



PARK COUNTY ATTORNEY'S OFFICE

Chad Glenn
County Attorney

MEMORANDUM

TO: Park County Rural Fire Department Board of Trustees
FR: Paul Spitler, Deputy Park County Attorney
DA: February 17, 2026
RE: Board of Trustees conduct

The Park County Attorney's Office has received multiple allegations of improper conduct by members of the Park County Rural Fire Department Board of Trustees. This memorandum outlines the nature of the allegations and potential violations, and makes recommendations for ensuring proper conduct of Trustees moving forward.

Improper Conduct

The Park County Attorney's Office reviewed complaints of improper conduct by individual trustees. These allegations include:

- Violation of state open meeting laws by conducting meetings without public notice or opportunity for public comment; and
- Attempts to improperly direct the work of Park County Rural Fire Department staff.

Upon investigation, the Park County Attorney's Office determined that these allegations are credible, well-documented, and serious. Non-public meetings have been conducted by Trustees that potentially violate state open meeting laws and the public trust requirements for elected officials enshrined in state law.

Further, a Trustee attempted to improperly direct the work of Park County Rural Fire Department staff and access staff computers, which include confidential personnel information.

Remedial Action

Because the Board of Trustees currently lacks a quorum, it is unable to conduct business until further appointments are made or an election is held. Once a sufficient number of trustees are appointed or elected, prior to the conduct of any business, the Park County Attorney's Office recommends that the Board of Trustees undertake a training on the ethical requirements for elected officials, as well as the requirements of Montana open meeting laws.

Any future Board of Trustees activities must be carried out in accordance with state law, including open meeting laws and ethical duties. Park County takes these requirements seriously and expects the Board of Trustees to as well.

The Park County Attorney's Office recommends that the Board of County Commissioners carry out an oversight hearing, under the authority of MCA § 7-4-2110(a)-(e), to ensure that the conduct of the Board of Trustees is carried out ethically, openly, and consistent with state law.

The Park County Attorney's Office further recommends that, in accordance with MCA 7-4-2110(e), the Board of County Commissioners ensure that the Board of Trustees is supervising staff in accordance with the Park County Personnel Policies.

The Park County Attorney's Office recommends that the Board of Trustees revise how it provides public notice for Board meetings. The current practice of solely posting meeting notices and agendas on Facebook risks failing to provide adequate notice to members of the public who are not Facebook users. The Park County Attorney's Office recommends that the Board of Trustees post meeting notices and agendas on the Park County website.

Further, the Park County Attorney's Office recommends that the Board of trustees post timely minutes of Board meetings on the Park County website. Finally, the Park County Attorney's Office also recommends that the Board of Trustees update its bylaws to ensure they are consistent with state law.

In the event of continued violations, the Park County Attorney's Office will recommend that Park County ensure compliance with applicable law and ethical duties by initiating civil proceedings in accordance with MCA § 7-4-2110(f) to seek a writ of mandamus directing Board of Trustees compliance.

Prohibition on Retaliation

Because these allegations have been raised by staff and the legitimate concern for retribution by Trustees against staff members, it is important that the Board of Trustees ensure that there is no retribution against Park County Fire Department staff.

MCA § 39-2-904(1)(a) prohibits termination of an employee for refusing to violate public policy or reporting a violation of public policy. As such, staff may not be terminated for reporting the alleged violations of members of the Board of Trustees. The Park County Personnel Policies further prohibit retaliation, including against whistleblowers, in any form, including threats, intimidation, reassignment, or any other personnel action. Park County will not tolerate retaliation in this, or any other, instance.