

## COMMISSIONER'S AGENDA

10:00 AM

January 10, 2013

**PRESENT:** Ben Ober, Allan Underdal, Deb Brandon and Jewel Moritz

Chairman Ober called the meeting to order at 10:01 a.m.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

1. Consider approving Task Order 13-07-4-31-147-0, authorizing the MT Department of Public Health and Human Services to administer the immunization program for Toole County beginning January 1, 2013 through December 31, 2013.  
**Deb motioned, Allan seconded. Motion carried.**
2. Consider approving Resolution 1-2013, a resolution to fund the digitalization of County records through a loan by the MT Board of Investments (BOI) in the amount of \$277,347.  
**Allan motioned, Deb seconded. Motion carried.**
3. Consider approving Resolution 2-2013, a resolution to help fund the airport AIP Project, providing improvements to the taxiway & construction of a 6 bay hangar through a loan by the MT BOI in the amount of \$145,394.  
**Allan motioned, Deb seconded. Motion carried.**
4. Consider approving Resolution 3-2013, a resolution to fund the purchase of two graders, a dump truck and trailer through a loan by the MT BOI in the amount of \$447,156.  
**Allan motioned, Deb seconded. Motion carried.**
5. Consider approving Resolution 4-2013, a resolution to fund the purchase of a pick-up truck for the South Toole County Cemetery through a loan by the MT BOI in the amount of \$18,038.  
**Allan motioned, Deb seconded. Motion carried.**
6. Consider approving Resolution 5-2013, a resolution to fund an eye microscope (\$42,990), an emergency project to replace a hot water tank and piping (\$136,404) and funding to assist the implementation of medical records for Marias Medical Center by the MT BOI for a total loan amount of \$579,394.  
**Allan mentioned that this agenda item needs to be postponed until Monday's agenda. No action was taken on this item.**
7. Consider requesting a waiver of Buy American requirements from the Federal Aviation Administration (FAA) on the airport 6 bay hangar project. James Talcott Construction, the contractor of the project, is unable to locate lighting components from a US source and is requesting a retroactive "type 3" waiver.  
**Deb motioned, Allan seconded. Motion carried.**

## COMMISSIONER'S AGENDA

10:00 AM

January 14, 2013

### **PRESENT:**

Allan Underdal, Ben Over, Deb Brandon, Bill Halver, Travis Clark, Lloyd Omdahl and Myron Frydenlund. Minutes recorded by Deb Brandon.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

1. Consider approving Resolution 5-2013, a resolution to fund an eye microscope (\$42,990), an emergency project to replace a hot water tank and piping (\$136,404) and funding to assist the implementation of medical records for Marias Medical Center by the MT BOI for a total loan amount of \$579,394.  
**This agenda item was postponed until 1/17/13.**
2. Discussion of snow removal of all County buildings and possible action.  
**Travis mentioned that during the recent Safety Committee meeting, several issues were brought up that could prove to be a liability issue for the county in regards to snow removal efforts. Travis mentioned that it doesn't take very many liability claims before you can pay for a significant amount of snow removal equipment. Travis said that he was not looking for immediate action, but rather long-term solutions. Myron mentioned that on Friday there were several falls of hospital employees, even though the area had just been sanded. Luckily, there were no injuries, but it still could have resulted in serious claims. Discussion was held on getting a possible truck with a blade to remove snow in large amounts. Bill stated that on Friday there was no way he could clean the back of the building as there were 4 employee cars parked in the back parking spots. Travis then questioned whether this might be the time to hire a company to take care of the snow. Ben mentioned that maybe the Road Dept. could help in certain situations; even if it is necessary to pay the overtime. Travis reiterated that we need to look for long-term solutions for all county facilities. Myron stated that the MMC pick-up for the sanding unit should have been at least a one-ton, as the current pick-up is not heavy enough. Lloyd said that the Road Dept. does have a 1 ton, purchased from Junk Vehicle, that would work-to add an 8' blade would be approximately \$6,100. Lloyd also recommended an additional sander, at an approximate cost of \$5,900. Myron agreed that a 1 ton with the sander on the back and the blade on the front would be a good solution, and that he would be willing to investigate trading the ¾ ton pick-up in for a 1 ton that would have a blade on the front and a sander on the back. It was noted that we should plan to upgrade the MMC pickup to a 1 ton in next year's budget and possibly add a blade to that unit, as well as get a blade and sanding unit for**

