

CITY OF THREE FORKS, MONTANA

RESOLUTION 469 -2026

APPOINTING FIRST WEST INSURANCE TO SECURE WORKERS' COMPENSATION COVERAGE ON BEHALF OF THE CITY OF THREE FORKS, AND ACT AS ITS AGENT

WHEREAS, §39-71-117, MCA, provides that the EMPLOYER DEFINITION body (1)(a) ...to include city and county...; and provides (c) any nonprofit association, limited liability company, limited liability partnership, or corporation or other entity funded in whole or in part by federal, state, or local government funds that places community service participants, as described in 39-71-118(1)(e), with nonprofit organizations or associations or federal, state, or local government entities.

WHEREAS, §39-71-123, MCA, provides that WAGES are defined as (1) "Wages" means all remuneration paid for services performed by an employee for an employer, or income provided for...

WHEREAS, §39-71-117, MCA, provides (3) Except as provided in chapter 8 of this title, an employer defined in subsection (1) who uses the services of a worker furnished by another person, association, contractor, firm, limited liability company, limited liability partnership, or corporation, other than a temporary service contractor, is presumed to be the employer for workers' compensation premium and loss experience purposes for work performed by the worker. The presumption may be rebutted by substantial credible evidence that the person, association, contractor, firm, limited liability company, limited liability partnership, or corporation, other than a temporary service contractor, furnishing the services of a worker to another retains control over all aspects of the work performed by the worker, both at the inception of employment and during all phases of the work.

WHEREAS, Montana Municipal Interlocal Authority provided written notice on October 20, 2025, of the MMIA Workers' Compensation Program to wind down its entire program; and that as of July 1, 2026, the MMIA will no longer provide Workers' Compensation Coverage, a copy of said memorandum is attached hereto as Exhibit A.

WHEREAS, the City of Three Forks is a local government employer that is required to provide Workers' Compensation coverage.

WHEREAS, the City advertised a Request for Qualifications (RFQ) on February 19, 2026, at the City Office (206 Main Street), posted it on the City's website and Facebook page, and at various locations around town as per the City's policy; emailed the RFQ to several insurance agencies in Bozeman, Belgrade, Townsend and Helena, and advertised the RFQ in the Bozeman Daily Chronicle on May 22 & 26, in the Three Forks voice on May 26, and in the Belgrade News on May 28, 2026, pursuant to §7-1-4127.

CITY OF THREE FORKS, MONTANA

WHEREAS, five proposals were received and the Budget Committee met on May 1, 2026, to evaluate them. The Committee made a formal recommendation at the City Council meeting on May 12, 2026, to extend an offer to First West Insurance, which was accepted.

NOW, THEREFORE BE IT RESOLVED by the Three Forks City Council that it hereby hires First West Insurance, with an address of 1905 Stadium Drive, Bozeman, MT 59715, 406-587-5111, to act as the City's Workers' Compensation insurance agent.

Dated this 9th day of June 2026.

CITY OF THREE FORKS

Randy Johnston, Mayor

ATTESTED:

Crystal Turner, City Clerk