

RESOLUTION 20 - 2024

**A RESOLUTION DECLARING THE FERGUS COUNTY
COMMISSION'S INTENT TO DECLARE FORDS CREEK ROAD
TO BE A COUNTY ROAD**

WHEREAS, the statutes of the State of Montana vest the Board of Commissioners with the authority and responsibility regarding roads and bridges, and such Statutes are generally found in Title 7, Chapter 14, Montana Code Annotated; and

WHEREAS, there exists a certain road in Fergus County known as Fords Creek Road and such road has long served members of the traveling public as well as landowners adjoining such road, which is more specifically described as follows:

Beginning at the southeast corner of the southwest quarter of the northwest quarter of section 3 Township 15 N Range 22 E, proceeding north along the north-south quarter quarter line into section 34 of T16N 22E, continuing Northerly along the north-south quarter quarter line into sections 27, 22 and 15 where at the road hooks to the east ending at the center point of section 15.

A map depicting this road is attached hereto as Exhibit A, and by this reference incorporated herein.

WHEREAS, the Board is aware that on some portions of the foregoing described road, petitions may have been filed in the past, and as a consequence, these portions appear to have been declared as county roads. However, some portions may appear not to have been previously the subject of road petition; and

WHEREAS, the foregoing described road has been laid out, constructed and maintained with state or county funds, and it appears that persons using such road have been under the belief that the entire length of such road is a county road; and

WHEREAS, the 1999 Montana Legislature enacted sub-sections 7-14-2101 (2) (b) and (c), which allows local governments to address roads such as that described above; and such statute requires a public hearing, after which the board has discretion to declare such to be a county road; and

WHEREAS, the Board of Commissioners may declare the road described as a county road, after due notice is published and a public hearing is held to solicit public input as to the advisability of declaring the foregoing

described road to be a county road;

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 7-14-2101, Montana Code Annotated, the Fergus Board of Commissioners hereby declares its intent to declare Fords Creek Road, as described above, to be a County Road.

BE IT FURTHER RESOLVED, that a public hearing on this matter shall be held at the Commission Chambers at the Fergus County Courthouse, Lewistown, Montana on the 25th day of September, 2024, at the time of 2 p.m., after which the Commission shall take action on this proposal.

BE IT FURTHER RESOLVED, that the Fergus County Clerk and Recorder is directed to publish notice of the public hearing and proposed action as required by law.

PASSED AND APPROVED this 10th day of September, 2024.

BOARD OF COMMISSIONERS:

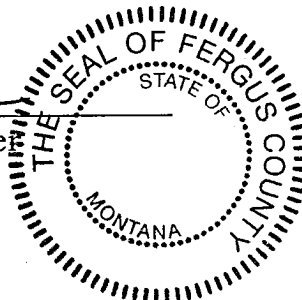
CARL SEILSTAD

ROSS BUTCHER

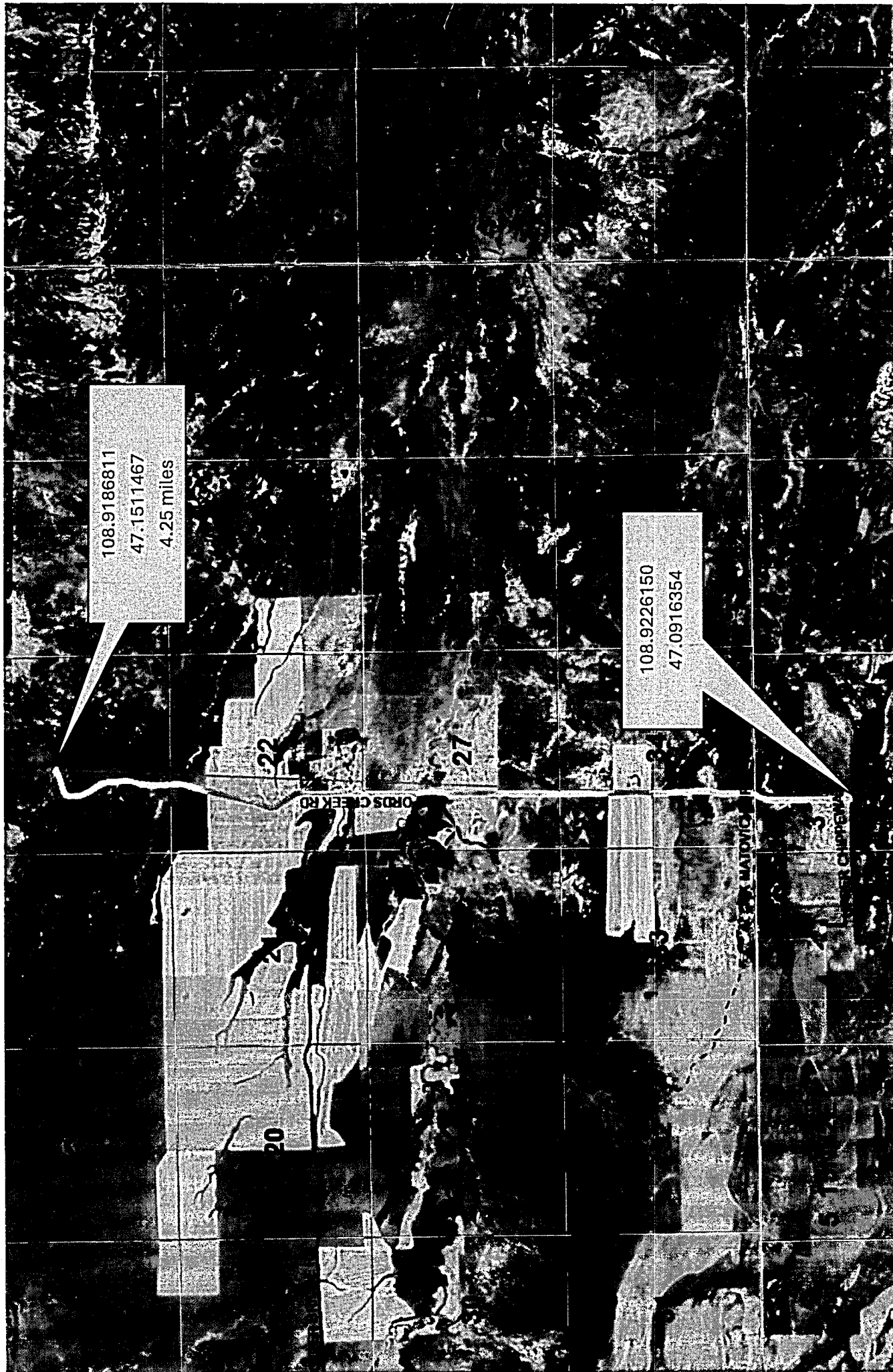
JENNIFER SAUNDERS

ATTEST:

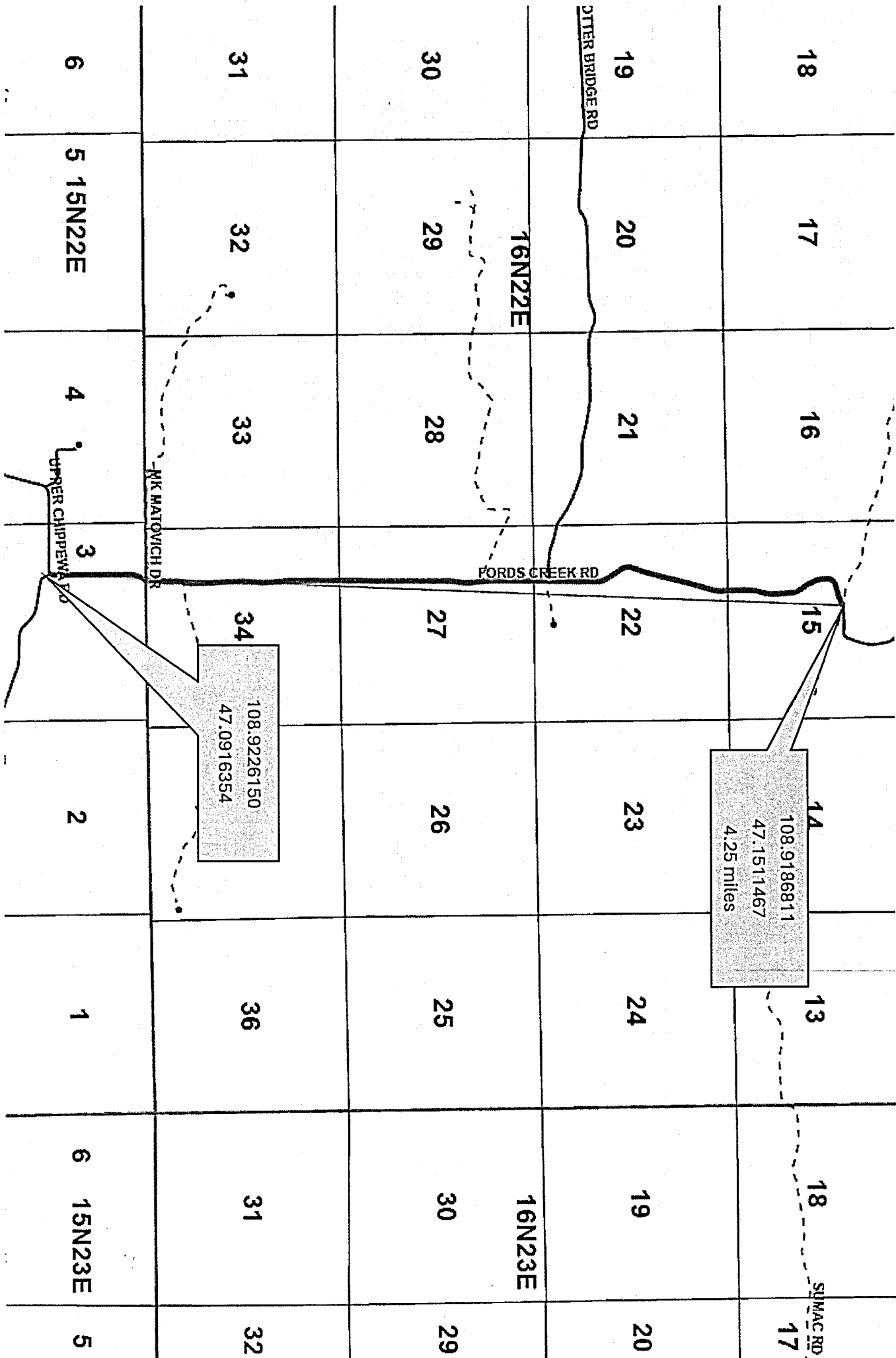
JANEL TUCEK, Clerk & Recorder

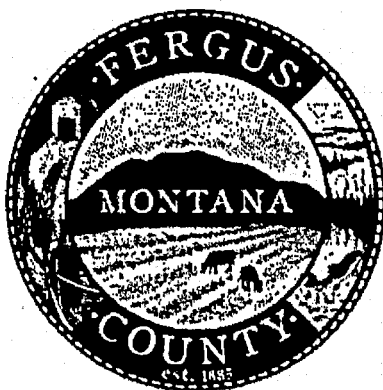


N



N





Report of Road Viewers

Road Petition No. _____

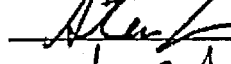
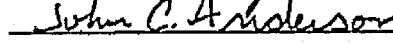
To the Honorable Board of County Commissioners of Fergus County, Montana:

We, the undersigned, Jennifer Saunders, Fergus County Commissioner, Steve Fanning, Fergus County DES Coordinator and John Anderson, Fergus County Road Supervisor, appointed to investigate the proposed County Road-Fords Creek Road- beginning at the intersection with Upper Chippewa Road in the NW Corner of Section 3, Township 15N, Range 22E and heading generally northbound 4.3 miles to the intersection with Sumac Road at Section 15, Township 16N, Range 22E; that on the 2nd day of May, 2024 we assembled and traveled the length of the proposed county road and submit the following findings:

Description: The Road Viewers Committee viewed the entire length of Fords Creek Road in the above described area:

Remarks and Recommendations: After viewing the road in question and based on historical information that Fergus County has maintained this road as a county road, it is the recommendation of the Road Viewers Committee that Fergus County should create a resolution formally accepting Fords Creek Road as a county road.

Road Viewers Committee signatures:

 _____, Fergus County Commissioner
 _____, Fergus County DES Coordinator
 _____, Fergus County Road Supervisor

Minutes of Fergus Co. Commissioners Business Meeting

May 23, 2024 – 2:00 p.m.