the road department 1 ton, maybe as soon as this year. Allan said that it would be important for Bill, Myron and Lloyd to coordinate in the cases of large storms. Travis mentioned there have been issues with seniors trying to access both the senior center and the ambulance barn that are known as "near misses". Myron stated that he and Lloyd had discussed moving the sand over to the Road Dept. because it would be more convenient to access. Allan said that it is important to stay in contact with the Commissioners if there is a problem – sooner rather than later. Lloyd said that he would send an employee to help clear out the area east of the library today. Travis said that he would ask the Safety Committee if they would be willing to help fund a portion of the blade. Ben agreed this would be a good idea and that he would like to get a blade as soon as possible. Allan asked about the Heritage Center parking lot and drifting of snow in regards to the parking of county and state cars. Myron felt that it would be a good solution to park the county car in the Heritage parking area, so that snow removal would be easier for the parking area in the back of the courthouse. Allan said that we would work on that issue.

Allan motioned approval of up to \$12,000 to purchase a blade and sanding unit to be placed on the 1 ton Dodge pick-up at the Road Department. Deb seconded. Motion carried.

3. Consider approving DR-1996-P-24-P: Pre-Disaster Mitigation Plan. The total estimated project cost is \$87,999.99; Toole County's contribution is estimated to be \$7,333.33 and either cash or "in-kind" contribution will be acceptable. Allan motioned to approve, Deb seconded. Motion carried.

## COMMISSIONER'S AGENDA

10:00 AM

January 17, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

1. Consider approving Resolution 5-2013, a resolution to fund an eye microscope (\$42,990), an emergency project to replace a hot water tank and piping (\$136,404) and funding to assist the implementation of medical records for Marias Medical Center by the MT BOI for a total loan amount of \$579,394. Allan motioned to accept this resolution. Deb second the motion and the motion carried.

2. Consider approving the following board members to county boards:  
TC Council on Aging Board: Marian Hinds – term ends 12-31-15 – Shelby Rep  
Shelby Senior Center Board: Syble Osler – term ends 12-31-15  
Rosalie Manley – term ends 12-31-15

**Deb motioned to approve the above stated board members. Discussion was held about updating the addresses of all board members. Deb is reaching the Arc Reader system. Allan seconds the motion and the motion passed.**

3. Consider approving Capital Improvement Plan for the Shelby Airport.  
**Allan motioned to approve the Capital Improvement Plan for the Shelby Airport. Deb seconds the motion. The motion passed.**

## COMMISSIONER'S AGENDA

10:00 AM

January 31, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Treva Nelson, Lorette Carter and Larry Bonderud.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

1. Consider approving a Memorandum of Agreement (MOA) with the City of Shelby regarding the sharing of GIS information. **The City is switching from their current CAD system to the GIS system. Deb motioned to approve the MOA. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approving the adoption of a county employee and building breastfeeding policy. **On the advice of the County Attorney this agenda item was postponed.**
3. Consider approving the expansion of the current county smoke free policy to include a tobacco free policy. **This agenda item was postponed.**
4. Consider a funding request of \$2,500 for Front Range CASA/GAL. **Grants are no longer available for this program. CASA/GAL is asking each county to contribute. Deb will contact the other counties and ask if they were able to contribute from their budgets. This agenda item was postponed.**
5. Consider approving a service agreement with MaPS, Inc. for GPS/GIS services within the courthouse. **Discussion was held on if or how this would affect our current server and the continued support needed. Allan motioned to approve this service agreement. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

## COMMISSIONER'S AGENDA

10:00 AM

February 7, 2013

PRESENT: Allan Underdal, Deb Brandon, Ben Ober, Jewel Moritz, Kristi Aklestad, Rikki James.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

