

Minutes of Fergus Co. Commissioners Special Meeting
July 14, 2017 – 2:00 p.m.
Fergus County Commissioners
712 W. Main St., Suite 210
Lewistown, MT 59457

Present: Commissioner Carl Seilstad, Commissioner Sandra Youngbauer, Commissioner Ross Butcher, and Clerk & Recorder Rana Wichman. Public present: Sheriff Troy Eades and News Argus Rep Charlie Dennison.

CALL TO ORDER:

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

ANNOUNCEMENTS AND REPORTS: None

PUBLIC COMMENT ON AGENDA ITEMS: None

DISCUSSION /ACTION ITEMS:

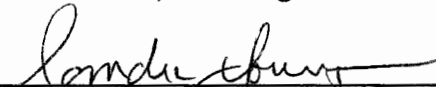
- 1) Stage 1 Fire Resolution: Commissioner Youngbauer moved to approve the Stage 1 Fire Resolution. Commissioner Butcher seconded. Sheriff Eades commented he feels this is a good idea. Passed unanimously.

OTHER BUSINESS: None.

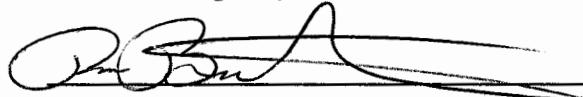
FERGUS COUNTY COMMISSIONERS:



Carl Seilstad, Presiding Officer



Sandra Youngbauer, Commissioner



Ross Butcher, Commissioner

Attest:



Rana J. Wichman, Clerk & Recorder



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Lewistown Field Office
920 North East Main Street
Lewistown, Montana 59457-4079
www.blm.gov/montana-dakotas

In Reply Refer To:

43 CFR 9212.2

Order No.
LLMTL06000-17-01

SPECIAL STAGE 1 FIRE RESTRICTIONS ORDER OF THE BUREAU OF LAND MANAGEMENT FIELD MANAGER, SETTING FORTH RESTRICTIONS AND CONDITIONS OF USE IN THE LEWISTOWN FIELD OFFICE

Pursuant to 43 Code of Federal Regulations (CFR) 9212.2, the following acts are prohibited on all lands administered by the Bureau of Land Management in the following counties: **FERGUS, CHOUTEAU, JUDITH BASIN AND PETROLEUM**

These restrictions will become effective at 12:01 a.m., MDT, Friday, July 14, 2017. They will remain in effect until rescinded or revoked.

Building, maintaining, attending, or using a fire or campfire except within an established, metal fire ring in a developed recreation site or improved site [43 CFR 9212.1 (h)].

Smoking, except within an enclosed vehicle or building, a developed, designated recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials [43 CFR 9212.1 (h)].

EXEMPTIONS: Only the following exemptions to the above prohibitions are allowed for this special order:

Persons with a written permit that specifically authorizes the otherwise prohibited act.

Persons using a fire solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable materials within 3 feet of the device

Persons conducting activities in those designated areas where the activity is specifically authorized by written posted BLM permit.

A federal, state, or local officer or member of an organized rescue or firefighting force in the performance of an official duty. All land within a city boundary is exempted.

An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

DEFINITIONS: The following definitions are cited for this special order:

Restriction: A limitation on activity or use.

Campfire: A fire, not within any building, mobile home, or living accommodation mounted on a vehicle, which is used for cooking, branding, personal warmth, lighting, ceremonial, or aesthetic purposes. Campfires are open fires, usually built on the ground, from native fuels or charcoal, including charcoal grills.

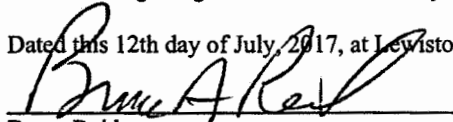
Developed recreation site: An area that has been improved or developed for recreation. A developed recreation site is signed as an agency-owned campground or picnic area.

Improved site: An area that has been cleared and has an established fire barrier that restricts fire spread. These areas also include improvements such as picnic tables and/or toilets.

Permit: A written document issued by an authorized representative to specifically authorize and otherwise prohibited act.

Violation of this order is prohibited by the provisions of the regulations cited. Under 43 CFR 9212.4, any violation is subject to punishment by a fine of not more than \$1,000 or imprisonment of not more than 12 months, or both. Information regarding these fire restrictions may be obtained by calling (406) 538-1942.

Dated this 12th day of July, 2017, at Lewistown, Montana.


