

Minutes of Fergus County Commissioners Business Meeting
August 10th, 2017 – 2:00 p.m.
Fergus County Commissioners
Sheriff's Complex

Present: Commissioner Carl Seilstad, Commissioner Sandy Youngbauer, Commissioner Ross Butcher, and Planning Director Pamela Vosen. Public present: See attached sign in sheet.

CALL TO ORDER:

Presiding Officer Seilstad called the meeting to order at 2:00 p.m.

APPROVAL OF MINUTES:

Presiding Officer Seilstad asked if there alterations or corrections to the July 26, 2017, minutes. Hearing none the minutes will stand approved as distributed and they will be on file with the Clerk and Recorder and on the Fergus County Website.

PUBLIC COMMENT ON AGENDA ITEMS:

Consolidation of Fergus County Coroner and Fergus County Sheriff's Offices

Gary Boyce asked if the Commissioners received the petition. Commissioner Seilstad said yes they did and it states they want to keep the two positions separate. The commissioners received phone calls to keep it the same and other calls to combine it. Boyce said that he didn't find much opposition to keeping the coroner separate.

Commissioner Youngbauer stated that the county has been sued over the issue.

Jeannie Walter stated that she was affected by Dick Brown being the Coroner and a funeral director. The Coroner didn't ask where her son should be taken. She was grieving and wanted to see her son. She asked to see him and she was told no by the coroner, because he wasn't cleaned up for viewing.

Sheriff Eades explained that he doesn't want the position and has enough to do without taking on another task. Voters made a decision to have Dick Brown be Coroner. Sheriff Eades said that he has been on calls and has never seen anything inappropriate with Brown.

Naomi Summers asked what is the outcome of the law suit? And why even bother until you have an outcome on the lawsuit?

Commissioner Butcher stated that this issue was brought to their attention before Dick Brown came into office. We have to decide how to have it on the ballot in the next election. Most of the state has moved in that direction. Change the setup for the next election because the question may not be answered.

Naomi asked what the cost of combining the positions be. Everything will cost more- will there be more autopsies? Commissioner Butcher said it could and that law enforcement thinks there

may be an increase. Commissioner Seilstad said there would need to be additional staffing in Sheriff's Office as well as additional equipment.

Jeannie Walter asked if an outside person can be the coroner. Commissioner Butcher said yes they can run but the community can't put parameters on an elected office.

Rick Vaughn asked what the legality of taking away an elected position is. None per Carl. Thirty-eight counties have combined and they combined because no one wanted the position.

Kendra Milfeldt with Creel Funeral Home stated that she could provide articles from Missoula and Great Falls stating they fixed the problem. She asked for a list and examples of other elected officials doing public duties at their private business. Commissioner Seilstad said he couldn't think of any other than Gary Kruger as Public Administrator.

Scott Seilstad from Community Council wanted all the information. Our prior County Attorney Tom Meissner provided all that. Community Council believed there needed to be a change because it could be a conflict of interest. They looked at the combining of offices. They wanted an AG opinion but couldn't get one since a lawsuit was filed. They voted again to combine the office with the sheriff's department. They are glad the Commissioners are looking at it. There was a request in 1990's to look at combining the offices. This is nothing new that needs to be addressed. Comes down to conflict of interest and the Commissioners have the power to do something.

Sheriff Eades asked if the offices are combined what stops Dick Brown from running for Sheriff. The problem isn't fixed then.

Vicki Eades stated that she has dealt with both funeral homes and never has felt Dick Brown was inappropriate.

Kendra Milfeldt asked if there is an elected official doing other things who tells them to stop? Doesn't understand who controls them. Commissioner Seilstad said he would like to address the question of who handles the elected officials. It is the public. If you don't like what they are doing, don't elect them.

Linda Anderson believes that Dick Brown has done a good job. Combining the offices isn't the solution. She asked if couldn't the Sheriff's Office could ask where a body should go. That removes all the discussion from Dick Brown.

Jerry Hanley who is a member of Community Council said that his family has used all services here in town. He is here to express constituent's opinions. Scott already gave the Community Council report. The issue shouldn't be about Dick Brown, I should be what is best for the future? Fergus County Sheriff's Office has to respond to all deaths so why can't they do the coroner duties? MACo code of ethics states this may be a conflict.

Bill Berger thinks that the bottom line is who will do the best job. The Commissioners should wait for the legal system to settle lawsuit before deciding.

