

Minutes of Fergus Co. Commissioners Business Meeting

May 26, 2020 – 2:00 p.m.

Fergus County Commissioners

712 W. Main St., Suite 210

Lewistown, MT 59457

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

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Commissioner Youngbauer asked if there were any alterations or corrections to the May 20, 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: None

PUBLIC HEARING:

- 1) Public Hearing for Consideration of Discontinuance of Alley in Fergus County, Montana – Alley between Lots 1,2,3,18,19 and 20 in Block 008, Riverdale Addition, S10, T14N, R18E. Commissioner Youngbauer opened the public hearing. Commissioner Butcher stated he was on the road viewers committee with Road Supervisor John Anderson and County Planner Pam Vosen. The alley is fully contained within Langford's property and doesn't provide public assess or limit access. There are no utility easements. Since there were no other comments, Commissioner Youngbauer closed the public hearing.

BID OPENINGS: None

PERSONNEL ANNOUNCEMENTS:

- 1) Road Department – Full Time Position
- 2) Road Department – Short Term Position
- 3) DES – Deputy DES Coordinator and Deputy Fire Warden

ANNOUNCEMENTS / REPORTS:

- 1) There will be a fair board meeting on May 27, 2020, to discuss ideas for the 2020 fair.
- 2) There is an opening on the Port Authority Board to replace Dave Byerly.
- 3) There will be an opening on the Fair Board in August.
- 4) There is an opening on the Recreation Board for a position that is inside the county but outside Lewistown.

DISCUSSION /ACTION ITEMS:

- 1) May 26, 2020 claims: Commissioner Butcher moved to approve the May 26, 2020 claims. Commissioner Youngbauer seconded. Passed unanimously.
- 2) Consideration of Discontinuance of Alley in Fergus County, Montana – Alley between Lots 1,2,3,18,19 and 20 in Block 008, Riverdale Addition, S10, T14N, R18E: Commissioner Butcher moved to approve the petition to discontinue the alley. Commissioner Youngbauer seconded. She commented that the owners are cleaning the area up. Passed unanimously.
- 3) 2020-2021 PCT Renewal Scheduled Property: Commissioner Butcher moved to renew the 2020-2021 PCT on scheduled property. Commissioner Youngbauer seconded. Passed unanimously.
- 4) MACO Workers Compensation Safety Group Agreement: Commissioner Butcher moved to approve the MACO Workers Compensation Safety Group Agreement. Commissioner Youngbauer seconded. Passed unanimously.

- 5) Resolution 21-2020 – A Resolution Declaring the Investment Program of Fergus County for the Year 2020-2021: Commissioner Butcher moved to approve Resolution 21-2020 – A Resolution Declaring the Investment Program of Fergus County for the Year 2020-2021. Commissioner Youngbauer seconded. Passed unanimously.
- 6) Resolution 22-2020 – DES Budget Amendment: Commissioner Butcher moved to approve Resolution 22-2020 – DES Budget Amendment. Commissioner Youngbauer seconded. Passed unanimously.
- 7) Resolution 23-2020 - Crime Control Budget Amendment: Commissioner Butcher moved to approve Resolution 23-2020 - Crime Control Budget Amendment. Commissioner Youngbauer seconded. This amendment is because this particular type of fund must budget everything rather than have a cash reserve. Passed unanimously.
- 8) Resolution 24-2020 – A Resolution Amending the FY1920 Budget to Include the Coronavirus Preparedness and Response Supplemental Funding Appropriations Act. Commissioner Butcher moved to approve Resolution 24-2020 – A Resolution Amending the FY1920 Budget to Include the Coronavirus Preparedness and Response Supplemental Funding Appropriations Act. Commissioner Youngbauer seconded. Passed unanimously.

APPOINTMENTS: None

PUBLIC INPUT: None

OTHER BUSINESS:

Guest Mary Jo Hamling asked about the timing of the budget and how it is decided. It was explained to her that it is set in Montana Statute.

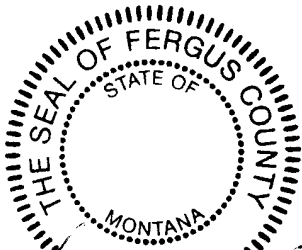
NEXT MEETING DATES:

| | | |
|---------------------------------------|--------------------------|---|
| May 26, 2020 Tuesday, 2:00 p.m. | Regular Business Meeting | Fergus County Treasurer 712 W Main St., Suite 210 Lewistown, MT 59457 |
| June 10, 2020 Tuesday, 2:00 p.m. | Regular Business Meeting | Fergus County Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457 |
| June 17, 2020 Wednesday, 5:15 p.m. | Regular Business Meeting | Fergus County Commissioners 712 W Main St., Suite 210 Lewistown, MT 59457 |

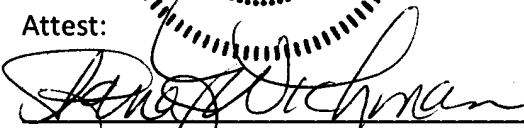
Reminder: Agenda items are due to the Commissioners 5 days prior to the meeting.

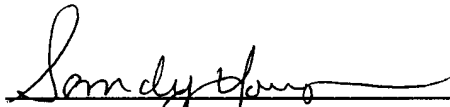
Meeting adjourned.