1. Consider approving the adoption of a county employee and building breastfeeding policy. **Deb motioned to approve the county employee and building breastfeeding policy. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approving the expansion of the current county smoke free policy to include a tobacco free policy. **There was extensive discussion on this policy. Allan said there is already a smoking policy in affect and doesn't feel the need for this policy. Rikki said there has been complains from janitorial about smokeless tobacco. She also mentioned that they are trying to promote a tobacco free life style. Ben said he could talk to the individual in the building about the tobacco. Deb said she felt this was an over reach of Government, a violation of rights and it wasn't hurting others. We wouldn't want to make obesity policies. No motion is made.**
3. Consider a funding request of \$2,500 for Front Range CASA/GAL. **They have lost funding and are asking Counties to help support their efforts. Teton County did give \$2,500. We haven't heard if Glacier or Pondera responded. Allan motioned to give \$2,500 as a one time (this year only) donation. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

## COMMISSIONER'S AGENDA

10:00 AM

February 25, 2013

PRESENT: Ben Ober, Allan Underdal, Page Nagy and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

1. Consider approving the coordination plan and grant application to the MT Dept. of Transportation's 5311 Transit Program for operational funding in the amount of \$87,592.85 for Northern Transit Interlocal for FY 13-14. **Allan motioned to approve the coordination plan and grant application for \$87,592.85. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approving the coordination plan and grant application to the MT Dept. of Transportation's 5311 Transit Program for operational funding in the amount of \$88,453.17 for Toole County on behalf of Glacier County Transit, Pondera County Transit and Toole County Transit for FY 13-14. **Allan motioned to approve the coordination plan and grant application for \$88,453.17. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider approving Toole County's Transit Drug and Alcohol Policy and Maintenance Plan. **This is an amended policy and maintenance plan, removing Deb Brandon's name and adding Page Nagy and Ben Ober as Chairman. Allan motioned to approve. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
4. Consider Resolution No. 6-2013, a resolution to appoint Jeanine Badanes, Deputy Powell County Attorney as Special Deputy Toole County Attorney. **Allan motioned to appoint Jeanine Badanes, Deputy Powell County Attorney as Special Deputy Toole County Attorney. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

## INFORMATIONAL MEETING ON PROPOSED SALE OF

15.67 ACRES OF PROPERTY TO CHS

TOOLE COUNTY COURTHOUSE

March 5, 2013

### OVERVIEW OF MEETING:

Commissioner Ben Ober welcomed those in attendance. Ben explained the purpose of the meeting was to discuss the proposed sale of 15.67 acres of property. Ben turned the meeting over to Commissioner Allan Underdal.

Allan explained the history of the land and the history of the proposal from CHS. CHS contact the Director of The Port Authority, Larry Bonderud, 12 to 18 months ago looking for property. The commissioners have been involved in the discussions since September. An appraisal was completed with the appraised value set at \$15,000 to \$18,000 per acre. On December 5, 2012 the Fair Board voted to sell this land for \$20,000 an acre. This would make the sale price of the

property \$313,400. Allan addressed a few questions he had received prior to the meeting. 1. If the sale didn't go through would the City then own the land? The answer is no, the City does not want this land. 2. If the sale to CHS does not go thru will the City sell off parts of the land? No, the City would not retain this land. The land would go back to the County. 3. What happens to the money made from the sale of this property? The money from the sale would go into the Toole County Fair Capital Improvement Fund. Allan turned the meeting over to The Port Authority Director, Larry Bonderud.

Larry told those attending that CHS has been in the community since 1938. They have supported the community and the 4-H in many different aspects. CHS would like to build a dry bulk fertilizer facility. This facility would be valued at 10 million dollars with another 2 million in equipment. CHS would employ 15 people, with various other employees driving trucks. The track that CHS already has is part of why they want to build in this area. CHS has completed 90% of their bidding. The Commissioner's, CHS, BNSF, and the Fair Board have all agreed to meet quarterly.

Ben opened the meeting to questions:

**Diana Adamson asked who will pay for the land.**

Larry said the process would be determined in the development agreement from CHS. As of the last conversation with them, they would like the City to option the site from the County.