PUBLIC HEARING: None

PERSONNEL ANNOUNCEMENTS:

Commissioner Youngbauer talked about current position openings

ANNOUNCEMENTS:

Commissioner Seilstad stated that FSA may have EPC funds available for drought issues and fire damage. Fergus and Petroleum are both eligible for livestock forage, supplies and resources.

DISCUSSION / ACTION ITEMS:

- 1) Approval of August 10, 2017 claims: The August 10, 2017 claims were not ready for approval at the meeting.
- 2) Consolidation of Fergus County Coroner and Fergus County Sheriff: Commissioner Youngbauer motion to combine the Fergus County Coroner and Fergus County Sheriff offices. Commissioner Butcher seconded. Commissioner Seilstad asks for discussion. Commissioner Youngbauer asked who releases body after an autopsy. Dick Brown said it's a joint decision of the Coroner and the Law Enforcement Commissioner. Commissioner Butcher asked what the timeline for body release is. Dick Brown said that he works with state crime lab and County Attorney to determine the time line. Commissioner Youngbauer asked if a family harvests a body who they notify. Dick Brown said it depends on the medical examiner and if the body is needed for an autopsy. He said there are a lot of variables involved. Commissioner Butcher asked when the coroner has a body for release if there isn't a conflict when he is asking people to decide which funeral home to use. People are struggling with the decision at the time. Deputy Rick Vaughn said that will still be an issue. Commissioner Butcher said there isn't an issue because you don't have a funeral home represented by the Coroner's office. Deputy Rick Vaughn asked if combining the offices would satisfy the lawsuit. Commissioner Butcher doesn't think the consolidation would end the lawsuit. Commissioner Sandy Youngbauer said she never had an issue using Cloyd's in the past. They have the right to combine offices under the charter. They are aware that the Sheriff's Office needs additional staff. They can mill more to fund this. Commissioner Butcher said this has been a tough issue- the question is if this a conflict of interest and can you let it stand. The costs have been brought up and the issue has been coming up since there have been two funeral homes in Lewistown. They need to make sure the public trust is where it needs to be. Commissioner Seilstad said he has used Creels over the years. People will have a preference no matter what. Let lawsuits force a decision. This should have run through the courts. Seilstad would like to let the judge tell them what to do as he isn't sure which way this should go. Commissioner Youngbauer and Commissioner Butcher voted to approve consolidation. Commissioner Seilstad voted to oppose consolidation. Motion passed.

- 3) TSEP Planning Grant Application and Resolution: Commissioner Youngbauer moved to approve the TSEP Planning Grant Application and Resolution. Commissioner Butcher seconded. Passed unanimously.

APPOINTMENTS-

- 1) Council on Aging – Robert H. Eckhardt: Commissioner Butcher moved to appoint Robert H. Eckhardt to the Council on Aging. Commissioner Youngbauer seconded. Passed unanimously.
- 2) Fair Board – tabled until September.

OTHER BUSINESS: None

NEXT MEETING DATES:

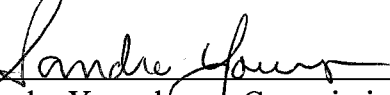
August 16, 2017 Wednesday, 5:15 p.m.	Business Meeting	Fergus Co. Commissioners. 712 W. Main St., Suite 210 Lewistown, MT 59457
August 25, 2017 Friday, 2:00 p.m.	Business Meeting	Fergus Co. Commissioners 712 W. Main St., Suite 210 Lewistown, MT 59457
September 11, 2017 Monday, 2:00 p.m.	Business Meeting	Fergus Co. Commissioners 712 W. Main St., Suite 210 Lewistown, MT 59457

Reminder: Agenda items are due to the Commissioners 10 days prior to the meeting.

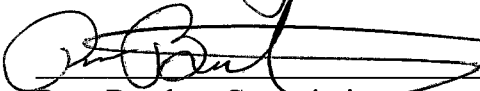
FERGUS COUNTY COMMISSIONERS:



Carl Seilstad, Presiding Officer

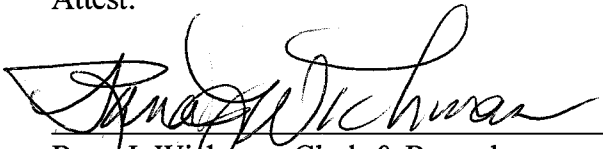


Sandra Youngbauer, Commissioner



Ross Butcher, Commissioner

Attest:



Rana J. Wichman, Clerk & Recorder

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**Fergus County Public Meeting
Attendance Roster**

