

THE STATE OF MONTANA

Commissioner of Political Practices
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401
Phone: 406-444-2942
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www.politicalpractices.mt.gov

Campaign Finance and Practices

Complaint Form (10/09)

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COMMISSIONER OF
POLITICAL PRACTICES
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SIGNED/NOTARIZED

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant):

Complete Name Sandy Welch
Complete Mailing Address 620 OBrien Ave
Whitefish, MT 59937
Phone Numbers: Work 406-823-0564 Home _____

Person or organization against whom complaint is brought (Respondent):

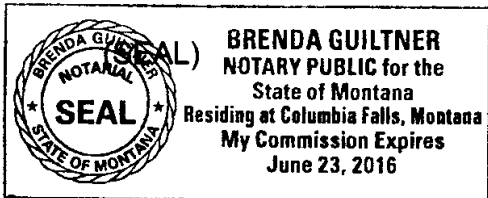
Complete Name Scott Davis
Complete Mailing Address 448 5th Ave W
Kalispell, MT 59901-4744
Phone Numbers: Work _____ Home 406-752-1523

Please complete the second page of this form and describe in detail the facts of the alledged violation.

Verification by oath or affirmation

State of Montana, County of Flathead

I, Sandy Welch, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.



[Signature]
Signature of Complainant

Subscribed and sworn to before me this 30 day of October, 2013.

[Signature]
Notary Public

My Commission Expires:

Statement of facts:

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

See attached

Complaints must be:

- signed
- notarized
- delivered in person or by certified mail.

I allege the following violations of statute and rules regarding the Quiet Skies Members of Kalispell committee:

Complaint 1: Quiet Skies has not filed as a ballot committee in violation of rules.

After searching the committee reports on October 29, 2013, Quiet Skies Members of Kalispell, or any variation of that name, has not filed as a ballot committee. I completed a search as did a reporter in the televised news program <http://www.nbcmontana.com/news/website-name-causes-stir-over-city-airport-vote/-/14594602/22702600/-/gbwly3z/-/index.html>

Expenditures have been made as evidenced by the yard sign (pictures attached). I took this picture on October 29, 2013. On the same day a televised news program also showed a picture of the same sign in a different location. <http://www.nbcmontana.com/news/website-name-causes-stir-over-city-airport-vote/-/14594602/22702600/-/gbwly3z/-/index.html> Given multiple signs in town these are not homemade signs put up by individuals and contain an attribution to Quiet Skies Members of Kalispell.

While I don't know exactly when the signs were ordered Scott Davis has been presenting himself as the leader of "the group called itself the Quiet Skies Committee" since at least October of 2009 as reported in the Flathead Beacon

http://www.flatheadbeacon.com/articles/article/with_formation_of_quiet_skies_committee_opposition_to_city_airport_expansion/13746/ (Article attached)

Petitions to gather signatures were circulated beginning August 1, 2012. A copy of one of the pages submitted is attached.

The ballot measure to repeal the city council decision regarding the Kalispell City Airport qualified to be on the ballots for voters in the City of Kalispell. The sample ballots for each of the four wards of Kalispell can be found on the county Elections Department website, <http://flathead.mt.gov/election/> and sample of one of them is attached.

The Commissioner's Accounting and Reporting Manual for Political Committees, The Pink Book, page 7, states that "a ballot issue committee usually is formed after an issue has met the legal requirements to qualify for placement upon the ballot" and "a ballot issue committee must certify the name of its treasurer and properly file a Statement of Organization (Form C-2) within five days after it makes an expenditure. [13-37-201, MCA]"

Complaint 2: The disclaimer on the yard sign does not meet the requirements.

The picture of the yard sign includes a disclaimer stating, "Paid for by Quiet Skies Members of Kalispell (406)752-1523"

The Commissioner's Accounting and Reporting Manual for Political Committees, The Pink Book, page 11, states "ballot issue committees, must include the name of the committee treasurer, as well as the mailing address of either the committee or the committee treasurer. [See 13-35-225(1), MCA]"

Complaint 3: The treasurer has not been certified.

Form C-2 has not been filed and the signs do not list the treasurer by name, see Complaints 1 and 2.