**Gordon Smedsrud asked if that meant that the City fronts the money.**

Larry answered yes with CHS tax increment money. **Gordon then asked if the County would see a profit on this sale.** Larry responded no, just the purchase price.

**Mark Daniels said if he understands this correctly CHS doesn't pay anything for the land?** Larry explained they pay for the land through their taxes. This money can also be used for other infrastructure.

**Diana Adamson asked what CHS would pay in taxes for a year.** Larry said that D.A. Davidson estimates them to be \$115,000 a year. Department of Revenue may change that.

**Karl Ratzburg wanted to know why we are doing this. Why take it away from our youth? Quite a few long term relationships are made through the fair and 4-H. Let's leave this public land.**

**Buster Brown wanted to know the benefit of having the City in the middle of this transaction.**

Larry replied that the Attorney's would prefer it and State Statute allows it. The code is attached to the agenda.

**Diana Adamson asked if CHS has already agreed to pay \$20,000 an acre.** Allan said nobody has agreed on anything yet. CHS is waiting for the county to make up their mind on the deal.

**Diana Adamson replied she can't understand what CHS is waiting for.**

**Jay Hould asked why not proceed with a public auction and then go onto your creative accounting.** Allan said the county could still have a public auction. Starting the process now would put the possible sale further behind. Larry said if it is put up for auction you have no idea if the bids will come in at a lower price.

**Jay Hould said that spending \$300,000 on the land in relationship to a 10 million dollar project is low.** Larry agreed. The front section is already leased by CHS. The Fair Board leased this out to them. If this is put to bid the Fair Board might have to revoke that lease to sell the property.

**Art Adamson said it takes a large amount to keep the fairgrounds cleaned up. Could there be any addition to the taxes to help with this.** Larry said this could be discussed at the quarterly meetings. The infrastructure improvements that will be need for this facility will also benefit the Fair.

**Helen Brown read 2 letters. The first letter was from Rita Rae Weisgram who is a Fair Board Member. Rita Rae voted for the sale, but has since changed her mind. The 2<sup>nd</sup> letter was from Geneva Sisk a concerned citizen. Geneva is not in favor of the sale of the property.**

**Mark Daniels asked for more clarity on the Tax Increment Finance District.** Larry explained that CHS would buy a bond; they would then have the City use that to pay the County. This bond can be used for other infrastructure necessities.

**Buster Brown said that as a fair board member he would like to know when the selling of the fairground land will end. We might need the room.**

**Kirby Lohr said it looks like a good project, but could the fair stay inside the loop and CHS be outside the loop.** Larry explained that they looked at different parcels of land. The Port Authority would have liked CHS to build on their sites. Every piece of property looked at had some problem, except this piece.

**Travis Clark said as he looks around the room all he can see is people who the fair means a lot to. We've tried to grow the fair and whatever happens we can make changes to continue to improve and grow the fair. We need to keep everything going so young kids like mine can enjoy the fair.**

**Helen Brown said as a tax payer she was opposed to the selling of the land.**

**Mark Daniels asked if there would be a decision on this at the Commissioner's Thursday meeting.** Allan replied that it is on the Thursday agenda and everyone is welcome to come to the meeting at 10 AM. Allan thanked everyone for coming to the meeting and expressing their opinions.

Mel Fretheim said the Fair Board vote should be thrown out because the vote was based on selling to CHS, not the City.

Being no further questions the informational meeting adjourned at 8:50 PM.  
This meeting had 52 people in attendance.

## COMMISSIONER'S AGENDA

10:00 AM

March 7, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Jim Yeagley, Karl Ratzburg, Mel Fretheim, Carol Neal, Travis Clark, Joe Parks, Lloyd Omdahl, Bill Hunt, Diana Adamson, Kristie Aklestad and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

4. Bid Opening: Shelby Mosquito District Spraying Contract. **2 bids were opened. The first bid is from Vector Disease Control International for \$75,000. The second bid is from Bill Halver Spraying for 4 months at \$3,200 a month. This also contained a clause on the price of fuel. The 2 bids will go to the Mosquito Board for a recommendation.**