Meeting Date: 8-10-17

Name	Address	Public Comment?	
		Yes	No
Don Grigsby	Laurel	✓	
L. McElroy	L-town	✓	
Scott Edgell	Data	✓	
Cathy Barta			✓
Ron Bort			
Evan Thompson	Helena	✓	
Mr. Murphy	Lewistown	✓	
Elaine Kraham	Lewistown		
R.J. Brown	"		
Dean Bay	Winifred		
Jan J.	Lewistown		
Leslie J. Talley	Lewistown		
Thomas Walter	Grass Range	✓	
Giles Stocklin	Grass Range		-
Deb Hill	News Argus		X
Jacques Ruffen	"		
Thomi Sumner	SALES	✓	
Wendy D. Eades	FCSO	✓	
Traey Lewellen	FCSO		
Gary Hanley	Maiden	✓	
William Bryan Armour	FCSO	X	

Fergus County Public Meeting Attendance Roster

Meeting Date:

Public Comment?	
Yes	No

[illegible]

We, the undersigned, do hereby petition the Fergus County Commissioners to keep the current Elected Offices of Fergus County Coroner and Fergus County Sheriff. We are against the consolidation of the two elected offices listed above.

Name	Date	Address
Justin Pinner	8/6/17	P.O. Box 297, Lewistown MT 59457
Brooke Styer	8/10/17	304 Uranium Dr. Lewistown
Justin Pinner	8/6/17	605 Virginia St Lewistown
Hannah A. Haers	8/6-17	216 Roundhouse Rd Lewistown
Jonathan Polich	08-06-17	1219 W. WATER STREET LEWISTOWN
Amanda Walter	08-07-17	112 Crystal Drive Lewistown
Mark Styer	08-08-17	Bx 171 Grass Range
Rebecca Haynes	8-8-17	Bx 171 Grass Range

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8/8/17 - Corner
Glady's Walling-
for leaving it the
way it is -

NETWORK SITES

Way 17

NETWORKS WEBSITES
PC REPAIR PHONE SYSTEMS

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[illegible]

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Name	Date	Address
Rick Vangum	8-1-17	1411 Agate Dr. Lewistown
Emily Jance	8/1/17	1210 W. Montana St Lewistown
Tommy Mettelt	8/1/17	153 Judith ave Lewistown MT
Breton Koch	8/1/17	1650 Glasgow Rd Lewistown MT
William Armour	8/1/17	129 G St. Lewistown, MT
Chris Feller	8/5/17	700 Mendel St Lewistown MT
GATLEN LAMB	8/5/17	1102 7th AVE N LEWISTOWN
Paul Thummen	8/5/17	214 2nd Ave So. GG Lewistown, MT
Kirby Dempster	8/6/17	708 Main, Denton, MT
Kevin Williams	8-6-17	1112 7th Ave N, Lewistown, MT
Tracy Lowellen	8-7-17	531 NE Hudson St, Lewistown, MT
Phillip Pico	8-7-17	604 W Blvd, Lewistown MT.
Kenata Ophus	8-7-17	501 7th Ave So Lewistown MT
Jung C. [Signature]	8-7-17	1599 CASINO CREEK DR. Lewistown MT.
Kelly Manicott	8-7-17	4574 PACER COULEE, DENTON MT
Anna Belden	8/7/17	421 Virginia St, Lewistown MT
Sandra Coppedge	8/7/17	639 Timber Tracts Rd, Lewistown MT
Tromi Almmes	8/07/17	2053 Lenex St, Lewistown MT
Brad Yaeger	8/8/17	815 UROOMAN ST Lewistown mt.
James R. Yaeger	8-8-17	1346 McMillan Rd., Lewistown MT
Max Guy Mabury	8-8-17	18779 US Hwy 191 Hdsu mt
Ronnie A Yaeger	8-9-17	1101 7th Ave South Lewistown

We, the undersigned, do hereby petition the Fergus County Commissioners to keep the current Elected Offices of Fergus County Coroner and Fergus County Sheriff. We are against the consolidation of the two elected offices listed above.

