of Sheriff Liedle.

Commissioner Tinsley: Mr. Chairman, Sheriff Liedle, I think this is a great idea. We haven't been doing this in the past apparently.

Sheriff Liedle: We haven't been doing this in the past. And something I think we are going to increase and our ability to get the offenders to pay the cost.

Commissioner Tinsley: Mr. Chairman, do you have a mechanism set up for collection. Can they pay on the spot?

Sheriff Liedle: Yes, they can. They can bring their dollar and through our new computer system it does the full accounting and the cash flow accounting.

Commissioner Tinsley: I think it is a pretty proactive resolution. Mr. Chairman, I make a motion that we approve the resolution setting the fees of the Sheriff for services in preliminary Breathalyzer tests at \$1.00 per test and authorize chair to sign.

Commissioner Murray: Second. Discussion. Sheriff, I am a little concern that a dollar is not adequate. Isn't that more of a nuisance for you to keep track of.

Sheriff Liedle: No, I think that we set that to be a very fair price. I think what we will do is assess how this program works and if we determine that that is not adequate, actually the mouth pieces don't cost \$1.00, they cost about \$0.35 a piece, the rest is to take care of the time for the officer who is having to commit that amount of time. We'll take an assessment on this and see how much we are doing these tests and we may come back next year for additional funds. We felt \$1.00 was a fair start. We do have quite a few offenders who don't have the ability to pay. A dollar may be tough for them. So we are going to start at that.

Commissioner Murray: The point that I was trying to make is that I believe the officers' time is worth more than \$0.65.

Sheriff Liedle: Yes, it is.

Commissioner Murray: Thank you. We have before us a resolution setting the fees of the Sheriff for services in preliminary Breathalyzer tests and authorizing the chair to sign. All in favor of the motion to pass a resolution, signify by saying "aye"

Commissioners Murray and Tinsley: "Aye"

Commissioner Murray: Motion carries.

Agreement with URS Corporation for Radio Project Grant (FEMA Grant).

Sheriff Liedle will propose the contract for NEPA studies. Award amount is not to exceed \$21,963.66.

Sheriff Liedle: I will comment on this. The URS Corporation is a corporation that conducts NEPA studies. They have a long history of conducting NEPA studies, which is the environmental impact. In order for us to move this radio project along in a timely fashion, we determined the best thing was to contract with a company that has the experience in doing these. We are a bunch of cops; we're not very good at NEPA studies. These folks are very good. I think they can keep us on track and on the timeline that we will need to stay with in order to get the radio project completed by September 30, 2004. The contract will be for labor, direct costs, and fees not to exceed \$21,963.66. I ask for your approval of this contract at this date.

Commissioner Murray: Thank you. Questions of the Sheriff.

Commissioner Tinsley: Comment if it's all right Mr. Chairman. Just for the record for the audience, she's referring to the radio project that is ongoing in Lewis and Clark County. Some of the siting of towers and other components of this project are going to be on federal land and in order to do that, we have to go through a study that is equivalent to an EIS, Environmental Impact Statement, to determine the impact on the public land and allow comment from the public. That is the purpose of this. Mr. Chairman, I make a motion that we approve the agreement with URS Corporation for the radio project grant, it is a FEMA grant, in the amount of \$21,963.66, the contract is for the NEPA studies for the radio project, and authorize chair to sign.

Commissioner Murray: Second. All in favor of the motion signify by saying "aye"

Commissioners Murray and Tinsley: "Aye"

Commissioner Murray: Motion carries.

Final Plat Approval for the Krause Acres Minor Subdivision.

The applicant, Jeff Krause will propose the signing if the final plat.

Lindsey Morgan: Good morning Commissioners. Jeff Krause has submitted an application for final plat approval of Krause Acres Minor Subdivision. It is a proposed development that would create 5 lots. Preliminary plat approval of this subdivision was granted on September 6, 2001, subject to 18 conditions of approval. It appears that all conditions have been met and/or otherwise addressed by the applicants and therefore the Planning Office recommends that the Board of Commissioners grant final plat approval to Krause Acres Minor Subdivision.