5. Consider designating approximately 15 acres of fairground property as surplus Toole County property. **Allan motioned that the above mentioned property be designated as surplus property. Deb 2nd the motion. Ben asked if there was any discussion. Karl Ratzburg said that in light of the new information, we are not getting enough money for this land. Karl said \$300,000 isn't going to do very many repairs. Karl stated that the commissioners should look at this from the aspect of the kid's future. Mel Fretheim said he thinks that taking a vote now would be wrong in light of the Fair Board voting last night to have the property reappraised. The commissioners would be undermining the work of the Fair Board. Deb said it was unfortunate, that until the Fair Board meeting last night, she had never heard that members of the Fair Board didn't understand the project and felt intimidated by the presence of Port Authority members at the December 5, 2012 meeting. She also had never heard, until the Fair Board meeting the previous night that the Fair Board felt the property was worth more money and would like a new appraisal. Deb said she had one person approach her expressing concern and eight people who felt this sale was positive. Diana said she spoke with Deb about this. Deb said yes she did, and she was the only one with negative comments toward the sale who talked to her. Allan stated that the agenda item we are at right now is just to designate this property as surplus, not the approving of the sale. Karl asked why this land is being called excess land. Allan says that it is called excess so they are able to sell the land. Karl asked if the grandstands are excess. Allan said no, we are just talking about the 15.67 acres that are not being used.**

**Chairman Ober re-read the motion and called for a vote. The vote was unanimous to designate the approximate 15 acres as surplus property. Motion carried.**

6. Consider approving the sale of approximately 15.67 acres of fairground property to the City of Shelby for the minimum price of \$20,000 per acre as recommended by the Fair Board on December 5, 2013. **Deb motioned to approve the sale of approximately 15.67 acres of fairground property to the City of Shelby for a minimum price of \$20,000 an acre as recommended by the Fair Board on December 5, 2012, and to approve resolution 7-2013. Allan 2<sup>nd</sup> the motion. Chairman Ober called for discussion. Travis, acting as Chairman of the Fair Board, said that the vote from the December 5, 2012 Fair Board meeting was rescinded at the March 6, 2013 meeting. The Fair Board voted last night to get a reappraisal of the property. Mel said that at the December 5, 2012 meeting the Fair Board was told that this land would be sold to CHS, not to the City. Selling to the City hurts everybody on their taxes. This sale will also hurt local fertilizer plants. If I understand their tax money will buy the land and that would be unfair to other businesses. If the Fair Board members would have known any of this, they never would have voted to sell. Karl said the County shouldn't get in the position for a legal battle. Allan said the Commissioners always try to listen to the recommendations of the County Boards. The county has been moving forward on this for 3 months, which has facilitated CHS to spend money. So when we change our minds 3 months later, it causes a dilemma. We understand the arguments. We don't know what the price could have been. We went through the appraiser and what the Fair Board recommended. When the price was discussed at the December 5, 2012 Fair Board meeting, we felt we were getting the best price. As for the sale of the land to the City we didn't talk about the City in December, which evolved as time went on. As far as the TIF district is concerned, it is used by many City and Towns as an economic tool. No matter what we do we can't make everyone happy. We have to look at this as a business deal. Things change in all business deals. The city will not retain or split any of this land. The same parcel of land discussed will go to CHS for the same price. The fair will receive all of the money in their capital improvement fund.**

Mel-you talk about things changing well you changed everything with adding the City so why not put this to bid. Why give CHS the break.

Karl-you never should of let them test that ground.

Diana-who's been in charge of negotiations? Allan explained that The Port Authority is a Toole County entity. They were developed to facilitate economic development in the county. Larry Bonderud is the director and there are 8 appointed members by the county and 1 appointed by the city.

Karl said everyone has made mistakes during this process. I think we should start over. Personally I don't think it should be sold, but if you do sell it at least get more money.