Name	Date	Address
Walter Green	7/27/2017	3315 Blackwelder Rd Winifred
W. Phil	7-27-2017	1026 Moulton Rd Hilger MT
James Christ	7/27/2017	PO Box 122 Moore, MT 59464
Todd Kinder	7/27/2017	P.O. Box 145 Winifred, MT 59489
Breanna Kinder	7-27-2017	P.O. Box 145 Winifred MT 59489
Lysanaph Wille	7-27-2017	P.O. Box 3585 Lewistown MT 59457
Stacy Hutto	7-27-2017	1743 S. Trout Creek Rd Moore MT 59464
Ray Mays	7-27-17	307 Palmer St Winifred MT 59489
Jane Olmstead	7/27/17	108 10th Ave S Lewistown MT 59457
John	7/27/17	1399 Cedar Ln Denton 59438
Kylee Clark	7/27/17	1216 Snapp Loop Lewistown
Jack W	7/27/17	P.O. Box 165 Ray MT 59471
Juli Frehse	7/27/17	100 Oliver Rd Denton MT 59438
Mary Lou Stule	7/27/17	805 Stule Lane Winifred MT 59489
Walter Marmen	7/27/17	P.O. Box 113 Winnet MT 59047
Helen Jones	7-27-17	P.O. Box 24 - GR 59022
Amy Christensen	7-27-17	P.O. Box 560 E. Helena 59635
Kirby Reiter	7-27-17	Kirby Reiter 306 - 3rd St West
Guy Johnson	7-27-17	Guy Johnson 105 HILLCREST DR.
KATY JOHNSON	7-27-17	Katy Johnson Box 17 WINNETT 59007
Dewin Stott	7-27-17	601 Rocklyn Ave Lewistown
Hope Berg	7-27-17	601 Rocklyn Ave Lewistown MT
Brook Zibek	7-27-17	P.O. Box 3574 Lewistown, MT
Jane Deroker	7-27-17	256 Brook S Loop Lewistown, MT
River Hughes	7-27-17	944 North River Road
Maple Hill	7-27-17	151 O'Brien Lane Moore, MT
Johnnie L. Hill	7-27-17	2443 Tyler Creek Rd Lewistown
Anna Hill	7-27-17	111 East Blvd Lewistown
Jane C. Nordlund	7-27-17	974 Eagle Butte Pk Lewistown MT 59457
Tyler Lanning	7-27-17	103 North St S. Helena MT 59479
David Hill	7-27-17	224 W. Main St Lewistown, MT 59457

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Name	Date	Address
Krystal Bold	7/27/17	716 W Corcoran St Lewistown, MT 59457
Marny Berge	7/27/17	710 W Corcoran St Lewistown, MT 59457
Shelby Smith	7/27/17	300 2 nd Ave S Winifred, MT 59489
Cole Heller	7/27/17	Box 173 Winifred MT 59489
Danice McNamee	7/27/17	Box 22 Winifred, MT 59489
Luke Stule	7/27/17	" " "
Raymond Rod	7/27/17	2000 Campbell Rd Roy, MT
William Rod	7/27/17	93174 US Hwy 87 Lewistown, MT
William Rod	7/27/17	93174 US Hwy 87 Lewistown, MT
John Rod	7/27/17	983 Black Cow Trail Lewistown, MT
William Rod	7/28/17	556 Bitterroot Dr. Lewistown, MT
John Rod	7/28/17	1025 Casino Creek Rd, Lewistown, MT
John Rod	7/28/17	1025 Casino Creek Rd. Lewistown, MT
Brian Z	7/28/17	222 EAST 4th ST Grass Range, MT
Samuel L. Matarich	7.28.17	303 E. 4 th ST, GRASS RANGE, MT
Ryan D Melancy	7/28/2017	810 W EVELYN, LEWISTOWN, MT
Cristal Swinmore	7/28/2017	609 Barnes Street Lewistown, MT
Joe Stule	7/28/2017	805 Stule Lane Winifred, MT
Lyndsey Green	7/28/2017	406 Main St. Winifred, MT
Don Carl Stram	7/28/2017	P.O. 11 Winifred, MT
Kyle Smith	7/28/17	200 Campbell St. Winifred, MT
Logan Heger	7/28/17	357 Heger Ln at Winifred
Tara Knox	7/28/17	405 Day St. Winifred, MT 59489
Julie Ewen	7/28/17	PO Box 115 Winifred, MT 59489
Judith L Brooks	8/7/17	PO Box 136 Winifred, MT 59489
Rosa Thompson	8/7/17	P.O. Box 75 Winifred, MT, 59489
Eva Jordan	8/7/17	10233 Winifred Hwy Hilger, MT 59457
Verna Jessen	8/7/17	PO Box 126 Grass Range, MT 59032
Ann Bergum	8/7/17	98 Beatty Ln, Roy, MT 59471
Marion Boyce	8/8/17	Box 74 Winifred, MT 59489

