

Minutes of Fergus Co. Commissioners Business Meeting  
February 8, 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 Finance and HR Assistant Becki Wiseman. Public present: See attached sheet.

**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 January 25, 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:**

- 1) Weed Truck – 2014 F – 350 Super Duty XO Cab & Chassis – No bids were received.

**PERSONNEL ANNOUNCEMENTS:**

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

**ANNOUNCEMENTS / REPORTS:**

- 1) The Commissioners attended the MACo Mid-Winter Conference in Helena February 11 – 14, 2019.

**DISCUSSION /ACTION ITEMS:**

- 1) February 11, 2019 Claims: Commissioner Youngbauer moved to approve the February 11, 2019 claims as presented. Commissioner Seilstad seconded. Passed unanimously.
- 2) Weed Truck Bids: No bids were received.
- 3) Fairgrounds Resolution: Fair Board member Candi Zion handed out a "Fair Board Response to Draft Resolution" dated February 8, 2019 (copy included with minutes). After extensive discussion Commissioner Seilstad moved to table the Fairgrounds Resolution. Commissioner Youngbauer seconded. Passed unanimously.

**APPOINTMENTS:** None

**PUBLIC INPUT:** None

**OTHER BUSINESS:** None

**NEXT MEETING DATES:**

February 20, 2019  
Wednesday, 5:15 p.m.

**CANCELLED**

Fergus Co. Commissioners  
712 W Main St., Suite 210  
Lewistown, MT 59457

February 25, 2019  
Monday, 2:00 p.m.

Regular Business Meeting

Fergus Co. Commissioners  
712 W Main St., Suite 210  
Lewistown, MT 59457

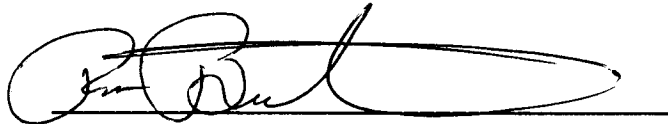
March 11, 2019  
Monday, 2:00 p.m.

Regular Business Meeting

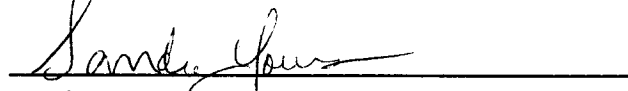
Fergus Co. Commissioners  
712 W Main St., Suite 210  
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Reminder: Agenda items are due to the Commissioners 5 days prior to the meeting.  
Meeting adjourned.

**FERGUS COUNTY COMMISSIONERS:**



Ross Butcher, Presiding Officer

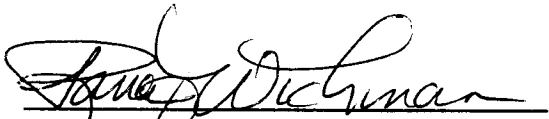


Sandra Youngbauer, Commissioner



Carl Seilstad, Commissioner

Attest:



Rana J. Wichman, Clerk & Recorder

## **Fair Board Response to Draft Resolution**

2-8-19

The Fair Board and Commissioners met initially in a special meeting to discuss the County Commissioner's desire to revise the current resolution. At that meeting, the Commissioners rejected a proposed draft resolution prepared by the Fair Board. At that time, a committee was formed and included Alan Shammel, myself and Commissioner Ross Butcher.

The committee met in December to discuss changes to the current Fair Board resolution. The county lawyer was to incorporate the changes in a draft that the committee would review at a second meeting. A second meeting was never scheduled to discuss the draft or examine further changes. Alan and I were surprised to receive the resolution by email January 30<sup>th</sup> with the message that it was on the February 8<sup>th</sup> Commissioner's agenda.

This resolution has not been approved or vetted through the Resolution Committee process. In light of this, we consider this a draft resolution that requires additional changes or information before it is voted on and approved by the County Commissioners.

Fergus County Resolution 14-2014 establishes the duties and protocol of all county boards. It states in 5c that, "(board) Appointees are expected to demonstrate loyalty to their board and will not take any action which undermines the work of their board..."

It is our responsibility as loyal board members to ensure that any action, which includes a proposed draft resolution, does not undermine the work of the current Fair Board or past boards.

The draft resolution takes away the Fair Board's responsibility of managing the Fairgrounds Manager and the Fairgrounds. The management of these entities has been the duty of the Fair Board for 22 years. The Fair Board manages the Fair which utilizes the infrastructure of the Fairgrounds. The Fair Board cannot envision use of those facilities without some authority in management.

To be consistent with County policy, the Fairgrounds Manager will be managed by the County. That responsibility is clearly delineated by the draft resolution.

What it doesn't delineate is this...if the Commissioners insist on removing our infrastructure management authority, then who manages the Fairgrounds if the Fair Board doesn't? As caretakers of the Fairgrounds for at least 22 years and in accordance with our demonstration of loyalty to the board, it is imperative that the resolution states wherein and with whom, this responsibility will be. If it is the responsibility of the Fairgrounds Manager, than it should be clearly stated as such in the resolution. If not clearly stated to the satisfaction of the Fair Board, the authority should continue to be with the Fair Board.

Additionally, the resolution does not address who will have the responsibility to manage the non-fair activities. It states the Fair Board may provide input to the Fairgrounds Manager, however, it does not clearly give the Fair Board or Fairgrounds Manager the power to manage such events. The Fair Board requires the authority to manage these events and requests language under Section 6, Policy and Procedure, to include management and operation of non-fair(grounds) events and in Section 7, Budget, to have the authority to prepare budgets for non-fair(grounds) events.

Further, the use of the word **input** in the resolution; "...input from the Fair Board to the Commissioners..." and "...provide **input** to the Fairgrounds Manager..." is not an acceptable term. Input means merely to give an opinion or comment. The preferred language is **advise**: to give counsel or offer a suggestion as worth following; or **recommendation**: a suggestion or proposal as to the best course of action, especially one put forward by an authoritative body...such as the Fair Board.

Also, Montana Code Annotated (MCA) 7-1-201 13 states, "A person may be removed from an administrative board, a district board, or a commission **for cause** by the county commissioners (or as provided by resolution)." The current and draft resolution, in regards to the removal of Fair Board members state, "...Commissioners...may remove any members at any time **for any reason**." The language of the draft resolution should be consistent with our Montana code. "**For any reason**" should be replaced with "**for cause**".

Presented on behalf of the Fair Board,

Candi Zion

Fair Board Chair

## Synopsis of Fair Board Response to the Draft Resolution

2-8-19

\*The Fair Board previously presented a Fair Board draft resolution which was rejected by the County Commissioners.

\*The current proposed resolution was not vetted through the Resolution Committee nor approved by the Fair Board and is considered a draft that requires additional work.

\*Fergus County Resolution 14-2014 establishes the duties and protocol of boards and expects loyalty of members to the board. Boards are also expected to not take action which includes a draft resolution that could undermine their work.

\*The Fair Board has managed the Fairgrounds and Fairgrounds Manager for 22 years; which is considered the work of the board. The Fair Board cannot envision using the Fairgrounds infrastructure without some authority in management.

\*If management authority is to be transferred away from the Fair Board, then the Fair Board insists that the party receiving management authority of the Fairgrounds is clearly specified and identified in the draft resolution, or authority should not be transferred.

\*The management of non-Fair(grounds) events needs to be under the authority of the Fair Board including creating budgets for such events.

\*Remove the word **input** from the resolution and replace with either **advise** or **recommend(ation)**.

\*To be consistent with MCA 7-1-201-13, the words **for any reason** should be replaced with **for cause**.