The Commissioner's Accounting and Reporting Manual for Political Committees, The Pink Book, page 13, states "The name of the treasurer must be certified to the Commissioner of Political Practices and to the election administrator of the county in which the committee has its headquarters on Form C-2. [13-37-201, MCA]"

Furthermore, in the same document on page 14, "Immediately after designating a primary depository and after appointing a treasurer, a political committee must complete and file a Statement of Organization (Form C-2) with the Commissioner of Political Practices and with the appropriate county election administrator certifying the name of the treasurer and providing other information. [13-37-201, MCA]"

Complaint 4: The yard signs cannot have been paid for in accordance with the law.

The treasurer has not been certified, see Complaint 3.

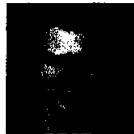
The depository has not been identified. The Commissioner's Accounting and Reporting Manual for Political Committees, The Pink Book, page 14 states, "Each political committee must designate one primary depository." "Accounts must be completely separate from any personal accounts. [13-37-205, MCA]"

The Commissioner's Accounting and Reporting Manual for Political Committees, The Pink Book, page 13 states "Timely certification is important. The treasurer is prohibited from performing any duty until a certification statement is filed. [13-37-203, MCA] Only an appointed and certified treasurer...may make deposits to or draw checks on the political committee account. [44.10.503, ARM]"

Since the signs indicate they were paid for by a committee, either the treasurer violated the prohibition on performing a duty without being certified or the bill was paid from personal funds. Either instance is a violation.

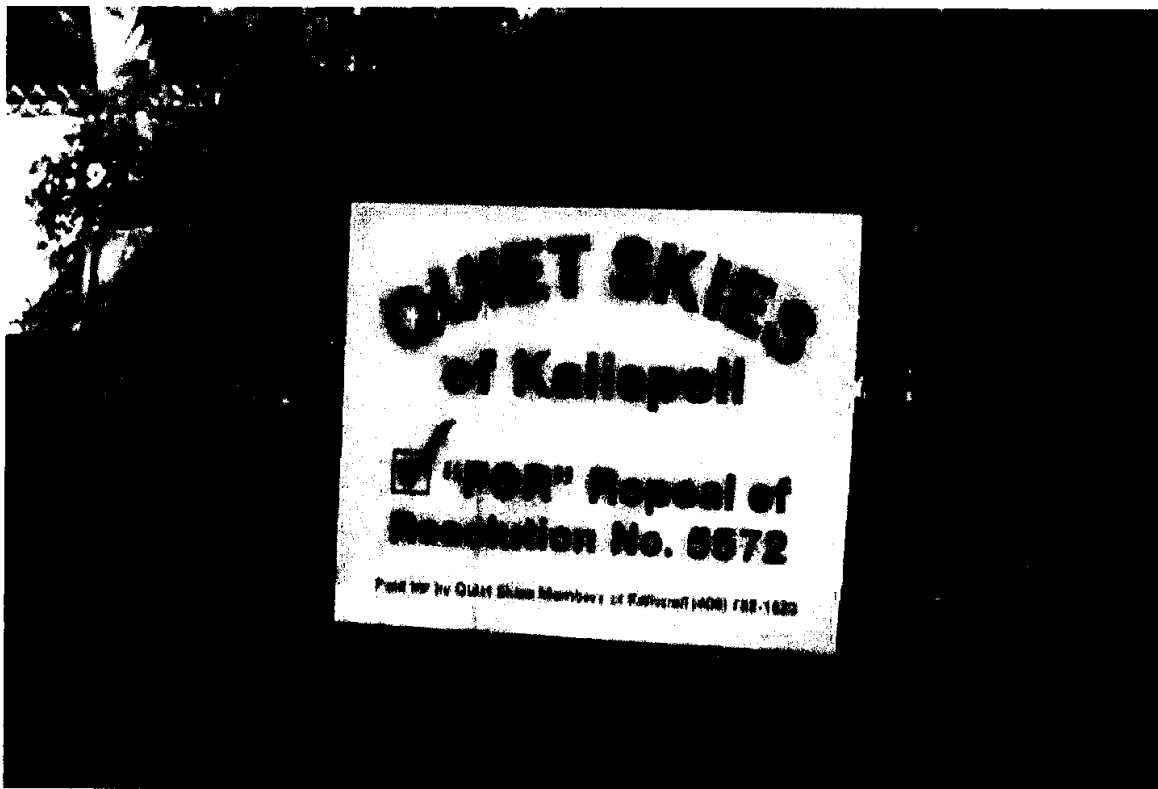
Website name causes stir over city airport vote

