

POSTMARKED

SETTLEMENT AGREEMENT JUL 23 2014

This settlement agreement ("agreement") is entered into by Jonathan R. Motl, in his official capacity as the Montana Commissioner of Political Practices ("Commissioner" or "COPP") and the following party: Vote Yes Whitefish PAC ("Respondent").

Montana law authorizes the Commissioner to file an action in district court in order to seek a civil penalty for violation of Montana's campaign finance and practices laws and rules, §§13-37-124 and 13-37-128 Mont. Code Ann. In order to avoid litigation, the Commissioner and the Respondent enter into this agreement to resolve this matter.

1. The Commissioner acknowledges that on February 23, 2012, Whitefish resident Mr. Rick Blake filed a Campaign Finance and Practices Complaint against the Respondent, alleging that Respondent violated Montana's campaign finance and practices laws.
2. On March 19, 2014 the Commissioner issued a Summary of Facts and Finding of Sufficient Evidence to Show a Violation of Montana's Campaign Practices Act, the Commissioner's cause number COPP-2012-CFP-0005 (hereinafter "decision"). The decision determined that the Respondent failed to comply with certain campaign finance and practices laws and administrative regulations. Respondent asserts that any such failure was due to excusable neglect.
3. The Respondent acknowledges that it has read and understands the Commissioner's decision issued in the above referenced cause. By entering into this agreement, the Respondent in no way admits any wrongdoing or liability to the Commissioner or the public of Montana, and all such liability is expressly denied.
4. The Commissioner indicated in the decision that mitigation would be considered and applied to the amount of the fine negotiated between the Commissioner and the Respondent if the Respondent chose to settle the matter with the Commissioner. The Commissioner has applied the principle of mitigation to his consideration of the amount of the civil fine in this matter.
5. The Commissioner and the Respondent therefore agree as follows:
 - a. Respondent will pay a \$233.66 civil fine.
 - b. The Vote Yes Whitefish PAC will file a closing report, disband, and cannot be reformed using the same name with the same officers.

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- c. Respondent agrees to perform 80 community service hours, consisting of direct assistance in preparation for the August 2014 opening of the newly remodeled Whitefish High School (WFHS). This includes without limitation moving equipment, books and supplies to the new school, and other miscellaneous tasks deemed appropriate by WFHS administration and staff.
 - d. The 80 hours of community service will be completed no later than September 1, 2014, with a verification report due to the COPP by September 8, 2014.
 - e. The natural person signing below on behalf of Respondent shall be held ultimately personally responsible for assuring completion of the 80 community service hours. The Commissioner acknowledges that one or more natural persons ("volunteers") may assist the person signing below on Respondent's behalf in completing the 80 community service hours.
 - f. Whitefish School Board member Dave Fern shall verify completion of the full 80 hours of community service.
6. Simultaneously with the return of the executed settlement agreement, Respondent will remit to the Commissioner \$233.66, on a check made out to: "Commissioner of Political Practices" and mailed to the Office of the Commissioner of Political Practices, 1205 8th Avenue, P.O. Box 202401, Helena, Montana, 59620.
 7. In consideration of payment of the civil fine referenced above, completion of the terms specified, and execution of this settlement agreement by the Respondent, the Commissioner agrees not to pursue any further administrative or court proceedings against the Respondent or other persons that may be named or unnamed and based on the matters discussed in the decision.
 8. The Respondent enters into this agreement to avoid litigation and to resolve and settle all disputes with the Commissioner. It is understood and agreed that the payment of the civil fine referenced above, completion of the community service and reporting component outlined herein, and execution of this settlement agreement by the Respondent is accepted as the sole consideration for full satisfaction and compromise of what may be disputed claims. Execution of this settlement agreement by both parties fully and finally resolves all of the issues as set forth in the decision.

9. The Commissioner and the Respondent fully and forever release and discharge each other and their respective officials, officers, members, employees, successors, assigns, agents, ostensible agents, attorneys, and representatives from any and all actions, claims, causes of action, demands, expenses, damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of the matters investigated by the Commissioner and summarized in the decision.

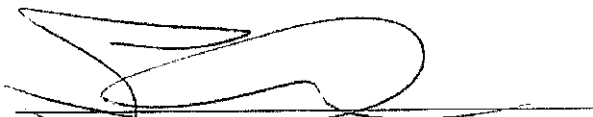
10. The Commissioner and the Respondent agree that this executed Settlement Agreement is a public document and will be made available to members of the public.