Commissioner Murray: Questions of Mrs. Morgan?

Commissioner Tinsley: No, Mr. Chairman.

Commissioner Murray: By consensus, the Commission will sign the agreement at the conclusion of the public meeting.

Commissioner Tinsley: Yes sir.

Commissioner Murray: Thank you Ms. Morgan.

Resolution for the Abandonment of South Street and Signature on Quit Claim Deed.

Petitioner, Deborah Jones will propose the signing of the resolution and quit claim deed from Lewis and Clark County to Deborah Jones and Montana Metal Buildings, Inc.

Lindsey Morgan: The public hearing for this was held on September 2, 2003. The Board of Commissioners determined that the public interest would be more adequately served by the above requested abandonment subject to 3 conditions of approval. The applicants have met all 3 conditions of approval.

Commissioner Murray: Questions of Mrs. Morgan?

Commissioner Tinsley: None Mr. Chairman.

Commissioner Murray: Mrs. Morgan on the abandonment of this street, it is my understanding, and I believe in your report, that the property will be split equally between the parties on each side of the street.

Lindsey Morgan: Actually, I believe that the road will go to the south and will be split to all of the property that is immediately south of South Street will take over South Street entirely.

Commissioner Murray: That is not according to statute, I don't believe. I believe the property is divided equally. Coincidentally, Mrs. Jones' husband's business happens to own the property on the opposite side.

Lindsey Morgan: Right and I believe that the business is then going to Quit Claim the property to her.

Commissioner Murray: What the property does is between the business and Mrs. Jones. This Commission is by statute dividing the property equally between Mrs. Jones and the business.

Lindsey Morgan: Right.

Commissioner Murray: Questions Commissioner?

Commissioner Tinsley: No, Mr. Chairman.

Commissioner Murray: Mrs. Jones, we've already had the hearing, unless you have comments I think we are ready to close the street.

Commissioner Tinsley: Mr. Chairman, I make a motion that we approve the resolution for the abandonment of South Street and signature on the Quit Claim Deed and authorize chair to sign.

Commissioner Murray: Second. All in favor of the motion, signify by saying "aye"

Commissioners Murray and Tinsley: "Aye".

Commissioner Murray: Motion carries.

Final Plat Approval for the Abandonment of a Portion of South Street Adjacent to Block 35 & 36 of the City Park Addition.

Commissioner Murray: By consensus we will sign the final plat, and you have that Mrs. Morgan, at the conclusion of this meeting. We will do that and we will sign the plat at the conclusion of this meeting.

Montana Board of Investments - Intercap Loan Closing Documents.

Nancy Everson: Chairman Murray, Commissioner Tinsley you have before you the closing documents for the State of Montana Board of Investments Intercap Loan. This is in the amount of \$450,000 and this is for a portion of the costs to remodel the courthouse. It is in its final stages. The total cost of the project is approximately \$810,000. Last summer you approved a loan application to the Board of Investments for \$450,000. At this time we are requesting the \$450,000. It is a 10-year variable rate loan. Any questions?

Commissioner Murray: Mrs. Everson, what is the rate we are paying the first year?

Nancy Everson: 2.7%

Commissioner Murray: I notice on the loan closing documents that the resolution acknowledges that Commissioner Varone is absent today. Two Commissioners can pass it and sign the loan agreement?

Nancy Everson: That is correct.

Commissioner Murray: Thank you. Commissioner Tinsley.

Commissioner Tinsley: Mr. Chairman, I make a motion for approval of the closing of the loan documents for the courthouse renovation with the Montana Board of Investments Intercap Loan in the amount of \$450,000 and authorize chair to sign.

Commissioner Murray: Second. All those in favor of the motion, signify by saying "aye".

Commissioners Murray and Tinsley: "Aye".

Commissioner Murray: Motion carries.

Resolution Ordering a Refund of Taxes/Fees/Assessments Paid.

Ron Alles will propose to the Commission to consider the resolution for Applegate Rural Improvement District property owners that have changed hands since 1995.

