

Minutes of Fergus Co. Commissioners Business Meeting  
August 19, 2020 – 5:15 p.m.  
Fergus County Commissioners  
712 W. Main St., Suite 210  
Lewistown, MT 59457

Present Commissioner Sandy Youngbauer, Commissioner Ross Butcher, Commissioner Carl Seilstad, and Clerk & Recorder Rana Wichman. Public present: See attached sheet.

**CALL TO ORDER:**

Commissioner Youngbauer called the meeting to order at 5:15 p.m.

**APPROVAL OF MINUTES:**

Commissioner Youngbauer asked if there were any alterations or corrections to the August 10, 2020 minutes. Hearing none, she 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:**

Guest Ed Butcher read a statement he had prepared in regard to the November 3, 2020 Federal General Election. He is not in favor of a mail ballot. Items of discussion included his idea to send an absentee ballot request to all polling place voters. He also discussed having a polling place election with reduced hours. Clerk & Recorder Rana Wichman commented that voters have already been receiving absentee ballot forms from different political groups. She stated she is not in favor of this option. She also commented that Montana Code Annotated outlines how long polls must be open; including that if there are less than 100 voters in a polling place it must be open from 12:00 p.m. to 8:00 p.m., unless 100% of the voters have voted. All other polling places must be open from 7:00 a.m. to 8:00 p.m. Guests Jim Hamling, Kathy Eastman, Randy Boling, and Scott and Shannon Maxwell all commented on how safe it is or isn't to have a polling place election with COVID 19. Various emails that the Commissioners received were read out loud and then given to the Clerk & Recorder to be put with the minutes.

**PUBLIC HEARING:**

- 1) FY2021 Preliminary Budget Hearing: Commissioner Youngbauer opened the public hearing on the FY2021 Preliminary Budget and asked Finance Manager Neal Tucek to present it. Total budget figures were compared to FY2020. It was stated that two extension agent positions have been funded. Guests Mary Jo Hamling and Kathy Eastman voiced their thanks for funding the open position. Commissioner Seilstad also went over some of the budget information. Hearing no more discussion, Commissioner Youngbauer closed the public hearing.

**BID OPENINGS:** None

**PERSONNEL ANNOUNCEMENTS:**

- 1) Road Department – Lead Mechanic – FT/Perm
- 2) Road Department – Crew Member – FT/Perm
- 3) Facilities – Maintenance / Custodian – FT/Perm

**ANNOUNCEMENTS / REPORTS:** None

**DISCUSSION / ACTION ITEMS:**

- 1) Clock Tower Solicitation: Commissioner Seilstad moved to table the Clock Tower Solicitation. Commissioner Butcher seconded. Stahly Engineering is putting together a bid proposal on the repair of the clock. Facilities Manager Scott Meader commented that some people that have looked at it are very impressed with how complete it is. Most have parts missing. Passed unanimously.
- 2) Agreement for Central Montana Health District Funding: Commissioner Seilstad moved to approve the Agreement for Central Montana Health District Funding. Commissioner Butcher seconded. Commissioner Seilstad reported that the City of Lewistown will be paying ¼ of the County's contribution with this agreement. Passed unanimously.
- 3) Federal General Election Recommendation: Commissioner Seilstad moved to postpone the Commissioners' decision on this until the August 25, 2020 meeting. Commissioner Butcher seconded. Clerk & Recorder Rana Wichman commented on the County being a charter form of government whereby the elected officials are non-partisan. She said she feels strongly that politics should be kept out of any decisions regarding elections. Passed unanimously.

**APPOINTMENTS:** None

**PUBLIC COMMENT:**

Guest Mary Jo Hamling asked about now that the preliminary hearing is complete what the next step is. Commissioner Youngbauer told her the final budget hearing and approval is scheduled for September 2, 2020 at 2:00 p.m.

Guest Roald Torgerson asked if there is any place on the County website where people can view how the County money is being spent. Commissioner Youngbauer stated she thought it was in with the minutes, but it is not. This will be looked in to.