FLATHEAD COUNTY



By Kevin Lessard, KCFW Reporter, klessard@kcfw.com

POSTED: 7:20 PM Oct 29 2013 UPDATED: 8:48 PM Oct 29 2013



KALISPELL, Mont. -

A website name has some expansion opponents crying foul. Quiet Skies of Kalispell is hoping to repeal the expansion of the city airport, a ballot issue on the upcoming Kalispell city election.

"We're saying it's just a bad location, and it's just not good for the

residents of Kalispell," said Scott Davis, spokesman for Quiet Skies.

But the website kalispellquietskies.com doesn't promote Davis' point of view.

"I Googled 'Kalispell Quiet Skies' and for sure enough it sent it over to 'Save Your Airport,'" said Davis. That's the group fighting against Quiet Skies and for expanding the airport.

We went to check for ourselves, and just like Davis said, the website talks about voting against the repeal and moving forward with the project.

Under contacts on the website, there is an email and a phone number. That phone number matches the one that is on another website called Save Your Airport.

So why buy a website with your opponent's name? "Being that we're in the internet age, people like to search by keywords," said Scott Richardson, the domain name owner. "Kalispell Quiet Skies is a great keyword."

Richardson is a member of Save Your Airport. He says he bought the website not to deceive or mislead, but instead to inform.

"Provide them with an alternate way to look at a problem people have had for a number of years and to provide some facts in a way that we can address those issues," he said.

When we asked Davis what he thought of the website name and if Quiet Skies was going to do anything about it, he gave us a simple answer. "You won't be seeing us do that," he said.

The Save Your Airport group has filed as a ballot issue committee with the Montana Commissioner of Political Practices.

We read the most recent fundraising reports. So far they've raised close to \$12,000.

Quiet Skies is not listed as a ballot issue committee, but another group called Repeal the City Airport Expansion has raised over \$3,500.

You can see the forms if you click on the links in our related content section.

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QUIET SKIES of Kalispell

**“FOR” Repeal of
Resolution No. 5572**

Aid for **Members of Kalispell** (508) 852-1523

of Kalispell

“FOR” Repeal of Resolution No. 5572

ies Members of Kalispell (406) 52-1523

OCT. 21 MEETING DRAWS MORE THAN 40 KALISPELL RESIDENTS

Opposition to Kalispell City Airport Expansion Grows

By Dan Testa, 10-25-09

For more than a year, opposition to the reconfiguration and possible expansion of the Kalispell City Airport has been characterized by the sporadic complaints of one or two west side residents speaking up at city council meetings. But based on a meeting held last week at Flathead High School that drew more than 40 people, wariness and outright opposition to any expansion of the city airport appears to be growing.



Caption: Fuel line supervisor Paige Baller walks back to a fuel truck to hang up the nosel after refilling the tank of a Schweizer 300 helicopter at Red Eagle Aviation in Kalispell - File Photo by Lido Vizzutti/Flathead Beacon

Led by Steve Eckels and Scott Davis, two vocal critics of the airport expansion, the group called itself the Quiet Skies Committee. At the meeting, west side residents gathered to discuss their issues with the city airport, which ranged from irritation over the noise of the aircraft landing and taking off, to outright fear that a plane crash could occur over such a populated urban area including two schools – and that expanding the airport could increase the likelihood of that danger.

“This airport is a wonderful thing to have the way it is,” Winifred Storli said. “But we don’t need to compete with Glacier (Park) International Airport.”

“To me, this is a real waste of money and it’s just either an ego trip or a money trip,” she added.

Her comments were echoed by several others, some of whom wished for the airport to remain in its current state, and others who said it should be moved farther away from the city entirely.

“That land could be put to highest and best use for things the city needs,” Carl Feig, a long-time critic of the airport, said, adding that Kalispell needs a community center or downtown movie theater much more than a bigger airport.