Ron Alles: Mr. Chairman, Commissioner, this is a continuing process. This particular resolution and refund of taxes and fees and assessments is for the Applegate RID. There are approximately 12 owners totaling \$2474.00 in refunds due to some of the Applegate RID residents. Staff does recommend approval. I would note there are approximately 170 people left that we are currently

waiting for the request from. Amy Reeves in the Treasurer's office is following up on those requests. Staff recommends approval of this resolution.

Commissioner Murray: Questions of Staff? Commissioner Tinsley.

Commissioner Tinsley: Mr. Chairman, I make a motion we approve the resolution ordering the refund of taxes, fees, and assessments paid to the property owners listed in Exhibit A from the Applegate Rural Improvement District in the amount of \$2474.49 and authorize chair to sign.

Commissioner Murray: Second. Discussion. All those in favor of the motion, signify by saying "aye".

Commissioners Murray and Tinsley: "Aye".

Commissioner Murray: Motion carries.

Resolution on Civil Rights.

Ron Alles: Mr. Chairman, several weeks ago we received a request from a Lewis and Clark County citizen who proposed that the Board of County Commissioners pass a resolution relating to the Civil Rights. You have before you that resolution. I believe the requestor is in the audience. If you'd like, I can read this into the record.

Commissioner Murray: Please.

Ron Alles:

WHEREAS, in response to the destruction of the World Trade Center towers (WTC) in New York City by a terrorist act on September 11, 2001, the U.S. Congress passed the USA Patriot Act and the Justice Department revised its internal orders restricting procedures for investigation and detention; and

WHEREAS, the Board of County Commissioners supports programs to prevent such terrorist violence in the future and to protect the people from the consequences of such future attacks; and

WHEREAS, the Board of County Commissioners does not think it necessary or desirable that such programs should diminish civil rights that were enjoyed in America prior to the destruction of the WTC; and

WHEREAS, the County of Lewis and Clark fully supports the men and women in the armed forces who defend and protect these cherished rights, including those who have made the supreme sacrifice doing so; and

WHEREAS, the members of the Board of County Commissioners have taken an oath of office which includes the protection and defense of these rights and liberties.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners: reaffirms allegiance to civil liberties guaranteed in the Bill of Rights, the U.S. Constitution, and the Montana Constitution as core values of our society and nation, and allegiance to the procedures that protect them; and

Reaffirms that Lewis and Clark County works to preserve the people's freedom of speech, religion, assembly, and privacy; rights to counsel and due process in judicial proceedings; and protection from unreasonable searches and seizures; and

That the Clerk of the Board shall provide a copy of this resolution to the Lewis and Clark County Sheriff, the Lewis and Clark County Attorney, the Attorneys General of the State of Montana and the United States, the Montana Congressional delegation, and the President of the United States.

Commissioner Murray: Thank you. Questions of Mr. Alles?

Commissioner Tinsley: Mr. Chairman, I see something that I would like to add to the resolution. I thought that I'd added it in as we were working through it prior to the meeting, but I can put it in with my motion when we do that, if that is okay with you.

Commissioner Murray: That's fine with me. However, I am going to allow the public to comment on the proposed resolution.

Commissioner Tinsley: Mr. Chairman, I make a motion to approve the resolution on Civil Rights as prepared by Staff and make and include in the first paragraph after (WTC) the phrase "and the Pentagon in Washington D.C.", and also add in the third paragraph after WTC "and Pentagon". And move approval of the resolution and authorize the chair to sign.

Commissioner Murray: Commissioner, if I may slow you down a bit, I am agreeable to adding Pentagon in the resolution. I would appreciate a motion to add Pentagon into the two amendments that you are proposing. If I can get a motion to make that change.

Commissioner Tinsley: I thought that is what I did.

Commissioner Murray: Is it? I thought you were approving the whole thing.

Commissioner Tinsley: No, if I misspoke I apologize. I meant it for the amendments.

Commissioner Murray: Second. All in favor of the proposed amendments as suggested by yourself, adding the Pentagon after WTC acknowledgment, signify by saying "aye".

Commissioners Murray and Tinsley: "Aye".

