

Minutes of Fergus Co. Commissioners Business Meeting

April 9, 2021 – 2:00 p.m.

Fergus County Commissioners

712 W. Main St., Suite 210

Lewistown, MT 59457

Present: Commissioner Ross Butcher, Commissioner Carl Seilstad, Commissioner Sandy Youngbauer, Clerk and Recorder Janel Tucek, Public present: Diane Cochran, Deputy County Attorney.

CALL TO ORDER:

Commissioner Youngbauer called the meeting to order at 2:03 p.m. Agenda was approved as presented.

APPROVAL OF MINUTES:

Commissioner Youngbauer asked if there were any alterations or corrections to the March 25 , 2021 minutes. Hearing none, she stated the minutes stand approved as presented and will be on file with the Clerk and Recorder and on the Fergus County Website.

PERSONNEL ANNOUNCEMENTS:

1. County Attorney – 1/2 time Deputy Co Attorney / 1/2 time City of Lewistown Attorney is still open
2. Central MT Health District – Full Time Public Health Nurse
3. Fergus County Recreation District board person within city limits
4. Fergus County Port Authority board member – 5 year term
5. City/County Planning board member – outside of city limits but w/in 4 mile radius
6. District blade operator – perm/full time road department
7. Weed Sprayer – temp/full time weed department

ANNOUNCEMENTS / REPORTS:

1. Commissioner Butcher attended the MACo townhall zoom meeting on legislative updates.
2. Commissioner Seilstad went to Helena for PCT meetings. States that building premiums will be going up about 20%.
3. All commissioners went to Great Falls to MACRS and learned lots regarding roads.

PUBLIC COMMENT: none

DISCUSSION /ACTION ITEMS:

1. Commissioner Butcher made a motion on the Fergus County Recreation District By-laws to get them to discussion; Commissioner Seilstad 2nd; discussion occurred about the board meeting that Commissioner Butcher sits on for the Recreation District.

Commissioner Butcher made a motion to approve the by-laws with a resolution to come later; Commissioner Seilstad 2nd; **Motion passed.**

2. Commissioner Butcher made a motion to approve **Resolution 7-2021** to designate Snowy Mountain Development Corp to act on county's behalf in submitting grants to US Dept of Housing and Urban Development. Commissioner Seilstad 2nd. Commissioners want to make sure that this doesn't put Fergus County in a federal audit. **Motion passed.**
3. Commissioner Seilstad moved to approve the claims from April 9, 2021 of \$234,567.48 from various funds; Commissioner Butcher 2nd; **Motion passed.**

APPOINTMENTS: none

PUBLIC COMMENT: none

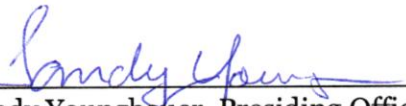
NEXT MEETING DATES:

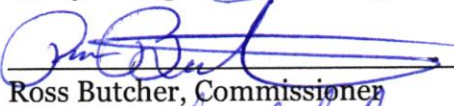
April 21, 2021 Wednesday 5:15 p.m.	Regular Business Meeting	Fergus Co. Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457
April 26, 2021 Monday 2:00 p.m.	Regular Business Meeting	Fergus Co. Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457
May 10, 2021 Monday 2:00 p.m.	Regular Business Meeting	Fergus Co. Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457

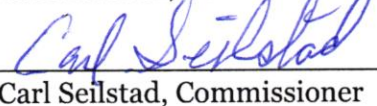
Meeting adjourned at 2:22 p.m.

FERGUS COUNTY COMMISSIONERS:

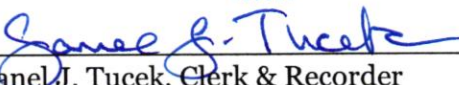



Sandy Youngbauer, Presiding Officer


Ross Butcher, Commissioner


Carl Seilstad, Commissioner

Attest:


Janel J. Tucek, Clerk & Recorder

Reviewed and Approved March 16, 2021

BY-LAWS

FERGUS COUNTY RECREATION DISTRICT

PART I. General Provisions

Section 1.01 Purpose. The purpose of this policy is to establish the rules of procedure for the conduct of meetings and the transaction of business by the Fergus County Recreation District Board. These rules of procedure are intended to assure that the Board can accomplish its work efficiently, in full view of the public and with reasonable opportunity for the public to participate in the deliberations and decisions of its county government.