Fergus County Commissioners

712 W. Main St., Suite 210

Lewistown, MT 59457

Present: Commissioner Seilstad, Commissioner Butcher, Commissioner Saunders, and Clerk and Recorder Janel Tucek. In person public: see attached list.

CALL TO ORDER:

Commissioner Butcher called the meeting to order at 2:01 p.m. Agenda approved as presented.

APPROVAL OF MINUTES:

Commissioner Butcher asked if there were any alterations or corrections to the May 10th, 2024 minutes. Hearing none; he stated the minutes stand approved as presented and will be on file with the Clerk and Recorder and on the Fergus County Website.

PUBLIC COMMENT ON AGENDA ITEMS: none

PUBLIC HEARING: none

BID OPENINGS: none

PERSONNEL ANNOUNCEMENTS:

- Weed Department/Weed Sprayer-temp/full-time
- Planning Office/Planner in Training-perm/full-time
- Fairgrounds/Office Clerk-perm/full-time

ANNOUNCEMENTS / REPORTS:

- Department Budget meetings have been occurring this week
- Some VaCom employees have been in town

DISCUSSION /ACTION ITEMS:

1. Rebekah Rhoades with the Fergus County Investment committee gave a report on their meeting and that First Bank gave a bid with 4 options. The recommendation from the committee is to accept Option 3. Commissioner Seilstad moved to approve Resolution 12 – 2024. Commissioner Saunders 2nd; **Motion Passed.**
2. Commissioner Seilstad motioned to approve the May 23, 2024 claims. Commissioner Saunders 2nd; **Motion Passed.**
3. John Anderon with the appointed Road Viewers committee for Ford Creek Rd and Box Elder Creek Rd realignment gave a report. See Attached report with maps. Commissioner Saunders moved to accept the road viewers recommendations. Commissioner Seilstad 2nd; **Motion Passed.**
4. Keith Bruski was a no show to discuss the County Tax Appeal Board's appointments. He was concerned that the board had been appointed without terms. It was pointed out that there was an error in the original motion that should have clarified that when they were appointed to their staggered terms. Tom Montgomery who serves on the board wanted it

noted that the terms would had no effect on the outcomes of the hearing determinations that Mr. Bruski had been a part of. It was determined from past appointment sheets that Brandon Cowen terms in 2024, Tom Montgomery terms in 2025, and Ray Pryor terms in 2026. Deb Hill with the News-Argus disclaimed that she was the reporter who had contacted the County Attorney's office and discussed with him what Mr. Bruski's next options would be. No action was taken.

5. Commissioner Saunders moved to approve Resolution 13 – 2024 updating the Sheriff Office's civil service fee schedule. Commissioner Seilstad 2nd; Sheriff Ryan Peterson explained that these fees haven't been updated since 2014. **Motion Passed.** (NOTE: this resolution was originally noticed as 11 – 2024, but that # had previously been assigned to an earlier resolution)
6. Lewistown Library had requested to be on the agenda to discuss their budget request. They were not able to make the meeting but Commissioner Seilstad had communicated earlier with them to come to any public meeting and they could discuss it then. No action taken.

APPOINTMENTS: none

PUBLIC COMMENT ON NON-AGENDA ITEMS: none

NEXT MEETING DATES:

June 10, 2024
Monday – 2:00 p.m.

Regular Business Meeting

Fergus County Commissioners
712 W Main St., Suite 210

June 19, 2024
Wednesday – 5:15 p.m.

Regular Business Meeting

Fergus County Commissioners
712 W Main St., Suite 210

June 24, 2024
Monday – 10:00 a.m.

Regular Business Meeting
****DAY & TIME CHANGE****

Fergus County Commissioners
712 W Main St., Suite 210

Meeting adjourned at 2:31 p.m.

FERGUS COUNTY COMMISSIONERS:

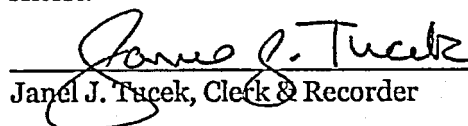
ABSENT

Ross Butcher

Jennifer Saunders

Carl Seilstad

Attest:


Janel J. Tucek, Clerk & Recorder