Commissioner Murray: Motion carries. This is a resolution that we received two comments on. One from Jerry Charles, 110 South Hannaford, opposing the Civil Rights Resolution and one from Donna Wallace who supports the resolution. Without objection, Commissioner, I'd like to make the two comments received this morning part of the public record.

Commissioner Tinsley: Absolutely.

Commissioner Murray: Anyone what wishes to speak briefly or comment on the proposed resolution now is your opportunity. If you'd go to the podium, we need your name please and you have 3 minutes.

Ron Alles: Mr. Chairman, I would add that we did receive one other phone call from Lisa Bay fully supporting the resolution.

Commissioner Murray: Thank you.

Wayne Lewis: What else was it that you needed?

Commissioner Murray: Mr. Lewis, your address would be nice.

Wayne Lewis: 100 S. Warren, Apt 406 here in Helena.

Commissioner Murray: And your comments, in favor of the resolution or in opposition?

Wayne Lewis: It's in favor of the resolution. I did not have much notification of this to know that I was supposed to be here. First off, the history shows with the Sedition Act of 1789, the Espinos Act of 1940, the archaism and the poetel prow of the FBI in 1971, never really did anything to secure the country. It invaded in people's homes and people's private lives. This is real similar. This is actually a more dangerous, the Patriot Act, and several of the legislations that is following up behind it, because the new technology that is involved in searches and seizures and the military and so on, and also, the permanence of it. The sunset clause where a lot of the sections, including one of the major ones 215 which is due to expire 7/31/2005, but there are some sections such as 213 which delays the notice, when they get a search warrant to come and search your house they have up to 90 days, and not have to tell you about it. The administration is looking at expanding and extending, basically section 244 of the sunset clause.

Commissioner Murray: Mr. Lewis, if I can focus you, this resolution other than mentioning the Patriot Act does not deal with it. I need your comments on why you support adopting the resolution on Civil Rights or not adopting the resolution on Civil Rights.

Wayne Lewis: Well, as of yesterday, there were 302 other communities in 4 states that have done similar things for the same reasons. We feel that there are certain sections are eroding our civil liberties and the separation of powers that is worth fighting for and by giving it to this community, it gives us some relief that our worries are being recognized and of course being communicated to the Attorneys General and the President and the Congressional delegates and so on.

Commissioner Murray: Thank you Mr. Lewis. Questions of Mr. Lewis Commissioner?

Commissioner Tinsley: No sir.

Commissioner Murray: Is there anyone else who wishes to speak on the proposed resolution on Civil Rights?

Jake Stavo, 2645 Colt Drive, East Helena, MT: First of all I want to introduce myself, as I just have, I live in Lewis and Clark County. I have resided here for approximately the last 9 years. The purpose that I came to Lewis and Clark was that I am a Senior Special Agent with the Bureau of Immigration and Customs Enforcement, Department of Homeland Security. In that capacity, I work within the state to enforce different sections of the law for the United States government. One of the tools that we use in our job is the Patriot Act and the associate articles that go with that act.

First of all I think it is kind of important to let you know where I come from. Previously being in the military and going to college as a criminal justice major, I was a contractor. I worked with my father building houses. I used to do a lot of roofing and what have you. Before that I washed dishes at the local Perkins and did some other things. Basically the reason I am telling you this is that I am a regular guy like you are. I live in your community. My job is to protect you from people that may wish to do you harm.

