

FERGUS COUNTY RESOLUTION NO. 6-2019

**A RESOLUTION PROVIDING FOR THE REORGANIZATION OF
THE FERGUS COUNTY FAIR BOARD**

WHEREAS, the Board of County Commissioners of Fergus County is interested in the efficient operation of various boards and commissions in Fergus County, and in accordance with Montana Code Annotated Title 7, chapter 1, part 2, the Board of County Commissioners has undertaken a review of the Fergus County Fair Board, herein known as Fair Board, and in accordance with such statutes hereby updates the duties of such Board, which shall be subject to the following provisions:

1. COMPOSITION.

- a. Members. The Fair Board shall consist of five (5) members. All members shall be appointed by the Board of County Commissioners and shall serve at the pleasure of the Board of County Commissioners. The Board of County Commissioners, pursuant to Montana Code Annotated § 7-1-201(50)(a), has the authority to remove any member at any time for any reason. However, prior to removing a member from the Fair Board, the Board of County Commissioners will seek input from the rest of the Fair Board and place the matter on a Board of County Commissioner's meeting agenda for public input and discussion.

A decision to remove a Fair Board member shall be final. Vacancies on the Fair Board shall be posted at least one (1) month prior to an appointment to fill any such vacancy.

b. Officers. Members shall elect a chair and vice-chair annually. Members also shall appoint a secretary annually. The secretary may be, but is not required to be, a member of the Fair Board.

2. MEMBER QUALIFICATIONS. All Fair Board members shall be residents of Fergus County and shall have demonstrated an interest and knowledge in the Central Montana Fair and its various functions.

3. TERMS. Pursuant to § 7-1-201(5)(c), the terms of members shall be four (4) years. Pursuant to the Fergus County Charter, Article III, Section 3.03, a member may not serve more than two (2) terms consecutively. The term of each member commences September 1.

4. MEMBER EXPENSES. The members of the Fair Board shall serve without salary or other compensation. However, Fair Board members may, subject to pre-approval by the Board of County Commissioners, receive mileage, per diem, or expenses for attendance of the Rocky Mountain Association of Fairs.

5. POWERS, DUTIES, AND RESPONSIBILITIES.

a. Pursuant to § 7-1-201(11), the Fair Board shall provide by rule for the date, time, and place of regularly scheduled meetings and file the information with the Board of County Commissioners.

- b. Pursuant to § 7-1-201(9), a majority of the Fair Board members constitutes a quorum for conducting business, and a majority of those members present and voting shall constitute a decision of the Fair Board.
- c. Pursuant to § 7-1-201(10), the Fair Board shall keep written minutes, including the final vote on all actions and the vote of each member.
- d. Pursuant to § 7-1-204, within thirty (30) days after the minutes have been approved, they shall be submitted to the Fergus County Clerk and Recorder for electronic storage in accordance with Montana Code Annotated Title 2, chapter 6, part 12.
- e. It is preferred that all contracts related to the Central Montana Fair be reviewed by the County Attorney's Office and signed by a County Commissioner. However, Fair Board members may, with pre-approval of the Board of County Commissioners, execute contracts without legal review or a Commissioner signature if it is necessary to secure events such as during the Rocky Mountain Association of Fairs convention.
- f. The Fair Board shall not hire or manage employees. The Board of County Commissioners shall hire and manage employees with recommendations from the Fair Board.
- g. The Fergus County Fairgrounds Manager shall manage the operation of the Central Montana Fairgrounds and annual Central

Montana Fair with input from the Fair Board. The Fair Board shall coordinate the operations of the annual Central Montana Fair. County department heads, such as the Fairgrounds Manager, shall report to the Board of County Commissioners but shall work collaboratively with the Fair Board to promote and host the Central Montana Fair.

- h. The Fair Board acts in an advisory capacity and may provide recommendations to the Fairgrounds Manager regarding other non-Fair events held at the Fairgrounds and capital improvements to the Fairgrounds. Nothing in this resolution shall be construed to prohibit the Fair Board or any of its committees from making recommendations to the Fairgrounds Manager and being active in events or capital improvements at the Fairgrounds. No member of the Fair Board may hold an interest in any contract or transaction that would create a real or perceived conflict of interest. Members must comply with Montana Code Annotated § 2-2-201.

- 6. **POLICY AND PROCEDURE.** The Fair Board shall prepare and adopt any policy or procedure deemed necessary by the Fair Board and approved by the Board of County Commissioners for effective management and operation of the Central Montana Fair. The Fair Board may adopt policies and procedures as approved by the Board of County Commissioners for the effective management and operation of

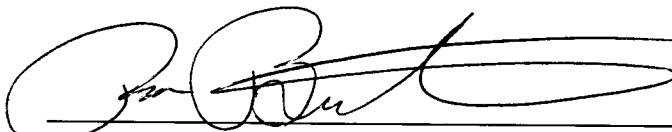
other Fairground events. The Board of County Commissioners will encourage and seek input from the Fairgrounds Manager, Fair Board and the public in the management policy and procedures of the Fairgrounds facilities, Central Montana Fair, and other non-Fair events. However, such policies and procedures may not conflict with or be contrary to policies or procedures of Fergus County or any rule, regulation, or law of the federal or state government.

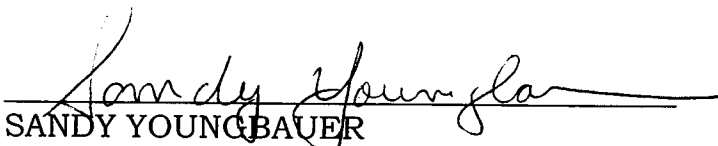
7. BUDGET. Pursuant to § 7-1-201(14), the Fair Board shall annually prepare and submit a proposed budget for the annual Central Montana Fair to Fairgrounds Manager. The Fair Board may provide budget recommendations to the Fairgrounds Manager regarding capital improvements and the Fairgrounds. The Board of County Commissioners shall seek input from the Fairgrounds Manager, Fair Board and the public in proposing projects and budgets for the Fairgrounds or Fairgrounds facilities. The preparation and submission of the budget shall be in accordance with the County budget law and all other applicable statutes. Within ninety (90) days of the annual Central Montana Fair, the Fair Board and Fairgrounds Manager shall provide to the Board of County Commissioners a financial summary of the Central Montana Fair.
8. BYLAWS. The Fair Board shall be governed by bylaws that are approved by the Board of County Commissioners.

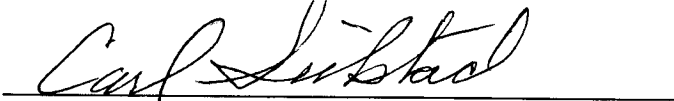
9. REVIEW. The Board of County Commissioners may review this resolution at a public meeting in November 2021.

PASSED AND APPROVED this 23rd day of May 2019.

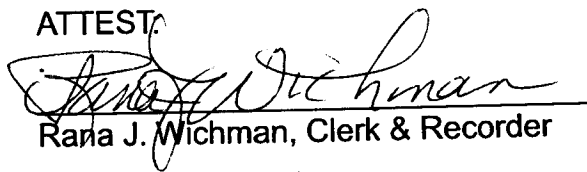
BOARD OF COUNTY COMMISSIONERS:


ROSS BUTCHER


SANDY YOUNGBAUER


CARL SEILSTAD

ATTEST:


Rana J. Wichman, Clerk & Recorder