But at least one supporter of the airport reconfiguration, Scott Richardson, a pilot who heads the city’s Airport Advisory Council, spoke up at the meeting to dispute any assertions that decisions about the airport were being made out of the public eye, and argue in favor of a project that would ultimately make the airport and the people living around it safer.

“You’re not getting the correct information,” Richardson said. “I’m very concerned about the safety of the airport, that we keep it a facility that handles traffic in a safe way.”

Lengthening the airport runway to accommodate larger aircraft is not key to the improvements needed at the airport, Richardson added.

Airport Director Fred Leistiko, who was not at the meeting, has been working for years on a plan to reorient the airport's runway five degrees, widen it and move it a thousand feet south, possibly lengthen it, upgrade the lighting, improve the navigation system and other changes he says will add significant value to a city asset that hasn't had new equipment since the 1960s.

As property values around the airport have risen, the improvement has grown to a nearly \$15-million project, for which the Federal Aviation Administration is willing to pick up 95 percent of the costs.

"It is in desperate need of upgrades," Leistiko said. "The airport needs fixing, it needs some work and here's our opportunity."

But at the Quiet Skies meeting, residents questioned whether taking the federal dollars would result in the city government losing control over the airport. At issue is a list of 39 assurances issued by the FAA that Kalispell must abide by in order to receive the funds. The 14-page list includes such requirements as making sure Davis-Bacon wages are paid on the expansion construction, allowing government aircraft to use the airport at little or no cost and removing hazards around the airspace of the airport – which includes moving the KGEZ radio towers.

At the meeting, Eckels introduced his own list of citizen assurances – which included provisions like ensuring the airport expansion does not increase its noise or decrease Kalispell's "charm factor" – that he said were designed to conflict with airport improvement plans.

"They're probably irreconcilable but to me they seem reasonable," Eckels said.

But Leistiko said the FAA assurances, which are standard for any federal grant recipient, are simply a way for the federal government to ensure that its investment is going to be maintained to a certain standard.

"They're just asking the federal government who you're taking money from, that you're not going to do certain things," Leistiko said. "They're not that big of a deal."

Although the prospect of taking federal money for the airport improvement didn't seem to sit well with many at the meeting either.

"I'm sick of people saying, 'It's federal money, it's stimulus money.' It's our money," Storli said. "In this valley we have way more problems than adding a problem we don't have."

Several city council members and candidates for the council attended the meeting, though they did not speak up, including Mayor Pam Kennedy and council members Bob Hafferman, Tim Kluesner, Kari Gabriel and candidate Marc Rold.

After the meeting, Eckels said he hoped the meeting would help organize the airport opposition, leading to more public involvement, including anything from letter writing to local media to possibly demonstrating outside of city council meetings. A good turnout at the Nov. 10 Planning Board public hearing to expand the South Kalispell Airport Redevelopment Plan Boundary would be crucial, he added.

Leistiko said an update to the Environmental Assessment is necessary before any airport improvement plans move forward and that will include a public hearing. He said his door is always open for those wishing to discuss the airport improvement plans.

"I'll talk to anybody, I'll show them the plans," Leistiko said, "if they'll listen." [End of article]

This article was printed from flatheadbeacon.com at the following URL:
/articles/article/with_formation_of_quiet_skies_committee_opposition_to_city_airport_expansio/13746/

PETITION TO PLACE REFERENDUM NO. 103 ON THE CITY ELECTION BALLOT

Subject to applicable laws and deadlines, If 15% of the registered voters in the city of Kalispell sign this petition and the total number of voters signing is 1759. This measure will appear on the ballot at the next regular election to be held in the local government. If a majority of voters vote for repeal, resolution. 5572 shall be repealed.

We, the undersigned Kalispell voters, propose that the County Election Administration place the repeal of City Resolution 5572 on the next qualifying election ballot.