In the 13 years that I have been a special agent, things have changed a great deal in the Law Enforcement community. It used to be quite simply that individuals would come here as criminals or to do certain things here, usually to make money. That was their primary goal. A lot of times it was the distribution of drugs, other types of crime in order to make some type of income through criminal activity. But September 11th changed all of that and changed a lot of the things that we thought were typical of the criminal organizations. We found that a lot of the activities of individuals outside of the United States were foreign nationals weren't simply with the intent to make money or begin criminal enterprises to make money, but rather to do direct harm to citizens of the United States. The reasons for those harms were to advance political agenda or religious belief. Unlike the criminal organizations, the individuals involved in these groups did not care if they lived or died. Did not care if they made money. Did not care how they met their means or ends. They would do anything to advance their agenda up to and killing our citizens as we saw in 9/11. In dealing with the criminal organizations that I used to deal with before 9/11, it was fairly easy, you could start a case, you could work through a case. You had time to deal with people because they wanted to keep their organization or group ongoing so they could continue to make money. The new groups that we found coming into the United States, they have a specific purpose. They are not trying to make money, so they are not making contacts with people in the local communities. They are well funded and financed from outside the United States. They use all of the capabilities of a modern society to include electronic transfer of funds, encoded and encrypted computer technologies, cellular and satellite phones to make communications. With criminal organizations, we had time to deal with these people. We had the ability to work through cases and work things out. It was not that difficult to do. Now a days with the advancement of telecommunications as it is, we found that it is difficult to stay on top of some of these issues. Things move very rapidly now. Information is passed quickly. Money is transferred rapidly. People move to and from countries in a very quick manor.

Our agency and other agencies in the federal government have had difficult keeping up with these changes in telecommunications and people moving around. After 9/11 a large number of individuals in various organizations sat down and said listen, if we are going to try and protect the citizens of this country, we need to be able to move as rapidly and as quickly as the other individuals that we are trying defend our citizens against. We need to do some things that enable us to rapidly and quickly understand the entire picture and the entire scope of actions and activities of these groups and these individuals. Thus came forward the Patriot Act. That was designed to primarily assist law enforcement agencies in prosecuting terrorism cases.

In my experience, as long as the Patriot Act has been enforced, no provision of the Patriot Act has ever been used in any investigation in the state of Montana to date. It is a situation that has specific uses that is highly monitored by many levels of government and supervision. It is not something that an individual agent or group of agents or a single agency can just arbitrarily take on themselves to enforce a particular part or act of the Patriot Act. It is not used in ordinary and common law enforcement activities. It is primarily used against organizations that intend to do harm against the citizens of the United States. It is used very carefully. The agents that I know of and the people that I work with, we are very cognocent of misuse of any provision of the Patriot

Act. As I've said, as far as I know, no provision has ever been used in the state of Montana against any individual group or organization. My point is that the Patriot Act has a purpose. There is a reason behind why the Patriot Act is enforced. It is to protect you the citizens of the state and county. It is my responsibility, and I've taken an oath to defend the constitution.

I also believe very strongly in the Bill of Rights. I agree that rights, personal rights need to be protected. At the same token, we are not dealing with people like you and I. This particular act is set up to deal with people that are not like you and I. Or not like 99% of anyone in the world. I guess my point over all is I read the article in the newspaper this morning and I did not prepare anything in particular to speak to you. I wanted to give you a sense that I am no different than you are. I am your neighbor. I am the guy that lives in the same community as you and I am an agent for the government. I am not here to take away your civil liberties. I am not here to use the power and authority given to me by the government or given to my agency by the government in an abusive manner. I am here to use this in an effort to protect you and your children and my children and my family that lives in your same community.

As a state capitol, we have to realize that this city is a target. Some of the provisions in this Patriot Act may protect you and the citizens within your community. Before we jump on the bandwagon because several hundred other cities have done this and we should just automatically take up what they do, we really should consider what we are doing. We should consider that. What we are doing is that we are speaking out against something that is a tool for me to protect you. Like a plumber, do you want to take away my tools so I can't do my job. I am here to do my job to protect you. I am not here to get any self-gratification by looking into your telephone records or anything like that. All I ask is that the counsel take into consideration above and beyond what certain groups outside this state have presented to you, the American Civil Liberties Union or these other groups. And consider why the Patriot Act was put into place. What its intent was and understand that people that live in your community right next door to you are the people that are working and using this to protect you, not anybody else. With that, that is all I have to say.