FERGUS COUNTY COMMISSIONERS:

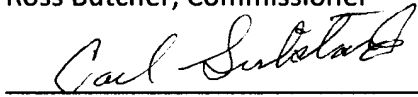


Attest:


Rana J. Wichman, Clerk & Recorder


Sandy Youngbauer, Presiding Officer


Ross Butcher, Commissioner


Carl Seilstad, Commissioner



Montana Association of Counties
Property & Casualty Trust

ACKNOWLEDGEMENT FORM

2020-2021 PCT RENEWAL
SCHEDULED PROPERTY

Fergus County, in conjunction with their agent, has reviewed the four schedules (Buildings, Vehicles, Heavy Equipment and Other Equipment) and have made the necessary updates, deletions and additions.

Furthermore, we understand that:

- (1) Coverage may be denied if the property in question is not properly scheduled or on file with MACo PCT.
- (2) The renewal premium is calculated off the scheduled values, so it's important to thoroughly review the items and values.
- (3) If a scheduled item lacks a value, the County has not paid premium for that property; thus, the item is insured for liability only even if the Liability Only option states "No".
- (4) Changes to any of the four schedules should be done through the online Portal in a timely fashion.

I hereby certify that I am an authorized agent to sign on behalf of this County.

Sandra K. Youngbauer
Authorized Name (Printed)

Commissioner
Title

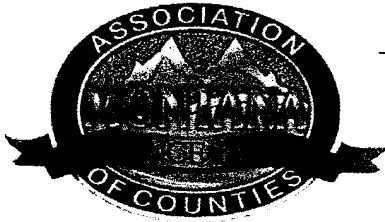
Sandra K. Youngbauer
Authorized Signature

5/26/2020
Date

Zeinab Piza
Agent Signature

5/29/2020
Date

PLEASE FILL OUT THIS FORM IN ITS ENTIRETY AND THEN SUBMIT BACK TO MACo. YOU MAY SUBMIT THE FORM VIA MAIL, EMAIL OR FAX.



Montana Association of Counties

Serving Montana Counties Since 1909

2715 SKYWAY DRIVE, SUITE A, HELENA, MT 59602

(406) 449-4360 Fax (406) 442-5238

www.mtcounties.org

AGREEMENT

This Agreement is entered into on this 26 day of May, 2020 between the Montana Association of Counties Workers' Compensation Safety Group, hereafter referred to as "MACo WCSG", and Fergus County, hereafter referred to as the "County".

RECITALS

- A. MACo WCSG is a safety group created through the Montana State Fund Workers' Compensation Program, hereafter referred to as "MSF".
- B. County is a member in good standing with the Montana Association of Counties.
- C. County is willing to join MACo WCSG to receive a benefit of an additional retroactive payment from Montana State Fund.

I. DUTIES

The MACo WCSG hereby contracts with County to provide the following services.

- 1. MACo WCSG will provide Public Safety Risk Management services to County.
- 2. MACo WCSG will provide member services and workers' compensation lobbying efforts on behalf of member counties.
- 3. MACo WCSG will present annual performance reports to the safety group member counties.
- 4. MACo WCSG will assist MSF in organizing Safety Coordinator Group efforts and communication.

II. TERM OF AGREEMENT

The term of this Agreement shall commence July 1, 2020 and shall remain in force for 12 months. This Agreement will be automatically renewed on each subsequent anniversary of the

MACo

commencement date, unless notice to terminate is provided 60 days prior to the subsequent renewal date.

III. COMPENSATION

County shall pay an administration fee to MACo WCSG of 5% of any retroactive payment received from MSF annually. County shall ensure payment is made to MACo WCSG within 60 days of receipt from MSF.

IV. WRITTEN RECORDS

MACo WCSG shall maintain records as to the services provided to the County. These records shall be the property of the MACo WCSG.

V. INSURANCE - INDEMNIFICATION

MACo WCSG agrees to protect, defend and save the County, its officials, agents, and employees harmless from and against all claims, demands, damages and causes of action of any kind or character, including the cost of defense thereof, arising out of services performed or omissions of services, or obligations, or in any way resulting from, due to or allegedly due to, the acts or omissions of MACo WCSG under this agreement.

The County also agrees to defend and hold MACo WCSG harmless from all claims, demands, damages or causes of action arising out of services performed or omissions of services, or in any way resulting from, due to or allegedly due to, the acts or omissions of the County.

VI. ASSIGNMENT

This Agreement cannot be assigned by either party to any other party.

VII. TERMINATION

This Agreement can be terminated as outlined in Section II., Term of Agreement.

VIII. CHOICE OF LAW

The laws of the State of Montana shall govern the validity of this Agreement, the construction of its terms, and interpretation of the rights and duties of the parties. Venue shall be in the First Judicial District.

IX. MODIFICATION OR AMENDMENT

No modification, amendment, or other change to this Agreement shall be valid unless in writing signed by the parties.

X. ENTIRE AGREEMENT

This Agreement constitutes the entire understandings and agreement of the parties.

XI. NOTICE

Notice to parties shall be given as follows:

Montana Association of Counties
2715 Skyway Drive
Helena, MT 59602

County Fergus County
ADDRESS
City, MT ZIP

Eric Bryson
Executive Director


Chair
Board of County Commissioners
Fergus County

DATED THIS 26 DAY OF May, 2020.