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Name	Date	Address
<i>[Signature]</i>	7/27/2017	Box 152, Winifred, MT
<i>[Signature]</i>	7-27-17	329 Poplar La. Winifred MT
<i>[Signature]</i>	7-27-17	10563 M Trail Winifred MT
<i>[Signature]</i>	7-27-17	157 Backcountry Trail
<i>[Signature]</i>	7/27/17	104 6th Ave N Winifred MT 59489
<i>[Signature]</i>	7-27-17	Box 163 Winifred MT
<i>[Signature]</i>	7-27-17	PO Box 163 Winifred MT 59489
<i>[Signature]</i>	7-27-17	P.O. Box 88 Winifred, MT 59489
<i>[Signature]</i>	7/27/17	PO Box 88 Winifred, MT 59489
<i>[Signature]</i>	7/27/17	PO Box 6 Winifred, MT 59489
<i>[Signature]</i>	7/27/17	PO Box 6 Winifred MT 59489
<i>[Signature]</i>	7/27/17	Box 82 Winifred MT 59489
<i>[Signature]</i>	7-27-17	Box 82 Winifred, MT 59489
<i>[Signature]</i>	7/27/17	Box 101 Winifred MT 59489
<i>[Signature]</i>	7-27-17	Box 213 Grass Range MT 59032
<i>[Signature]</i>	7-27-17	2553 Bowser Rd Roy MT
<i>[Signature]</i>	7-27-17	3814 W 79 Trail Winifred, MT
<i>[Signature]</i>	7-27-17	703 Campbell St. Winifred, MT
<i>[Signature]</i>	7-27-17	51550 US Hwy 191 Roy MT.
<i>[Signature]</i>	7-27-17	PO Box 132 Roy, MT 59470
<i>[Signature]</i>	7-27-17	Box MT / Lewis town
<i>[Signature]</i>	7/27/17	716 W Evelyn St Lewistown, MT
<i>[Signature]</i>	7/27/17	882 Fort Maginnis Rd 59452
<i>[Signature]</i>	7/27/17	P.O. Box 26 Winifred 59489
<i>[Signature]</i>	7-27-17	295 Butter milk Cuvr Lewistown
<i>[Signature]</i>	7/27/17	PO Box 71 Winifred MT 59489
<i>[Signature]</i>	7-27-17	357 Heggen Ln.
<i>[Signature]</i>	7-27-2017	Grass Range MT 59032
<i>[Signature]</i>	7-27-17	157 Backcountry Ln. Winifred, MT
<i>[Signature]</i>	7-27-17	9882 Hanover Rd
<i>[Signature]</i>	7-27/17	Winifred MT.

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Name	Date	Address
Arnold Brown	7/21/17	PO Box 371 Lewistown, MT 59457
William E. Berger	7/22/17	PO Box 1087 Lewistown MT
Francis J. Berres	7/22/17	248 Cottonwood Lewistown MT
Keith M. Conroy	7/22/17	924 Timberline Rd Lewistown
Cash O. Cook	7/22/17	1019 Highwood Blvd Lewistown
Jay Nubser	7/22/17	524 W. Cook St. Lewt. MT
Debbie Sanford	7-22-17	1210 W. Washington, 59457
M. L. F.	7-22-17	1210 W. Broadway Lewt 59457
Max Larson	7-22-17	716 W Evelyn St. Lewistown
Jane Brown	7-22-17	203 Nelson Drive
Walter Meyer	7/24/17	P.O. Box 3644 Lewistown
J. M. L.	7/24/17	P.O. Box 723 Lewistown
Norma Morris	7/24-17	P.O. Box 3644 Lewistown
Julia Stevens	7/25/17	PO Box 66 Moore
Mike Little	7-27-17	84 SW A St
Claudia Brown	7/27/17	124 Hawthorne Ave, Lewistown
Larry Bowman	7/27/17	Lewistown, MT.
Rina Gull	7/27/17	715 5th Ave South Lewistown
Edward Moore	7/27/17	818 W. WATSON Lewistown, MT 59457
Barbara Lutz	7/27/17	PO Box 627 "
Walter Kren	7/27/17	715 Huron St Lewistown MT
Sen Sam	7/27/17	509 Brassie St. Lewistown, MT
Joe Ward	7/27/17	516 7th Ave South, Lewistown, MT
Bob C. B.	7/27/17	135 C St Lewistown, MT 59457
John D.	7-27-17	615 Idaho Lewistown MT 59457
David L.	7/27/17	1209 West Water St Lewistown 59457
John G.	7-27-17	715 South Miller St Lewistown 59457
Joe L.	7-27-17	1214 W. Washington Lewistown MT 59457
Joe L.	7-27-17	PO Box 1915 59464
Barb Bremner	7-27-17	1016 8th Ave N.
Scott Spake	8-7-17	109 Sage Hen Lewistown, MT 59457