Bruce Reid
Lewistown Field Manager (Acting)
Bureau of Land Management



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Missouri Breaks Interpretive Center
Fort Benton River Management Station
701 7th Street, P.O. Box 1389
Fort Benton, Montana 59442-1389
www.blm.gov/montana-dakotas



In Reply Refer To:
43 CFR 9212.2

Order No.
LLMTL07000-17-01

SPECIAL STAGE I FIRE RESTRICTIONS ORDER OF THE BUREAU OF LAND MANAGEMENT FIELD MANAGER, SETTING FORTH RESTRICTIONS AND CONDITIONS OF USE IN THE UPPER MISSOURI RIVER BREAKS NATIONAL MONUMENT

Pursuant to 43 Code of Federal Regulations (CFR) 9212.2, the following acts are prohibited on all lands administered by the Bureau of Land Management in the following counties: **BLAINE, CHOUTEAU, FERGUS AND PHILLIPS.**

These restrictions will become effective at 12:01 a.m., MDT, Friday, July 14, 2017. They will remain in effect until rescinded or revoked.

Building, maintaining, attending, or using a fire or campfire except within an established, metal fire ring in a developed recreation site or improved site [43 CFR 9212.1 (h)].

Smoking, except within an enclosed vehicle or building, a developed, designated recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials [43 CFR 9212.1 (h)].

EXEMPTIONS: Only the following exemptions to the above prohibitions are allowed for this special order:

Persons with a written permit that specifically authorizes the otherwise prohibited act.

Persons using a fire solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable materials within 3 feet of the device. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted BLM permit.

A federal, state, or local officer or member of an organized rescue or firefighting force in the performance of an official duty. All land within a city boundary is exempted.

An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

DEFINITIONS: The following definitions are cited for this special order:

Restriction: A limitation on activity or use.

Campfire: A fire, not within any building, mobile home, or living accommodation mounted on a vehicle, which is used for cooking, branding, personal warmth, lighting, ceremonial, or aesthetic purposes. Campfires are open fires, usually built on the ground, from native fuels or charcoal, including charcoal grills.

Developed recreation site: An area that has been improved or developed for recreation. A developed recreation site is signed as an agency-owned campground or picnic area.

Improved site: An area that has been cleared and has an established fire barrier that restricts fire spread. These areas also include improvements such as picnic tables and/or toilets.

Permit: A written document issued by an authorized representative to specifically authorize and otherwise prohibited act.

Violation of this order is prohibited by the provisions of the regulations cited. Under 43 CFR 9212.4, any violation is subject to punishment by a fine of not more than \$1,000 or imprisonment of not more than 12 months, or both. Information regarding these fire restrictions may be obtained by calling (406) 538-1942.

Dated this 12th day of July, 2017, at Fort Benton, Montana.

Kym Gresset
Acting Monument Manager
Bureau of Land Management

MONTANA DEPARTMENT OF NATURAL RESOURCES & CONSERVATION

PROCLAMATION

SPECIAL FIRE RESTRICTIONS - STAGE I

This Proclamation is issued in compliance with State of Montana Fire Regulation Number 9 Sub-Chapter 1, 36.10.119, Administrative Rules of Montana (which was promulgated under the authority of Section 76-13-104, Montana Code Annotated), which restricts certain activities. (as defined under Section 76-13-102(3) Montana Code Annotated).

The following acts are prohibited on all State land and private classified forest land lying within the boundaries of Carter, Chouteau, Custer, Fergus, Garfield, Golden Valley, Hill, Judith Basin, Petroleum, Phillips, Powder River, Richland, Rosebud, and Wibaux County. These restrictions become effective as of 12:01am Mountain Daylight Time, Friday, July 14, 2017 and will remain in effect until rescinded or revoked.

The following acts are prohibited until further notice:

1. Building, maintaining, attending, or using a fire or campfire unless noted in the exemptions below.
2. Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.

Exemptions:

1. Persons with a written permit that specifically authorizes the otherwise prohibited act.
2. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be used in an area that is barren or cleared of all overhead and surrounding flammable materials within 3 feet of the device.
3. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
4. Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.
5. All land within a city boundary is exempted.
6. Other exemptions unique to each agency/tribe.

An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.

Dated this 12th day of July, 2017 at Missoula, Montana.

/S/ SUE A. CLARK
SUE A. CLARK
ACTING STATE FORESTER

Failure to comply with this order is a misdemeanor punishable by a fine of not more than \$500 or imprisonment in a county jail for not more than 6 months or both (Section 76-13-112 Montana Code Annotated).