**NEXT MEETING DATES:**

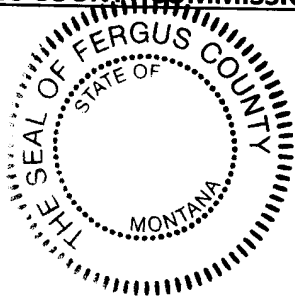
August 25, 2020 Tuesday, 2:00 p.m.	Regular Business Meeting	Fergus County Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457
September 2, 2020	Special Business Meeting	Fergus County Commissioners

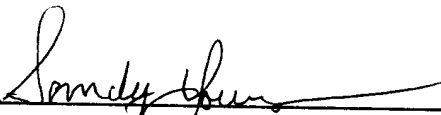
Wednesday, 2:00 p.m. Final Budget Meeting 712 W Main St., Suite 210  
Fergus County Commissioner August 19 2020 Business Meeting – Page 3

September 10, 2020 Regular Business Meeting Lewistown, MT 59457  
Thursday, 2:00 p.m. Fergus County 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:**

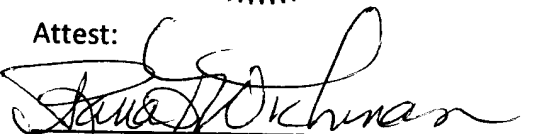


  
Sandy Youngbauer, Presiding Officer

  
Ross Butcher, Commissioner

  
Carl Seilstad, Commissioner

Attest:

  
Rana J. Wichman, Clerk & Recorder



8/14/2020 COUNTY OF FERGUS		TAX LEVY REQUIREMENTS SCHEDULE				FY2021 FAIR LEVY PRELIMINARY				Page 2 of 5
FUND NO	FUND NAME	APPROPRIATIONS	CASH RESERVES	TOTAL REQUIREMENTS	CASH AVAILABLE	NON-TAX REVENUES	TOTAL NON TAX REVENUES	PROPERTY TAX REVENUES	TOTAL REVENUES	MILL LEVY
ASSESSED VALUATION:										
TAX VALUATION:										
1 MILL YIELDS:										
4160	FAIR CONST LEVY	91,337		91,337	91,337	0	91,337	0	91,337	0.000
Year		Mill Value	# of Mills	Total						
FY2007		22,980	6.000	137,880						
FY2008		23,371	6.000	140,226						
FY2009		24,049	6.000	144,294						
FY2010		25,244	6.000	151,464						
FY2011		25,990	6.000	155,940						
FY2012		26,055	6.000	156,330						
FY2013		25,651	4.361	111,866						
				998,000						