Section 1.02 Authority. These rules of procedure are promulgated pursuant to and supplement Part 10, Chapter 11, Title 7, Montana Code Annotated, and applicable Montana Code.

Section 1.03 Powers and Objectives. The Fergus County Recreation District (hereinafter "District") is established for a period of twenty years for the funding of the proposed renovation or construction activities at the Lewistown swimming pool facility; with any excess revenues after annual debt retirement may be used for capital improvements of the swimming pool and/or the civic center.

1. The name of the District shall henceforth be known as the Fergus County Recreation District.
2. The District Board (hereinafter "Board"), consisting of five (5) members, shall have complete authority except as specifically limited by these By-Laws and the governing body, to act as necessary for the administration of the District.
3. This District, through its Board shall carry out the terms, provisions, suggestions, requests and directives hereinafter set forth in these Bylaws, with the purpose of meeting the common objectives of the District.

PART II. DISTRICT BOARD

Section 2.01 Board Membership. There shall be five members of the Board appointed by the County Commissioners, two from outside the city limits of Lewistown but reside within the District and two from within the city limits and one County Commissioner. Members of the Board serve without compensation.

Section 2.02 Quorum. A quorum consists of a majority of the appointed board members (3) and no official action can be transacted or motions made or passed without a quorum present.

Section 2.03 Terms of Office. The term of office of a member of the Board is 4 years, except the initial Board which will consist of two 2 year terms and three 4 year terms one of which will be the County Commissioner. The full County Commission will determine which appointees will serve which terms. Board members are limited to two four year Terms.

Section 2.04 Officers and Duties. There shall be three officers of the Board consisting of a Chairperson, Vice Chairperson and a Secretary-Treasurer. They shall serve terms of one year beginning at their election which will occur in January. Their duties are as follows:

The Chairperson shall convene regularly scheduled Board meetings, shall preside at each meeting, establish the agenda, authorize calls for special meetings, appoint all committees, execute all documents authorized by the Board, and perform all other duties associated with the office.

The Vice Chairperson, in the absence of the Chairperson, shall assume and perform the duties and functions of the Chair.

The Secretary-Treasurer shall be responsible for keeping records of Board actions and/or recommendations, including overseeing the taking of minutes at all Board meetings, sending out meeting announcements, and distributing copies of minutes and agenda to each Board member. The Secretary-Treasurer shall, assist with the correspondence of the Board at the discretion of the Board and the Chairperson, and perform such other duties as the Board may direct.

Section 2.05 Vacancies. When a vacancy on the Board exists, the Board may compile a list of nominations for the County Commissioners to consider.

Section 2.06 Resignation, Termination and Absences. Resignation from the Board must be in writing and received by the Secretary. A Board member may be removed for other reasons by a three-fourths vote of the remaining members.

PART III. PUBLIC PARTICIPATION

Section 3.01 Policy. It is the policy of the District, that the public shall be afforded reasonable opportunity to participate in the operation of Board prior to the final decision of the Board concerning any matter of significant interest to the public. A matter of significant interest to the public includes but is not limited to any matter:

1. Requiring a public hearing;
2. Adopting, Implementing, interpreting, prescribing or altering a rate, rule or policy of the District;
3. Relating to the budgetary and financial affairs of the District.

Section 3.02 Open Meetings. A meeting of the Board is convened whenever a quorum of Board members hear, discuss or act upon any matter over which they have jurisdiction. All meetings of the Board shall be open to the public. However the presiding officer of the Board may close any meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and in that event, the meeting must be open.

Section 3.03 Notice. The Board shall give timely notice of any public hearing or any meeting to discuss or act upon any matter of significant interest to the public, as prescribed by law. Additionally, the agenda of all scheduled meetings of the Recreation District shall be posted on the designated public posting board not later than 48 hours prior to the meeting.

Section 3.04 Public Posting Board. The Board designates as its official posting place the posting board in the lobby of the courthouse near the main entrance.

PART IV. GUIDE FOR PUBLIC PARTICIPATION

Section 4.01 Guidelines for Public Participation. The following guidelines shall serve to assure reasonable and fair public participation in the decisions of the Board.

1. The public shall be invited to speak on any item under consideration by the Board after and only after recognition by the presiding officer.