Commissioner Murray: Thank you. If I may, I want to be sure that you have a draft copy of the resolution before you leave. The resolution itself reaffirms the civil rights that we as Americans enjoy. It supports the men and women in the armed forces who also defend us and protect the rights that we have. It reaffirms that we, such as you agent, take an oath to uphold both the Montana and Federal Constitution as your elected officials. It reaffirms that the civil liberties guaranteed in the Bill of Rights. The Constitution and the Montana Constitution we believe are the core values of our society in the nation. It reaffirms that we have an obligation to preserve people's freedom of speech, religion, assembly, privacy, rights to council and due rights in judicial proceedings, for unreasonable search and seizures. In your testimony, trying to protect us as you indicated from foreign sources, I personally don't believe is an unreasonable search or seizure. Our attempt here, as a resident of Lewis and Clark County brought it to our attention, as I understand it, our intent with the resolution on civil rights is to reaffirm. As one of your elected officials I have an obligation to uphold both Montana and the United States constitution and protect any unreasonable acts. One of the elected officials in our County is the Sheriff with 40 deputies at the moment, 39 or 40 deputies plus the County Attorney. Their jobs, as we fund them also, is to protect and work with you in protecting the civil liberties and protect the residents of Lewis and Clark County from harm, and for people who choose to ignore and break our laws. I have friends that give the ultimate sacrifice to ensure that we have the liberties that we now enjoy. I am personally nervous and cognocent that we should not give up the rights and liberties that our fore fathers and some of my friends fought for and gave the ultimate sacrifice to ensure what we have. Commissioner Tinsley.

Commissioner Tinsley: Those were very nice words. I would also like to say for both gentlemen that were here this morning. Mr. Stavo, you did a very good job, you were very eloquent and very heartfelt through your words. Mr. Lewis, you too. I appreciate your words from your standpoint. I appreciate your commitment to what you stand for. I too am a veteran of the United States Army. I am a graduate of the Law Enforcement Academy here in Montana. I served as a criminal investigator in insurance and securities matters. Nothing like what you are facing every single day and I understand that.

As you read the resolution, you'll understand that this resolution is not; we went out of our way to proactive in our resolution. Commissioner Murray hit the nail on the head. Regardless what our personal beliefs are, when we raised our right hand, we took an oath just like you did to uphold the Constitution of both the United States and the State of Montana. Included in that means following those laws, regardless of what we think of those laws. I do personally have some disagreement with parts of the Patriot Act. As a County Official, I have disagreement with the parts regarding to libraries. I don't think that a lot of the components of the Patriot Act were necessarily thought through as well as they could have been. It is not for any partisan or political reason that they were not. I think it was because of the horrific aftermath of what happened that day in September made all of us a little uneasy. It is my opinion that this act can be changed and maybe some of these more onerous parts of it, that I personally have disagreement with, can be fixed and we can ensure those liberties that we had prior to 9/11. I do appreciate your comments and I do appreciate your commitment to ensuring our public safety. I think you are doing a fine job of it and you should be commended.

I would like to close with a quote. It is a good quote that I have really enjoyed. In 1759 Ben Franklin said:

"They that can give up a essential liberty to obtain a little temporary safety deserve neither liberty nor safety".

That is the way I feel about this, but I also understand that as a public official I have sworn to uphold the law. I don't agree with any public official or any person who has control over certain functions of the government committing acts of civil disobedience that they disagree with something. I think they have first amendment rights, that they can stand up just like I am doing right now, just like you did Mr. Lewis and you can outline those. Now those who are not public officials, of course they have the right of choice to make if they want to cross that line of civil disobedience then that is up to them and they must suffer the consequences. We do not have that luxury. We have to enforce the laws of this land. But I can as an individual and as an elected official stand up to give my personal beliefs, so that is the reason for this. But this is a very proactive resolution. Essentially what we are doing is just reaffirming our allegiance to those basic civil rights that were granted to us that our fore fathers fought for and died for so many years ago. Thank you all for coming today.

Commissioner Murray: Is there a motion.

Commissioner Tinsley: Mr. Chairman, I'd like to make a motion that we approve the Resolution on Civil Rights as prepared by Staff and authorize chair to sign.

Commissioner Murray: Second. All in favor of passing the resolution as amended, signify by saying "aye".

Commissioners Murray and Tinsley: "Aye".

Commissioner Murray: Motion carries. This is the time in our agenda when any member of the public has an issues that we have authority over is welcome to bring that issue to the Commission. There being no one coming forward, we are adjourned.

Adjourn. 9:45 a.m.