FUND NO	COUNTY OF FERGUS FUND NAME	FY2021 NON-LEVIED PRELIMINARY				FY2021 NON-LEVIED PRELIMINARY				Page 5 OF 5			
		NON-LEVIED APPROPRIATION	CASH RESERVES	CASH	TOTAL	REQUIREMENTS	AVAILABLE	CASH	TOTAL	REVENUES	NON-TAX	PILT	TOTAL RESOURCES
2150*	PREDATORY ANIMAL-Sheep	2,168	1,446	1,446	3,615	3,615	1,446	1,446	0	2,169	0	0	3,615
2155*	PREDATORY ANIMAL-Cattle	49,053	30,731	30,731	79,784	79,784	30,731	30,731	0	49,053	0	0	79,784
2165	BRIGHT COUNTRY LIGHTS	7,000	4,042	4,042	11,042	11,042	4,042	4,042	0	4,000	0	0	11,042
2210	COUNTY PARK	6,095	130	130	6,225	6,225	6,225	6,225	0	0	0	0	6,225
2272	CENT MT HEALTH DIST	150,500	99,994	99,994	250,494	250,494	99,994	99,994	0	117,497	0	0	250,494
2274	EMERGENCY PREP	311,716	627,424	627,424	939,140	939,140	590,843	590,843	0	348,297	0	0	939,140
2350	COMMUNITY COUNCIL	1,600	1,600	1,600	1,600	1,600	1,600	1,600	0	0	0	0	1,600
2351	WORKFORCE DEVELOPMENT	41,598	6,114	6,114	47,712	47,712	6,114	6,114	0	41,598	0	0	47,712
2384	DRUG FORFEITURES	33,042	33,042	33,042	33,042	33,042	33,042	33,042	0	3,000	0	0	33,042
2386	FIRE COUNCIL	41,200	2,003	2,003	43,203	43,203	2,003	2,003	0	18,000	2,203	0	41,200
2392	USG LOAN-SMDC	2,003	73,498	73,498	75,501	75,501	73,498	73,498	0	0	0	0	75,501
2393	ECON DEVELOP LOAN	73,498	15,250	15,250	88,748	88,748	15,250	15,250	0	10,000	0	0	88,748
2394	RECORD PRESERV	15,250	23,111	23,111	38,361	38,361	23,111	23,111	0	0	0	0	38,361
2395	ALCOHOL REHAB	21,588	791	791	22,379	22,379	22,379	22,379	0	0	0	0	22,379
2396	COMPUTER	141,835	141,835	141,835	141,835	141,835	141,835	141,835	0	0	0	0	141,835
2420	LEASED PROPERTY	122,751	122,751	122,751	122,751	122,751	122,751	122,751	0	0	0	0	122,751
2420	GAS TAX	155,000	155,000	155,000	155,000	155,000	155,000	155,000	0	129,985	25,015	0	155,000
2600	CRISIS INTERVENTION	40,000	37,854	37,854	77,854	77,854	37,854	37,854	0	40,000	0	0	77,854
2621	BARBAA	80,000	47,099	47,099	127,099	127,099	47,099	47,099	0	80,000	0	0	127,099
2630	JUNK VEHICLE	82,352	21,965	21,965	104,317	104,317	23,944	23,944	0	80,373	0	0	104,317
2640	WEED GRANT	15,077	15,077	15,077	15,077	15,077	15,077	15,077	0	9,100	0	0	15,077
2659	COUNTY LAND INFO	3,142	3,142	3,142	3,142	3,142	3,142	3,142	0	2,000	0	0	3,142
2694	STATE-FED MIN ROYAL	51,541	51,541	51,541	51,541	51,541	51,541	51,541	0	0	0	0	51,541
2696	HARD ROCK TRUST	11,599	11,599	11,599	11,599	11,599	11,599	11,599	0	0	0	0	11,599
2896	METAL MINE-Port Authority	76,011	76,011	76,011	76,011	76,011	76,011	76,011	0	0	0	0	76,011
2900	P.I.L.T.	1,577,077	1,577,077	1,577,077	1,577,077	1,577,077	1,577,077	1,577,077	0	0	0	0	1,577,077
2915	DARE	82,381	82,381	82,381	82,381	82,381	82,381	82,381	0	10,000	0	0	82,381
2917	CRIME VICTIMS ASST	70,145	220	220	70,365	70,365	70,365	70,365	0	70,365	0	0	70,365
2968	DES GRANTS	5,807	5,807	5,807	5,807	5,807	5,807	5,807	0	0	0	0	5,807
2972	FAMILY PLANNING	187,529	166,673	166,673	354,202	354,202	166,673	166,673	0	187,529	0	0	354,202
2973	MCH NURSES	10,591	10,591	10,591	10,591	10,591	10,591	10,591	0	10,638	0	0	10,638
2974	FAMILY PLANNING FUNDRAISING	100,000	96,882	96,882	196,882	196,882	96,882	96,882	0	100,000	0	0	196,882
2975	MTUPP	30,240	30,240	30,240	30,240	30,240	30,240	30,240	0	0	0	0	30,240
2978	IMMUNIZATIONS	7,096	20,191	20,191	27,287	27,287	20,191	20,191	0	7,096	0	0	27,287
3201	Compensated Abscanses	60,000	3,212	3,212	63,212	63,212	63,212	63,212	0	0	0	0	63,212
4000	CONSTRUCTION RSV.	738,108	59,234	59,234	797,342	797,342	59,234	59,234	0	244,275	140,086	0	797,342
4020	BRIDGE CONST RES.	495,376	107,155	107,155	602,531	602,531	107,155	107,155	0	0	0	0	602,531
4030	JUNK VEHICLE CAP IMP	107,155	6	6	107,161	107,161	6	6	0	0	0	0	107,161
4100	FAIR CONST RESERVE	3,898	111,478	111,478	115,376	115,376	3,898	3,898	0	0	0	0	115,376
4101	FAIR PARKING	92,672	448,500	448,500	541,172	541,172	448,500	448,500	0	10,000	0	0	541,172
4400	CAPITAL IMPROVMT	448,500	302,000	302,000	750,500	750,500	302,000	302,000	0	0	0	0	750,500
4401	CAPITAL IMPROVMT - GEN	20,590	23,329	23,329	43,919	43,919	23,329	23,329	0	0	0	0	43,919
4402	CAPITAL IMPROVMT-ROAD	74,980	16,862	16,862	91,842	91,842	16,862	16,862	0	11,000	63,658	0	91,842
4403	CAPITAL IMPROVMT-BRIDGE	264,221	1,197,641	1,197,641	1,461,862	1,461,862	1,197,641	1,197,641	0	309,750	0	0	1,461,862
4404	CAPITAL IMPROVMT-WEEED	167,584	167,584	167,584	335,168	335,168	167,584	167,584	0	1,197,641	0	0	335,168
4405	CAPITAL IMPROVMT-FAIR	7,725,120	7,725,120	7,725,120	15,450,240	15,450,240	7,725,120	7,725,120	0	820,110	0	0	15,450,240
4406	CAPITAL IMPROVMT-PS	167,584	167,584	167,584	335,168	335,168	167,584	167,584	0	0	0	0	335,168
4407	CAPITAL IMPROVMT - DIST	167,584	167,584	167,584	335,168	335,168	167,584	167,584	0	0	0	0	335,168
5610	AIRPORT	264,221	1,197,641	1,197,641	1,461,862	1,461,862	1,197,641	1,197,641	0	309,750	0	0	1,461,862
5611	AIRPORT CAPITAL IMP	1,197,641	1,197,641	1,197,641	2,395,282	2,395,282	1,197,641	1,197,641	0	1,197,641	0	0	2,395,282
5612	AIRPORT CONST RES	167,584	167,584	167,584	335,168	335,168	167,584	167,584	0	0	0	0	335,168
TOTALS		7,725,120	9,109,604	9,109,604	18,834,724	18,834,724	5,165,443	5,165,443	0	3,124,051	820,110	0	9,109,604