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Name	Date	Address
Martha Chapel Boyce	7/25/17	PO Box 802, Lewistown, MT 59457
Alan Sticker	7/26/17	308 W Washington ⁵⁹⁴⁵⁷ Lewistown
J.N. Moore	7/26/17	PO Box 1003 Lewistown
Wayne Selzer	7/27/17	812 Wendell AVE
Jerry Pickett	7/27/17	920 6th Ave N. Lewistown
Duane Kuonen	7/31/17	126 A Street Lewistown
Arnon Neal	7-31-17	717 W Janeyup St
Luther P. Hays	7-31-17	139 Pine Ridge Lane Lewistown
June Byberg	7-31-17	74 Willow Ln. Lewistown
Ernest R. Ellis	7-31-17	121 13th Ave S
John M. Srenter	07/31/17	139 Uranium Dr. - Lewistown
Mike Lloyd	07/31/2017	1201 W Blvd Lewistown
Richard A. Lebow	07/31/2017	226 SW CEDAR ST Lewistown
Jessie L. Catron	07/31/2017	226 SW Cedar St. Lewistown
Bob Ruckman	7-31-17	Lewistown
Martindale	7-31-17	Lewistown
Scott Lutz	7-31-17	Lewistown
Thomas S. Smith	7-31-17	Lewistown
Sighe M. Denton	7-31-17	Lewistown MT
Andy Miller	7-31-2017	Lewistown MT
Robert S. ...	07.31.2017	Denton, MT
Terrie ...	7-31-17	LEWISTOWN MT
...	7-31-17	Lewistown, MT
...	7-31-17	Lewistown, MT
...	7/31/17	Lewistown, MT
...	7/31/17	Grass Range, MT
...	7/31/17	Grass Range MT
Colleen D. Hamilton	8/01/17	Lewistown, MT
...	8/4/17	211 WEST EVELYN
Paul W. ...	8/3/17	112 CRAWFORD

J. THOMAS WOJTOWICK

373 Burnette Creek Drive · Lewistown, Montana 59457 · USA
406-538-3739 · jtwojt48@gmail.com

27 July 2017

Fergus County Commissioners
712 West Main Street
Lewistown, Montana 59457

RE: Consolidation of the offices of Fergus County Coroner and Fergus County Sheriff

Dear Commissioners:

I write in support of the consolidation of offices for coroner and the sheriff's department. At your public meeting and hearing of 10 July 2017, and given the discussion about this issue, there is much not being said about the proposal.

As a member of the Community Council, we have thoroughly studied the paper work, the documents related to issues of conflict of interest and the usual practices of good ethical standards of behavior. We have been at this for more than a year and half.

I have also been intimately involved in the local issues of funeral homes and our crematorium and have three times testified at state legislative committees in favor of options for our citizenry. I have further written positions statements with regard the state Funeral Board and their discriminatory actions toward the Central Montana Crematorium and I was a litigant in a law-suit about the same. Please know that Mr. Dick Brown was the chair of the state Funeral Board, and in spite of his recusal, his competitive stance far overshadowed his concern for reasonable options for people making decisions about funeral arrangements.

I do not for a moment trust that any competitor in business is without prejudice. Every competitor has a vested interest. In fact, that influence usually becomes coercive as the public is not truly faced with real options when having to make funeral decisions. Witness the statement I made at your meeting - we know the coroner does not suggest the Crematorium is one of the options available. But neither local mortician would pass up the opportunity to spread doubt such an option because both have purported distortions in order to close a fellow competitor. And I am sure neither would suggest that people could simply bury their own dead as is allowed in law.

That more people did not attend your hearing was apparent. Please let me address that. The people of this county suffer some of the same concerns and worries as the rest of our nation. After years of attempting to inspire the sheriff's office and the Lewistown police department to comply with good procedures as outlined in Crisis Intervention Training, through my involvement with both NAMI and the Community Council, we continue a 'status quo' that in time has made our treatment of the public at the hands of law enforcement very difficult. An unwillingness for further training in any field is a sign

of poor practice. I question how many people in either department have bachelor degrees, for it is usual that good educational backgrounds lend themselves to continual interest in those specific fields and adds to competency.

