

Minutes of Fergus Co. Commissioners Business Meeting

January 10, 2019 – 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 and Clerk & Recorder Rana Wichman. Public present: See attached

**CALL TO ORDER:**

Commissioner Ross Butcher called the meeting to order at 2:00 p.m.

**APPROVAL OF MINUTES:**

Commissioner Butcher asked if there were any alterations or corrections to the December 26, 2018 and January 2, 2019 minutes. Hearing none he stated the minutes will 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:**

- 1) CMHD – Sanitarian
- 2) Sheriff's Department – Deputy (2)
- 3) Clerk of District Court – Office Manager / Deputy
- 4) DES – Deputy – Part-time

**ANNOUNCEMENTS / REPORTS:**

The County Planning Board and the Central Montana Foundation Board have openings.

**DISCUSSION /ACTION ITEMS:**

- 1) January 10, 2019 Claims: Commissioner Seilstad moved to approve the January 10, 2019 claims as presented. Commissioner Youngbauer seconded. Passed unanimously.
- 2) Advertising and Publicity Release – Fergus Co. Winifred Shop: Commissioner Seilstad moved to approve the Advertising and Publicity Release regarding the Fergus Co. Winifred Shop requested by Behlen Mfg. Co. Commissioner Youngbauer seconded. Discussion included the fact that Deputy County Attorney Diane Cochrane advised the County is not endorsing Behlen Mfg. Co. with this release they are simply giving them permission to publish photos. Passed unanimously.
- 3) City/County Justice Court Agreement: Commissioner Butcher read a "Stipulation" signed by Kelly Mantooh, City Court Judge and Justice of the Peace; Ross Butcher, Chair of the Fergus County Commissioners; and Holly Phelps, Lewistown City Administrator. The Stipulation is in regard to getting an AG opinion on who needs to agree to the terms of the City/County Justice Court Agreement. Commissioner Seilstad moved to approve the Stipulation. Commissioner Youngbauer seconded. Passed unanimously. (Copy attached)

**APPOINTMENTS:** None

**PUBLIC INPUT:** None

**OTHER BUSINESS:** None

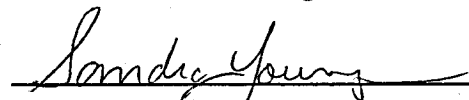
**NEXT MEETING DATES:**

January 16, 2019 Wednesday, 5:15 p.m.	Regular Business Meeting	Fergus Co. Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457
January 25, 2019 Friday, 2:00 p.m.	Regular Business Meeting	Fergus Co. Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457
February 8, 2019 Friday, 2:00 p.m.	Regular Business Meeting	Fergus Co. Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457

Reminder: Agenda items are due to the Commissioners 5 days prior to the meeting.  
Meeting adjourned.

**FERGUS COUNTY COMMISSIONERS:**

  
\_\_\_\_\_  
Ross Butcher, Presiding Officer

  
\_\_\_\_\_  
Sandra Youngbauer, Commissioner

Attest:

**ABSENT**  
\_\_\_\_\_  
Carl Seilstad, Commissioner


  
\_\_\_\_\_  
Rana J. Wichman, Clerk & Recorder

STIPULATION


"The City of Lewistown, Fergus County and Justice of the Peace Kelly Mantooth stipulate as follows:

Judge Mantooth believes that the current (2007) agreement between then City and County is invalid unless he is added as a party and signs the agreement. Unless this modification is made, Judge Mantooth will immediately cease acting to perform duties as city judge. The City and County believe the present agreement is valid. Judge Mantooth agrees to continue his duties as specified in the City/County Agreement while the County submits a request to the Attorney General's Office for an opinion on whether the Court as presently constituted requires the Justice of Peace to be a party."

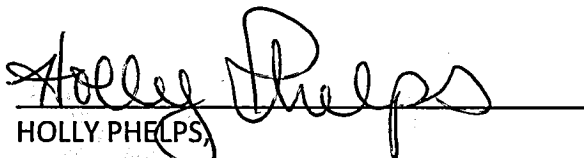
As far as the 90 days, I don't think we can bind the AG's office to get an opinion out within any given time. Plus, the request for the AG opinion has to be fully researched in advance with all known authorities presented. So the request will take some time to put together in a proper format for submission.

  
KELLY MANTOOTH,  
City Court Judge & Justice of the Peace

1-7-19  
DATED

  
ROSS BUTCHER,  
Chair of the Fergus County Commissioners

1/10/19  
DATED

  
HOLLY PHELPS,  
Lewistown City Administrator

1/7/19  
DATED

