

Minutes of Fergus Co. Commissioners Business Meeting  
June 10, 2016 – 2:00 p.m.  
Fergus County Commissioners  
712 W Main St., Suite 210, Lewistown, MT 59457

Present: Presiding Officer Sandra Youngbauer, Commissioner Carl Seilstad, Commissioner Ross Butcher, and Clerk and Recorder Rana Wichman. Public present: See attached sign in sheet.

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

Presiding Officer Youngbauer asked if there were any alterations or corrections to the May 25, 2016 minutes. Hearing none the minutes stand approved as distributed. They will be on file with the Clerk and Recorder and on the Fergus County Website.

**PUBLIC HEARING:** None

**PUBLIC COMMENT ON AGENDA ITEMS:** None

**BID OPENINGS:** None

**PERSONNEL:**

- 1) The office positions with the road & weed departments and the Clerk & Recorder have been filled.
- 2) There is still an opening for an office person in the County Planning Office.
- 3) The Victim Witness Advocate position in the County Attorney's office will be opening up.
- 4) The bad check clerk position in the County Attorney's office will be opening up.
- 5) There is a part-time communication officer position open in the Sheriff's Department.

**ANNOUNCEMENTS/REPORTS:**

- 1) There are various board openings that still need filled. Several board appointments will be made June 15, 2016.
- 2) Budget meetings will be held with the County departments next week.

**DISCUSSION/ACTION ITEMS:**

- 1) Approval of June 10, 2016 claims: Commissioner Seilstad moved to approve the claims as submitted. Commissioner Butcher seconded. Passed unanimously
- 2) Closure of Road 1063 (Kendall area): A request was received from the BLM to extend the deadline for public comment again. Kris Birdwell commented that on May 29, 2015 the BLM stated they would not protest the abandonment of this road. At the last meeting a map was presented clarifying which road is being looked at. He then stated that he does not believe this road accesses public land. Commissioners Seilstad said the first meeting in July is July 11. He then made a motion to give the BLM until July 11, 2016. Commissioner Butcher seconded the motion and agreed that at this point there is no indication that this road accesses public land. Commissioner Youngbauer said her only concern is that we need to be good cooperators. Kris Birdwell asked that the BLM be put on notice that this is the last extension. Passed unanimously.

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- 3) TSEP Grant for Roundhouse Road and Paradise Road Bridge: This included a) a budgetary authority resolution, a designation of depository, a signature certification form, and a management plan. Commissioner Butcher moved to approve the submitted documents. Commissioner Seilstad seconded. Passed unanimously.
- 4) Coroner Conflict: Evan Thompson, attorney for the Mihlfelds, stated that the issue with Dick Brown being both coroner and a private funeral home owner was raised in February of 2014. On February 17, 2016, Brian Hopkins with MACo stated there is a problem and that this is a violation of law and there is a conflict of interest. Several sections of Montana Code Annotated were referenced. They included sections where it states the County has the authority to act on this, sections listing the powers and authority of the local government, and that the County has the power to act that that in deed it must act. Mr. Thompson went on to say removal for cause is appropriate. He said the Coroner cannot assign bodies to his own funeral home. Dick Brown has been informed there is an innate conflict of interest. Commissioner Butcher said it appears there are two possible actions that can be taken to remedy the problem, either the Coroner's office can be combined with the Sheriff's office, or there can be a different independent Coroner. Butcher then made a motion to send this to the Community Council for their recommendations. Commissioner Seilstad seconded. Passed unanimously. Evan Thompson said there are various things that he and his clients need to see, those being a) notification to the public of MACo's decision, b) a resolution or ordinance needs to be drawn up stopping the issue at hand from continuing, c) resignation by Mr. Brown, and d) removal of all Coroner cases from Mr. Brown. Commissioner Seilstad moved that at this point the Coroner conflict issues be turned over to Deputy County Attorney Kent Sipes. Commissioner Butcher seconded. Passed unanimously. Commissioner Seilstad stated he felt their time to act was being cut short, that all of a sudden there is a deadline being imposed. Ralph Mihlfeld commented that it frustrates him that the commissioners feel this way because they have asked that some action be taken and nothing has been done.

**APPOINTMENTS:** None

**PUBLIC INPUT:** None

**OTHER BUSINESS:**

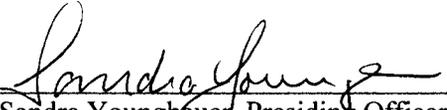
**NEXT MEETING DATES:**

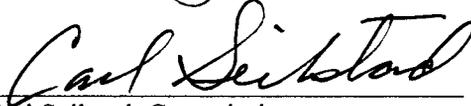
June 15, 2016 Wednesday-- 5:15 p.m.	Business Meeting	Fergus County Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457
June 27, 2016 Monday, 2:00 p.m.	Business Meeting	Fergus County Commissioners 712 W. Main St., Suite 210 Lewistown, MT 59457
July 11, 2016 Monday, 2:00 p.m...	Business Meeting	Fergus County Commissioners 712 W. Main St., Suite 210 Lewistown, MT 59457

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

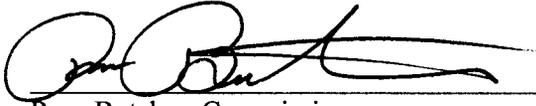
**FERGUS COUNTY COMMISSIONERS:**

  
Sandra Youngbauer, Presiding Officer

  
Carl Seilstad, Commissioner

Attest:

  
Rana J Wichman, Clerk & Recorder

  
Ross Butcher, Commissioner