Diana said that Larry sang the praises of CHS contributions to the community and the 4-H. The real contribution of time, money and materials comes from the people in the communities. I want answers, be direct with our questions. Shelby is rural. Deb said to Karl that she would agree \$313,400 is not much in today's world, but it could be used a match money for grants. After the Fair Board has their 3 to 5 year plan in place, which they talked about last night, then we can see what there is for grants. Karl said that the \$300,000 should be set aside to draw interest. Deb said that it is important for the Fair Board to figure out their priorities, and then we use the money to go forward with projects. Diana asked how long CHS gets this tax break. When does the county and the fair start receiving tax money from this sale? Deb said that the TIF district would sunset out after 20 years. Bill Hunt said he thought the district was formed in 2008. Allan said that the City would get most of the tax money because it is in the City limits. Mel said why not go to bid and then the county could receive all the tax money. Deb said no because this land is in the City limits. Mel said the Fair Board voted on the information they knew in December. Deb said that the TIF district was discussed at the Fair Board meeting in November 2012. Mel said he is passionate about the fair and this just isn't right. Karl gave a little history of the fair and its locations; he said they have been selling it piece by piece. Allan asked Bill Hunt if we put it up for bid could the high bidder still be in the TIF district. Bill said he didn't think so but wasn't really sure. If CHS goes through this process they get the advantage up front. It wouldn't make sense for them to do it the other way. Ben said during the December 5, 2012 meeting he was asked by the Fair Board how he would vote on the sale. He told the board that he would vote whatever way the Fair Board voted. The Fair Board decided to sell, so I support that vote. Ben said CHS knew how the board voted and that the commissioners were in favor of their decision. As a business I would be upset to know that people want to change their minds at this point. Travis said it's no secret that he is in favor of the sale. He also understands that the board feels they committed to something and then it changed. Diana said she just keeps hearing about CHS all the time. We are just a tear drop in their eyes, we're a lake here. Karl said he didn't want anybody to get him wrong, he supports CHS. Mel said at the very least, let it go up for bid. Do what the Fair Board wants. Ben re-read the motion and called for a vote. The vote was unanimous to sell 15.67 acres to the City of Shelby. The motion carried.

Meeting adjourned 11:07 AM.

**COMMISSIONER'S AGENDA**  
**10:00 AM**  
**March 11, 2013**

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

1. Approval of minutes from previous meeting. **Allan motioned to approve the minutes of the previous meeting as written. Deb 2<sup>nd</sup> the motion and all were in favor.**
2. Consider appointment of Joe Parks to the Shelby Mosquito District Board with his term ending on 12/31/16. **Deb motioned to appoint Joe Parks to the Mosquito Board. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider adding an additional board member to the Fair Board to create a nine person Board. The Board will be represented by 5 members from Toole County, 1 member each from Glacier, Pondera and Liberty Counties and one at-large member. Term length will be 3 years. **Allan motioned to add an additional member to the Fair Board creating a nine person board. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
4. Consider appointment of Jeff Habets to the Marias Fair Board. **Deb motioned to appoint Jeff Habets as a member at large to the Fair Board. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
5. Consider applying for a limited-use credit card with a credit limit of \$5,000. Authorized signers will be the three Commissioners and Clerk and Recorder. **Deb motioned that we apply for a limited use credit card. Discussion was had about the auditor suggesting we**

get more than one card. He said other counties have a few with differing amounts assigned to them and they are checked out. Ben and Deb expressed concern about that procedure. After discussion Deb's motion stood. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.

6. Consider re-appointment of Paul Montgomery and Dave Wollan to the City/County Planning Board with terms ending 3/31/15. Deb motioned to re-appoint Paul Montgomery and Dave Wollan. Ben stated that Paul was declining the appointment. Deb motioned to re-appoint Dave Wollan. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.
7. Consider accepting one of the two bids opened on 3/7/13 and consider approving a contract for the Shelby Mosquito District for the 2013 spray season. Deb motioned to accept the bid from Bill Halver Spraying in the amount of \$3200 a month for 4 months. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.