Statement of Purpose

The purpose of this referendum is to repeal resolution no. 5572. On July 16, 2012 the Kalispell City Council passed a resolution to accept the Kalispell city airport master plan update submitted by Stelling Engineers, Inc. on April 4, 2012 and to approve the plan alternative to develop the airport in collaboration with the Federal Aviation Administration as described in chapter 6 of the subject master plan update as Site 1, Option B: existing site with arc B-II standards

Statement of Implication

FOR Repeal of Resolution No. 5572 – Overturning the Kalispell City Council’s Legislative action

AGAINST Repeal of Resolution No. 5572 – Affirming the Kalispell City Council’s legislative action

Voters are urged to read the complete text of the referendum, which appears (on the reverse side of, attached to, etc., as applicable) this sheet. A signature on this petition is only to put the referendum on the ballot and does not necessarily mean the signer agrees with the referendum.

Warning

A person who purposefully signs a name other than the person’s own to this petition, who signs more than once for the same issue at one election, or signs when not a legally registered Montana voter is subject to a \$500 fine, 6 months in jail, or both.

Each person is required to sign the person’s name and list the person’s address or telephone number in substantially the same manner as on the person’s voter registration card or the signature will not be counted.

Complete Signature (as registered)	Date signed	Residence Address or Post –Office Address or Home Telephone Number	Printed Last Name and First and Middle initials
<i>Renee Iverson</i>	8/9/12	253 W Nicklaus	Renee Iverson
<i>Gerry P. Hall</i>	9/1/12	148 PALMER DR	GERRY P. HALL
<i>Mike Beday</i>	9/1/12	168 Palmer Dr	MIKE E. BEDAY
<i>Lorrie A. Feerman</i>	9/1/12	164 PALMER DR	LORRIE A. FEERMAN
<i>John R. Feerman</i>	9/1/12	162 PALMER DR.	JOHN R FEERMAN
<i>James Wilson</i>	9/1/12	167 PALMER DR.	JAMES WILSON
<i>Sheila Wilson</i>	9/1/12	167 Palmer Dr	Sheila Wilson
<i>Shirley Wilson</i>	9/1/12	167 Palmer Dr	Shirley Wilson
<i>Bob Hand</i>	11	113 Palmer	Bob Hand
<i>Sharon Renee</i>	11	105 Palmer	Sharon Renee

This Petition may be circulated as of August 1, 2012 and all qualifying signatures must be collected within 90 days thereof. If the approved petition containing sufficient signatures is filed within 60 days after July 16, 2012, the petition requesting the referendum delays the resolution’s effective date until the referendum is ratified by the electors.

INSTRUCTIONS TO VOTERS

1. TO VOTE, BLACKEN (●) THE OVAL COMPLETELY. An oval blackened completely to the left of the candidate or ballot issue choice indicates a vote for that candidate or a vote on the ballot issue.

2. To write in a name, blacken the oval to the left of the line provided, and write in the name (or affix a pre-printed label) in the blank space(s) for the write-in candidate(s) for whom you wish to vote.

3. DO NOT CROSS OUT. If you make a mistake or change your mind, exchange your ballot for a new one.

VOTE IN ALL COLUMNS

MUNICIPAL

**KALISPELL MAYOR
VOTE FOR ONE (1)**

MARK JOHNSON

**KALISPELL COUNCILPERSON WARD 1
VOTE FOR ONE (1)**

JOSEPH G APPLE

SANDY MUNDAHL CARLSON

**KALISPELL MUNICIPAL JUDGE
VOTE FOR ONE (1)**

LORI A. ADAMS

MUNICIPAL

REFERENDUM NO. 103

The purpose of this referendum is to repeal resolution no. 5572. On July 16, 2012 the Kalispell City Council passed a resolution to accept the Kalispell city airport master plan update submitted by Stelling Engineers, Inc. on April 4, 2012 and to approve the plan alternative to develop the airport in collaboration with the Federal Aviation Administration as described in chapter 6 of the subject master plan update as Site 1, Option B: existing site with arc B-II standards.

FOR Repeal of Resolution No. 5572 - Overturning the Kalispell City Council's Legislative action.

AGAINST Repeal of Resolution No. 5572 - Affirming the Kalispell City Council's Legislative action.

INSTRUCTIONS TO VOTERS

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3. DO NOT CROSS OUT. If you make a mistake or change your mind, exchange your ballot for a new one.

Welch
620 O'Brien Ave
Whitefish MT 59937

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL™



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