\*Receives assessments so cash reserves cannot exceed 33%



## **AGREEMENT FOR CENTRAL MONTANA HEALTH DISTRICT FUNDING**

THIS AGREEMENT is made by and between Fergus County (“the County” herein) and the City of Lewistown (“the City” herein), and is meant to set forth the terms and conditions the parties have agreed upon regarding funding for the Central Montana Health District. For and in consideration, the parties understand and agree as follows:

1. Existing Relationship. This is the first written contract between the parties for the subject matter of this Agreement. However, the City and the County have worked together for many years to provide financial support to the Health District. This Agreement memorializes that long-term relationship.

2. Term. The term of this Agreement shall be for two (2) years.

3. Compensation. The City will pay the County twenty-five percent (25%) of the amount that the County annually contributes to be a member of the Central Montana Health District. The amount the County contributes is a per capita rate established by the Health District based on U.S. Census data.

The City’s payment to the County shall be due on October 1 of each year. The County will provide the City with an invoice showing the City’s amount due prior to October 1.

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DATED this 19 day of August, 2020

BOARD OF COMMISSIONERS:

Sandy Youngbauer  
SANDY YOUNGBAUER

Ross Butcher  
ROSS BUTCHER

Carl Seilstad  
CARL SEILSTAD



ATTEST:

Rana Wichman  
RANA WICHMAN, Clerk & Recorder

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF LEWISTOWN

\_\_\_\_\_  
HOLLY PHELPS, City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

Sen. Ed Butcher (Ret)  
7550 Butcher Rd  
Winifred, Montana 59389  
August 19, 2020

**Fergus County Commission--Testimony regarding "Mail out Ballots"**

Governor Bullock is following the Democrat Party policy and talking points in calling for ballots to be mailed out to all voters which is an open invitation for voter fraud. The Democrats have a large paid "ground force" to "harvest Ballots" which gives them an open advantage in the general election. Elections must be fair and equal with any voter fraud possibilities minimized!

We currently have a process for individual voters to request Absentee Ballots to be sent to voters without restrictions so no voter in Montana is disenfranchised with minimal voter fraud potential with the ability to practice health safety.

The final decision regarding all issues regarding the election process rests with the Secretary of State and he has to make the final decision on any changes in the voting process not spelled out by Montana Statute. The Governor has no Constitutional Authority to mandate any election procedure.

If the Secretary of State allows decisions regarding the voter process to be made individually by local governing authorities, then in Fergus County it will rest with the County Commissioners who operate under a "Self-governing" Charter form of government to work with the Clerk and Recorder to structure a favorable voting procedure.