Minutes of Public Hearings  
Sweet Grass, Montana  
March 11, 2013 - 7:00 P.M.  
American Legion Hall

**Public Hearing One: Alley Abandonment & Street Sale**

Persons in Attendance: Bert Baldwin, Jerry Buckley, Delia Atkinson, Joyce Wallinder, David Woldtvedt, Andrew Stevens, Mary Ann Comstock, Roberta Buckley, Michael Buckley, Amie Lindskog, David Bosse, Bobby Lindskog, James Irwin, Tim Buckley, Mike Lerum, Danny Campanian, Brian Scott, Lloyd Omdahl, and Commissioners Allan Underdal, Ben Ober and Deb Brandon

Commissioner Ben Ober opened the hearing at 7:02 p.m., introduced his fellow Commissioners, explained the purpose of the public hearing and then turned the meeting over to Commissioner Underdal to explain specific details. With the aid of a slide show presentation, Commissioner Underdal reviewed the area of the proposed alley abandonment. David Bosse of Cole International was introduced to those in attendance and he informed the crowd that at present Cole International was renting business space in Sweet Grass. As they plan to be in Sweet Grass for years to come, Cole International will be building a warehouse and office space on the property that was formerly occupied by Prosser's Garage within the next 4-5 months. Initially, four to five persons will be employed on site, with future plans to grow the business.

After discussing the proposed alley abandonment, Commissioner Underdal asked if there were any comments. With no comments on the subject, Commissioner Underdal then asked if there were any objections to the proposed abandonment. Hearing no objections, Commissioner Underdal announced that the proposal to abandon the alley and allow the two owners, Bob Lindskog and Cole International, to each take back a portion of the alley would be placed on the next Commission agenda.

Commissioner Underdal then explained that the current Cole building and the former Livingston Building have been built over the property lines and on Bank Street. Commissioner Underdal stated that Toole County is proposing to sell a 10' x 144' portion of Bank Street to Bob Lindskog for the price of \$0.48/sq. feet - a total of \$691.20. The funds from the purchase will go into the Sweet Grass Street Fund, which at present contains approximately \$30,000. Commissioner Underdal asked for comments and/or objections to the proposed sale. Hearing no comments or objections, Commissioner Underdal announced that Toole County will place the proposed sale on the next Commission agenda. Commissioner Ben Ober closed the hearing at 7:25 p.m.

**Public Hearing Two: Road Issues**

The second hearing of the evening was opened at 7:26 p.m. Commissioner Underdal reviewed the proposed Loop Road project that will provide a more permanent fix to the road surface and dust issues resulting from the large amount of truck traffic. Commissioner Underdal explained that the millings from the Interstate 15 resurfacing project (driving lane only) from Sunburst to Sweet Grass will be used to chip seal the Loop Road for a distance of approximately 6/10 of a mile as well as a portion of the road to the water fill station.

Following the review of the proposed Loop Road project, a discussion ensued on the overall condition of the streets of Sweet Grass. It was the consensus of the audience that Elm Street has the busiest truck traffic and that pooling of water on Elm is a large problem. Commissioner Underdal agreed that there will have to be work on the drainage issue on Elm. Lloyd Omdahl, Toole County Road Supervisor, told the group that Elm was graveled approximately 4-5 years ago, but that Oak Street has never been graveled. Various members of the audience asked general maintenance questions about the Sweet Grass streets. Several

audience members expressed a desire to keep the large trucks off Central Avenue by requiring the drivers to turn around in the parking lots of businesses they were delivering product to rather than allowing them to go down Central and out of town on 2<sup>nd</sup> Street. Following the general discussion on road issues, there was a question and answer session that included the following:

Question: Can you plan on doing the chip seal on a Monday or Tuesday as those are the lightest traffic days?

Answer: The contractor on the Interstate project will be delivering the millings to the site, so we really don't have much control on the scheduling; it is certainly something we will discuss with the contractor.

Q: Can I hire the Road Department to blade my business parking lot?

A: Contact the Road Dept.; if we are working in the area perhaps that could be arranged at a cost to the business owner of time and a half for the grader and operator.

Q: Can we get help from the County on plowing snow in Sweet Grass?

A: The County has recently purchased a blade and sanding unit for a truck to help out with the plowing in Sweet Grass as well as taking care of Toole County public facilities.

Q: The Post Office area is breaking up badly. Can you do something about the area in front of the Post Office?