What I am attempting to get at here is a culture of intimidation pervasive among the public. In our current political climate in the United States, police abuse is a difficult issue. As Daniel Payne in TheFederalist recently reported: "An American police officer can do almost anything without suffering the criminal consequences...because Americans have a deeply dysfunctional and unhealthy attitude about what constitutes acceptable police behavior." He went on to discuss unreasonable fears on the part of police which mightily impact interactions with the public. Locally we may not have such tragic events, but questions and worries about deaths in our jail, clear abuse of some groups of people, breakdown of timely resolution of cases where people have been beaten or abused, inconsistent student training, and reasonable use of constraint are well known. Believe me, the public knows more than most in authority want to realize. As I said to our former county attorney, if something should happen to me, I do not trust that I would live to see justice served. I have a lot of experience about serious defects in our local systems after years of work on the Adult Protective Team, social work and public administration, and have been part of a couple of serious confrontations with local service people. The abuses of police management are many wherein damaged people are treated cruelly.

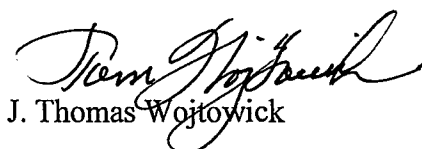
So it is difficult for people to address this issue of consolidation given a very real reluctance to face both the sheriff's office and the coroner. That does not negate the experience of many who have had to endure uncomfortable circumstances.

Please realize that a number of people over the years have had to make the decision about funeral arrangements when in the presence of the coroner. Even if he never gave any indication of prejudice, the person making the decision is already dependent and biased. The people who already have existing contracts or "final" plans in place, do not have this difficulty. But those people are few as I witnessed in my years of working with older people and helping them plan for estates, wills and funerals.

I make these statements to enforce the need for good education by all, reasonable support to people in need or crisis, and awareness that in difficult human moments of grief and fear, offers of assistance with funeral arrangements by an invested coroner is not a small issue. Dependent people are factually without good support in many instances.

Because of the conflict of interest inherent in the duplicitous combination of funeral director and a coroner, and because the public is in a compromised position when making funeral arrangements in such events, and because we locally continue to 'just get by' in our less than possible manners in local justice, I support the consolidation of the two offices. And I trust the experience of so many in our state that this is a good course of action. A number of sheriff's support this approach.

Thank you for your considerations for the good of the people of our county.



J. Thomas Wojtowick

Fergus County Community Council
712 West Main Street
Lewistown, Montana 59457

27 July 2017

Fergus County Commissioners
712 West Main Street
Lewistown, Montana 59457

Re: Consolidation of the offices of Fergus County Coroner and Fergus County Sheriff

Honorable Commissioners:

In response to our discussions at our last Community Council meeting (10 July 2017), and in review of our minutes, please find copied herein the recommendation from the Council on 20 Jun 2016 and a follow-up discussion on 19 Dec 2016. As you know we have continued to discuss the issue in the current year.

I think it fair to say that we have thoroughly examined the issues given the documentation we have reviewed and that we generally favor consolidation because of common practice in the state of Montana. Most importantly we awaited the legal decision which we believed would support the common code of ethics within state government.

20 June 2016

Commissioner Request: County Coroner Position

S Seilstad introduced this topic with thanks to the County Attorney's office for the provision of 126 pages of documentation about the conflict of interest for a coroner to also be a local mortician with a funeral home. K Sipe explained some of the issues involved in this issue: there is a code of ethics which all elected officials must abide by; there is general agreement that the current conflict is seen as such by most who review the law; that a secondary issue to this is the issue of either an independent coroner or a coroner as part of the sheriff's office, which is the case in the majority of counties in the state; court cases to settle these issues will be long term events, but that the possibility of an Attorney General's Opinion might be a shorter route especially with all the documentation that has been assembled.

The County Commissioners have specifically asked the Council to weigh in on the option of an independent coroner or the changes of a job description to the sheriff's position with inclusion of this work. Discussion was long and varied. K Sipe was helpful with the explanations which clarified a number of concerns.

The Council recommends the following:

"That the County Commissioners direct the County Attorney to request the Attorney General's opinion on the local conflict of interest regarding the County Coroner."

Motioned by S Seilstad and J Hanley. Passed unanimously.

In further discussion, it was suggested that the Council study the suggested two-solution plan of either an independent coroner or the sharing of that position within the sheriff's department. It was agreed to study the current status of these jobs within the state and to consider other possibilities. It was agreed to pick this up at the August meeting. S Seilstad thanked all involved for their input and their appreciation of the difficulties involved. He will also explore the possibility of legislative action which might more clearly define conflicts that cannot be managed and or clarify by law those areas in need of consistent interpretation.