2. The speaker should step to the front of the room, and for the record, give his or her name and address and, if applicable, the person, or organization he or she represents.
3. Prepared statements are welcomed and should be given to the presiding officer and noted in the minutes of the meeting. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become a part of the permanent record.
4. While the Board is in session, members of public must preserve order and decorum. No person shall delay or interrupt the proceedings or the peace of the Board nor disturb any member of the public or of the Board while speaking or refuse to obey the orders of the presiding officer of the Board.
5. Any person who while testifying shall use indecorous or abusive language or who shall become boisterous or disruptive shall be barred from further presentation to the Board by the presiding officer, unless permission to continue be granted by a majority vote of the Board.

PART V. PROCEDURES

Section 5.01 Agenda Preparation. Proposed ordinances, resolutions, reports, recommendations, and all other matters requiring consideration, discussion or decision by the Board shall be submitted to the Chairperson preceding the next regularly scheduled meeting of the Board. The Chairperson shall arrange the matters requiring discussion or action into an agenda according to the order of business specified herein. Copies of the agenda shall be provided to each member of the Board prior to the scheduled meeting. Copies of the agenda shall be readily available to the press and to the public at large.

Section 5.02 Order of Business. The presiding officer shall prepare the agenda. **An agenda format was adopted by the Board on April 27, 2015. Modifications to the agenda will be made as needed.**

Section 5.03 Meetings. The Board shall meet as needed and determined by the Board. The date, hour and location to be set by the Board. All meetings of the Board shall be guided by Montana open meetings and public participation requirements.

PART VI. POWERS AND DUTIES

Section 6.01 Powers and Duties Montana Code 7-11-1021 MCA authorizes the powers and duties of the Board. The Board must be established in accordance with Title 7, chapter 1, part 2, and specific powers and duties granted to the board and those specifically withheld must be stated.

PART VII. AMENDMENTS

Section 7.01 Amendments to By-Laws. With the exception of section 1.03, bylaws may be amended at a regular meeting of the District Board with a majority vote of the Board. Proposed amendments shall have been presented for action at a previous meeting and stated in the agenda of a current meeting.

PART VIII. PARLIAMENTARY AUTHORITY

Section 8.01 Authority. Robert's Rules of Order shall have parliamentary authority in matters not covered in the Bylaws of the Fergus County Recreation District Board.

Resolution

BE IT RESOLVED by the members of the Board of the Fergus County Recreation District, at a meeting of the Board held on the 16 day of March, 2021,

at the hour of 4:00 o'clock p.m. at the offices of

Fergus County Commission, Lewistown, Montana, that the Bylaws executed on that same day by the board are hereby ratified and approved as the Bylaws of Fergus County Recreation District. Dated this 16 day of March, 2021.

By:



By:

By:

By:

By:

COPY

RESOLUTION # 7-2021

A RESOLUTION, RESOLVING THE INTEREST OF THE COUNTY OF FERGUS TO DESIGNATE THE "SNOWY MOUNTAIN DEVELOPMENT CORPORATION (SMDC)", A REGIONAL ECONOMIC DEVELOPMENT ENTITY ESTABLISHED TO SERVE AS A UNIT OF THE LOCAL GOVERNMENT AND ACT ON THE COUNTY'S BEHALF IN SUBMITTING A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

WHEREAS, there is a need for prolonged and extensive effort to create a better economy, better paid and higher employment, development of the community and its infrastructure, improvements in the quality of life and other efforts for the six counties of Musselshell, Golden Valley, Wheatland, Judith Basin, Petroleum, Fergus and the towns and cities in these counties, AND

WHEREAS, the County of Fergus has an active interest in SMDC, and SMDC serves as the economic development arm of the county's government, AND

WHEREAS, the County of Fergus has provided financial assistance to SMDC for these services, in support of SMDC's economic development AND

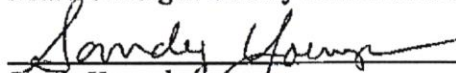
WHEREAS, the County of Fergus does not have adequate staff and resources to write, secure and administer a grant such as the Lead Hazard Control and Healthy Homes or Lead Hazard Reduction Grant programs of the U.S. Department of Housing and Urban Development, AND

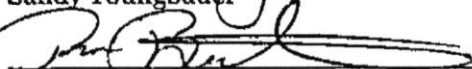
WHEREAS, the County of Fergus joins the other Counties and Cities of the area described above for the benefit of all citizens of the area,

NOW THEREFORE BE IT RESOLVED, the County of Fergus is designating SMDC as a unit of local government for the purpose of SMDC being able to apply for and administer grants from the U.S. Department of Housing and Urban Development.