11. This settlement agreement, consisting of 3 pages and the referenced incorporated report to follow, together sets forth the entire agreement that has been reached between the Commissioner and the Respondent. No modification or amendment of this agreement will be effective unless both parties complete a subsequent written statement that is signed by both parties.



Jonathan R. Mett
Commissioner of Political Practices

9/05/14
Dated




Shannon Hanson
For Vote Yes Whitefish PAC

7/24/14
Dated

Date	VYW Volunteer	Work Performed	Staff Assisted / Supervisor	Hours	Verified By:
6/13/2014	RH	Move Science Equipment	CS (teacher)	2.75	DF/SKO
6/13/2014	JE	Move Science Equipment	CS (teacher)	2	DF/SKO
6/15/2014	CB	Mail for D-Wing Event	SKO (administrator)	2	DF/SKO
6/20/2014	CB	Organize D-Wing Event	SKO (administrator)	2	DF/SKO
6/20/2014	NB	Organize D-Wing Event	SKO (administrator)	1	DF/SKO
6/20/2014	JE	Organize D-Wing Event	SKO (administrator)	1	DF/SKO
6/20/2014	MP	Organize D-Wing Event	SKO (administrator)	1	DF/SKO
7/17/2014	SW	HS Tech Plan	SKO (administrator)	2	DF/SKO
7/18/2014	RH	HS Handbook Edit	JF (teacher)	5	DF/SKO
7/23/2014	RH	Coaches' Handbook Edit	JF (teacher)	5	DF/SKO
7/23/2014	RH	Activities Handbook Edit	JF (teacher)	3	DF/SKO
8/8/2014	SW	HS Tech Plan	SKO (administrator)	1.5	DF/SKO
8/13/2014	SW	HS Tech Plan	SKO (administrator)	1.5	DF/SKO
8/18/2014	TG	Set Up D-Wing Fundraiser	SKO (administrator)	3	DF/SKO
8/18/2014	MP	Set Up D-Wing Fundraiser	SKO (administrator)	1	DF/SKO
8/18/2014	CB	Set Up D-Wing Fundraiser	SKO (administrator)	3	DF/SKO
8/18/2014	JE	Set Up D-Wing Fundraiser	SKO (administrator)	1	DF/SKO
8/22/2014	SW	HS Tech Plan	SKO (administrator)	1.5	DF/SKO
8/26/2014	RH	Shelving Library	DK (teacher)	3	DF/SKO
8/27/2014	RH	Clean Art Room Desks	LC(teacher)	2	DF/SKO
8/27/2014	SW	Clean Art Room Desks	LC (teacher)	2	DF/SKO
8/27/2014	JM	Organize Science	CS (teacher)	2	DF/SKO
8/27/2014	BM	Organize Science	CS (teacher)	2	DF/SKO
8/28/2014	RH	Organize WIHS	JR (teacher)	5	DF/SKO
8/28/2014	PJ	Organize WIHS	JR (teacher)	2	DF/SKO
8/28/2014	JE	Computers-WIHS	JR (teacher)	3.5	DF/SKO
8/28/2014	HB	Organize WIHS	JR (teacher)	4	DF/SKO
8/29/2014	RH	WIHS & Math WHS	JR (teacher) GG (teacher)	5	DF/SKO

9/24/2014	SW	Tech Vision Committee	SKO (administrator)	1	DF/SKO
10/3/2014	SW	Social Media Meeting	SKO (administrator)	0.5	DF/SKO
10/3/2014	SW	GIS Planning	SKO (administrator)	1.5	DF/SKO
10/6/2014	SW	Student Web Design Project	SKO (administrator)	1.5	DF/SKO
10/13/2014	SW	Social Media Meeting	SKO (administrator)	1	DF/SKO
10/13/2014	SW	Social Media Management	SKO (administrator)	1.5	DF/SKO
10/13/2014	SW	FVCC Partnership	SKO (administrator)	1.5	DF/SKO
10/14/2014	SW	Social Media Meeting	SKO (administrator)	1	DF/SKO
10/16/2014	SW	Social Media Meeting	SKO (administrator)	1	DF/SKO
10/21/2014	SW	Social Media Meeting	SKO (administrator)	1.5	DF/SKO
			Total Hours:	81.75	DF/SKO

Accepted



10-29-14