19 Dec 2016

County Coroner Status Report R Butcher noted no news with the law suit pending. If coroner's office is to be combined with the sheriff's department, public discussion must be addressed. There is still the issue of an independent coroner. Ross noted the job requires about quarter-time. S Youngbauer said that in larger counties, all deputies are required to attend coroner training. B Rouns suggested when making the changes to the job descriptions to require CIT and coroner training and the public can hold the county employees accountable. Ross suggested a public meeting for input. In discussion, such a meeting should be held early in 2017. The County Charter may have to be amended to combine offices if not changed by commissioner resolution.

Please contact me if I might assist in any other way.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "J. Thomas Wojtowick", with a long horizontal flourish extending to the right.

J. Thomas Wojtowick
Secretary-Treasurer
Fergus County Community Council

James W. Janick
3571 Crystal Lake Rd.
Moore, Mt. 59464

Fergus County Commissioners
Fergus County Court House
West Main St. Lewistown, Mt.

Dear Sirs,

I'm writing this letter to urge you to deny the motion to move the coroners office to the sheriffs department. This will add additional work load to that office requiring additional employment. Consequently this move will require additional tax dollars to pay this added expense. I think Dick Brown is doing a good job and I can't see where it is giving him any special edge in his business. Both Dick Brown and Ralph Muhlfield are doing a excellent job. If you care to check the obituaries in the News Argus you actually will see Creels Funeral Home gets its fair share of funerals

Respectfully,
James W Janick

Clint and Cathy Whitney
73530 Hwy 191 N
Roy, MT 59471

July 10, 2017

Fergus County Commissioners
712 W Main
Lewistown, MT 59457

Dear Commissioners,

We oppose the consolidation of the Sheriff and Coroner positions. We think that Dick Brown is doing a fair and professional job. The Sheriff already has enough responsibilities.

Thank you for considering our opinions.

Clint and Cathy Whitney

Clint Whitney

Cathy Whitney

Kendrick + ^{Courtesy} Communism

All of u apparently
know nothing of
what the Couriers Job
involves / or the
Sheriffs.

I could ask my
11 + 12 yr old granddaughters
+ in 10 minutes or less
they could give me a
Better answer than
any of you? They have
the Brain + Common Sense I'd Give
U then

These People are on
call 24/7 365 Days
a year!

Then just sitting down
to Dinner & their Page
goes off!

They just layed down
with their son or daughter
to read them a Bedtime
Story, and the Page
goes off

Then just walking out
the door to go to Church
with their family & their
Page goes off

whether its a Wreck
on the highway, and
their walking across
somebodys Brains
+ Blood + Guts

laying on the highway!
not in the person's
Body anymore.
Or there walking into
a Burning Building
to put out the fire +
find some little kid +
their dog so they don't

die of Smoke ^{In Spelling} Inhalation
Or just burn up too!!

Hey Kendra Can u
do these things,
have u even thought
above things like
this?

Takes a Certain Kind
of Person ...

Have considered what
you watch on TV
when the Cop walks up
to the Car + Gets a Bullet

Happens Everyday all
Day long

Does the Sheriff
have to worry about a
Bulldog + Being
Cornered??

• ~~Songs~~
~~Chorus~~ Its not like I've
got the Money if I
have the time!

Brown has been corner
for years, + I believe
Jerry Clorpe was before Brown
Jerry Clorpe's was the
owner of Clorpe's then

So Commissions
+ Kendra

Quit Wasting Everyones
tax payers \$ + time

~~Kendra~~ Are u so Bored

u haven't got anything
better to do.

If you're bored take up
a research project on
Common Sense

gets u a long way
if u have any

Kenbra u have a
Serious common sense
Problem

30 Counties in Md
Make it work / good
4 them

They are Not Forgetful
Least own Md.

1 Personal Home in each
town, great

We have been Blessed with
Two for generations / Decades

Kemdra / Party Comm

Call up Brown
ask for a Backstage
tour of the Morgue
See for yourself
what the Couriers
job is really about
Not just pronouncing
them Dead ! That
God forbid is the easy
Part.

Very Educational + takes
a College degree &
We could take bets on who
Rakes 1st

Sheries to you folks
Firefighters, EMT's
Sheriffs, Ambulance crew
Dispatchers who
better listen fast
+ make the call

Kendra
Commission + Mr. Corner / McBrown
They Don't

Have
time

for Bloody
Politics +

Stupidity
* God Bless Them All