**I would propose the following possible options to consider within County Governing Authority:**

1. The Clerk and Recorder should be restricted from mailing out unsolicited ballots to a registered voters' address. However, considering the current health issues, there could be provided an option to expand the present "Absentee Ballot" opportunity by permitting the Clerk and Recorder to send a card to each registered voter allowing them to request an "Absentee Ballot" on a return card with their signature to be verified against their file signature. The card should be sent first class with a return request for any undeliverable cards.
2. If more than 60% of the registered voters request Absentee Ballots, then in-person voting polls on Election Day would be reduced to 12:00 to 8:00 PM which would off-set the mail ballot expense by only requiring one shift of polling personnel.
3. Polling booths would be provided at the Court House for early voting for 30 days prior to the election date for all county voters who do not want to use absentee ballot process or appear at their precinct polling location on Election Day .
4. Election Day voting at the Trade Center can easily be preformed under suggested health guidelines by spreading the Lewistown precincts along the outside walls of the trade Center and have voters enter by one door and exit through a different door.
5. Rural precincts could allow a two hour ballot collection box with one Republican and one Democrat precinct judge in attendance for one or two days per week from 10:00 AM to 12:00 PM for 30 days prior to the election with the Polls reduced to 3:00 to 8:00 on Election Day.
6. All ballots must be received by 8:00 PM on Election Day with no late ballots accepted after close of the election polls since all voters have 30 days to vote and there is no reason for late ballots.

**FERGUS COUNTY SHOULD SET AN EXAMPLE OF HOW TO CONDUCT ELECTIONS!**

***Fergus County Clerk & Recorder***  
***Fergus County Election Administrator***

**Rana J. Wichman**  
**712 W Main St., Suite 204**  
**Lewistown, MT 59457**  
**clerkrecorder@co.fergus.mt.us**  
**Phone: 406-535-5242 Fax: 406-535-9023**

August 17, 2020

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

Re: November 3, 2020 Federal General Election

Dear Commissioners:

At this time, it is my intention to administer the 2020 Federal General Election as an all-mail ballot election. This decision comes after many hours of consideration and study. I consulted the Central Montana Health District Public Health Officer and she also recommended this approach. We both feel there are too many unknowns concerning COVID-19 to conduct this election as a polling place election. My decision is made based on what I see as the best and safest way to conduct this election in Fergus County. It is not based on the rest of Montana, and it is not based on political rhetoric. It is not intended to have any influence on how future elections are conducted.

I plan to extensively advertise that individuals do not have to vote the ballot that was mailed to them if they are not signed up to vote absentee. They can either bring the ballot in that was mailed to them, or we will issue them a new ballot and they can vote at the Courthouse and drop their voted ballot and signed affirmation envelope in the locked ballot box. If they request a new ballot at the Courthouse, their old one will be voided and would not be accepted if it were returned to our office for any reason.

I am willing to open the election office a couple of Saturday mornings in October to accommodate voters. I will also offer extended hours on some designated weekdays to allow people to vote in person if they so choose, or to bring their voted ballot and personally deposit it in the locked ballot box at the Courthouse to avoid having to mail it.

There is a possibility that manned ballot collection stations could be set up for a limited time in the five outlying towns that usually have local polling places. This would be solely so voters could turn in their voted ballots. Voters will be required to sign the affirmation envelope they are provided no matter how they choose to return their voted ballot to the election office. Comparing this signature to their records in the election office is the form of identification used to verify that the correct person voted the ballot.

Things I considered when making my decision include that to conduct a polling place election would require a minimum of 80 judges, 65 of which are polling place judges. Of those approximately 50 would be at the Trade Center. Of the 80 judges approximately half of them to be democrats and half of them to be republicans. Each precinct needs to have this same breakdown. If I needed to, I would be able to find a sufficient number of judges. They would all need to attend election judge training which takes a minimum of three hours. Per the Governor's Phase 2 Declaration, the permissible group gathering size is 50. With a group larger than 50 we are to consult our public health officer on a plan to implement adequate social distancing. For the health and safety of the polling place judges and voters, masks should be required if there are more than four active cases in Fergus County. The lack of our ability to enforce either social distancing or the wearing of masks will potentially cause some voters to feel disenfranchised. The CDC is recommending "Where available in your jurisdiction, offer alternative voting methods that minimize direct contact and reduce crowd sizes at polling locations." They also stated we should "Consider offering alternatives to in-person voting if allowed in the jurisdiction." In Montana, I see the alternative as being an all-mail ballot with an in-person voting option.

Attached you will find the Mail Ballot Written Plan, Timetable and Instructions that are required to be filed with the office of the Secretary of State by September 4, 2020, along with a copy of this letter.

As the Fergus County Commissioners it is within your authority to, by resolution, object to the conduct of this election by all-mail ballot. (See MCA 13-19-204) The resolution must include a statement of the reasons for the objections, and must be filed with the election administrator no later than 55 days prior to election day (September 9, 2020).

Sincerely,



Rana J. Wichman  
Fergus Co. Clerk & Recorder / Election Administrator

Enc.