Resolved this 9 day of April, 2021

Board of Fergus County Commissioners


Sandy Youngbauer


Ross Butcher


Carl Seilstad

ATTEST:


Janel J. Tucek, Clerk and Recorder



FERGUS COUNTY VOUCHER

Voucher No: 1105

Voucher Date: 03/26/2021

Prepared By: NT

Printed: 03/26/2021 10:23:22 AM

FERGUS COUNTY is hereby authorized to draw warrants against FERGUS COUNTY funds for the sum of \$21,111.06 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2020 to June 30, 2021 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

SANDRA YOUNGBAUER

PRESIDING OFFICER

ROSS BUTCHER

COMMISSIONER

CARL SEILSTAD

COMMISSIONER

FERGUS COUNTY

COPY

Fund		Amount
1000	GEN	\$20,574.40
2180	DT/CRT	\$515.13
2290	EXT SERV	\$21.53
		\$21,111.06

FERGUS COUNTY VOUCHER

Voucher No: 1110

Voucher Date: 04/06/2021

Prepared By: 

Printed: 04/06/2021 10:01:42 AM

FERGUS COUNTY is hereby authorized to draw warrants against FERGUS COUNTY funds for the sum of \$206,763.50 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2020 to June 30, 2021 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

SANDRA YOUNGBAUER PRESIDING OFFICER

ROSS BUTCHER COMMISSIONER

CARL SEILSTAD COMMISSIONER

FERGUS COUNTY

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Fund		Amount
1000	GEN	\$37,876.77
2110	ROAD	\$14,931.05
2130	BRIDGE	\$37,193.41
2140	WEED	\$1,158.18
2160	FAIR	\$1,831.69
2180	DT/CRT	\$4,988.48
2272	CMHD	\$527.75
2274	EMP/R	\$13,714.12
2290	EXT SERV	\$11,544.02
2300	PUBLIC SAFETY	\$15,887.79
2393	RECORD PRES	\$212.00
2394	ALCOHOL REHAB	\$8,635.00
2395	COMPUTER	\$2,100.00
2420	GAS TAX	\$2,381.59
2800	CRISIS INTERVENTION	\$1,841.21
2830	JUNK VEHICLE	\$389.97
2859	COUNTY LAND INFORMATION	\$590.00
2900	PILT	\$10,000.00
2915	CRIME CONTROL	\$985.00
2972	F PLAN	\$381.61
2973	MCH NURSES	\$460.16

Voucher No: 1110**Voucher Date:** 04/06/2021

Fund		Amount
2974	FAM PLAN FUNDRAISING	\$27.86
4406	CAPITAL PROJECTS-PUBLIC SAFETY	\$23,381.74
5610	ARPT	\$15,558.23
7402	RECORD LIENS/CERT	\$165.87
		\$206,763.50

FERGUS COUNTY VOUCHER

Voucher No: 1111

Voucher Date: 04/07/2021

Prepared By: NF

Printed: 04/07/2021 09:54:10 AM

FERGUS COUNTY is hereby authorized to draw warrants against FERGUS COUNTY funds for the sum of \$5,083.56 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2020 to June 30, 2021 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

SANDRA YOUNGBAUER PRESIDING OFFICER

ROSS BUTCHER COMMISSIONER

CARL SEILSTAD COMMISSIONER

FERGUS COUNTY

Fund	Amount
2110 ROAD	\$5,083.56
	\$5,083.56

FERGUS COUNTY VOUCHER

Voucher No: 1112

Voucher Date: 04/09/2021

Prepared By: NT

Printed: 04/09/2021 10:17:30 AM

FERGUS COUNTY is hereby authorized to draw warrants against FERGUS COUNTY funds for the sum of \$1,609.36 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2020 to June 30, 2021 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

COPY

SANDRA YOUNGBAUER

PRESIDING OFFICER

ROSS BUTCHER

COMMISSIONER

CARL SEILSTAD

COMMISSIONER

FERGUS COUNTY

Fund		Amount
1000	GEN	\$1,609.36
		\$1,609.36