

Resolution 28-2020

WHEREAS, Executive Orders 2-2020 and 3-2020 declare that a state of emergency exists in Montana due to the global outbreak of COVID-19 Novel Coronavirus; and

WHEREAS, Montana Governor Steve Bullock on March 25, 2020 issued a Directive Implementing Executive Orders 2-2020 and 3-2020 and providing for measures to implement the 2020 June primary election safely; and

WHEREAS, Section 13-19-201, MCA states that "A proposal to conduct an election under this chapter may be initiated by either the election administrator or the appropriate governing body as provided in 13-19-202 through 13-19-204; and

WHEREAS, Section 13-19-202(3), MCA states that "Except as provided in 13-19-204, the decision to conduct an election under the provisions of this chapter is within the sole discretion of the election administrator; and on August 17, 2020, the Fergus County Election Administrator informed the Fergus County Commissioners of her intent to conduct the November 3, 2020 Federal General Election by mail ballot with in-person option with a full written plan; and

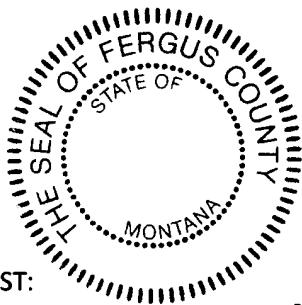
WHEREAS, Section 13-19-204(1), MCA states that "A political subdivision may, by resolution of the governing body, object to the conduct of one of its elections under this chapter. The resolution must include a statement of the reasons for the objection." The primary objection is as follows:

The Fergus County Commissioners feel that by having a polling place election available to the voters of Fergus County, they are not subjecting voters to any problems associated with going to a public place, but are rather giving them one more choice regarding when and where they choose to receive and complete their ballot. They will now have the following choices available: (1) Absentee voting; (2) voting a mail ballot by submitting a signed request, (3) early in-person voting at the Fergus County Courthouse; and (4) voting at their precinct at the Fergus County Trade Center.

WHEREAS, Section 13-19-204(2), MCA states that "If the resolution is filed with the election administrator no later than 55 days prior to election day, the election may not be conducted by mail under this chapter."

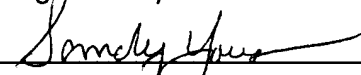
NOW, THEREFORE, BE IT RESOLVED that the Fergus County Board of Commissioners hereby request Election Administrator Rana J. Wichman to conduct the November 3, 2020 General election under the polling place provisions of Title 13, Chapter 19 and in accordance with the Governor's March 25, 2020 Directive Implementing Executive Orders 2-2020 and 3-2020.

DATED this 25th day of August, 2020.



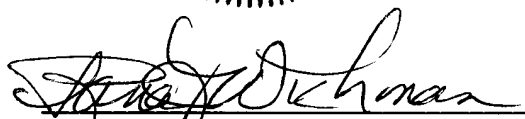
ATTEST:

Fergus County Board of Commissioners


Sandy Youngbauer, Presiding Officer


Carl Seilstad, Commissioner


Ross Butches, Commissioner


Rana J. Wichman, Clerk & Recorder