A: We will take a look at the area, but in general 2<sup>nd</sup> Street is in much better condition than it once was thanks to Joe Horner who came in and did a great deal of work around the time the Port of Sweetgrass was built. We will make an effort to improve the streets by possibly filling and packing.

Q: Can we get a speed limit on the Loop Road coming into Sweet Grass?

A: We have a meeting with the MT Dept. of Transportation tomorrow, and we will ask if a speed study is required for a secondary road. If we do set a truck route in Sweet Grass, a priority will be to provide good signage for the truck traffic.

Q: There is no sign on the Interstate about the location of the rest area. Can we get one put up so that truckers are not coming to our businesses to use the bathroom?

A: We will also discuss that with MDT.

Q: (Delia Atkinson) Will you be able to give me notice before beginning work on the Loop Road? Last time there was work on the road, no one told me and I couldn't get out of my drive.

A: Yes, we will provide notice. We hope to have this project underway by mid-summer.

Following the question and answer session, Commissioner Underdal asked that if anyone has additional ideas for a truck route, the Commissioners would really appreciate that input within the next 2-3 weeks. Commissioner Underdal asked the audience to drop the Commissioners a note, stop by the office or phone in suggestions. With no further comments, Commissioner Ober thanked the audience for attending and adjourned the hearing at 8:05 p.m.

Minutes by Commissioner Brandon

#### COMMISSIONER'S AGENDA

10:00 AM

March 14, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

1. Consider Resolution 8-2013, a resolution to approve the abandonment and subsequent transfer of ownership of a 100' (ft) length of alley in Sweet Grass, MT. at the south end of Lots 1-4, Block 9, of the Townsite of Sweetgrass. **Allan motioned to approve Resolution 8-2013. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider Resolution 9-2013, a resolution to approve the sale of a 10' (ft) x 144' strip of Bank Street in Sweet Grass, MT. on the east side of Lot 1, Block 9, of the Townsite of Sweetgrass. **Allan motioned to approve the sale for \$691.20. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider appointment of a new county representative to the City/County Planning Board. **This item was postponed until a representative can be found.**

#### COMMISSIONER'S AGENDA

10:00 AM

March 18, 2013

PRESENT: Ben Ober, Allan Underdal and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approve minutes from the March 14, 2013 meeting. **Allan motioned that the minutes be approved as read. Ben 2<sup>nd</sup> the motion. All were in favor.**



1. Consider approving Agreement for Services between Toole county and Beck Consulting for the update to Toole County's Pre-Disaster Mitigation Plans. **Allan motioned to approve this agreement. Discussion followed concerning match monies and what the county would pay. Toole County will be the lead on the grant which involves Teton, Toole and Liberty Counties. Ben will check to see if we need an MOU. Ben 2<sup>nd</sup> the motion to approve this agreement. The motion passed.**

### COMMISSIONER'S AGENDA

10:00 AM

MARCH 21, 2013

PRESENT: Ben Ober and Allan Underdal

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Allan motioned to approve the minutes of the March 18, 2013 meeting. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Consider approving Resolution 10-2013, a resolution to support the nomination of Hon. James D. Healy to the newly established U.S. Department of Transportation's National Freight Advisory Committee. He is currently the Transportation Chairman for NACo and would represent Counties on this committee. **Allan motioned to approve Resolution 10-2013. Ben 2<sup>nd</sup> the motion. The motion passed.**
2. Consider approving an updated Memorandum of Understanding with the Shelby School District to use the Shelby High School facilities for a Mass Inoculation Center or Disaster Shelter in case of a large scale disaster occurrence. **Allan motioned to approve an updated Memorandum of Understanding with the Shelby School District. Ben 2<sup>nd</sup> the motion. The motion passed.**

### COMMISSIONERS' AGENDA

March 25, 2013

10:00 AM

PRESENT: Ben Ober, Allan Underdal and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes: **The minutes of the March 21, 2013 meeting were approved as written.**

1. Consider approving an option with the City of Shelby to purchase Toole county land as noted when we previously approved Resolution 7-2013. The land that the option covers is Tract 1, an approximately 15.67 acre piece of property located in the SW ¼ of Sec.26, SE ¼ of Sec. 27, and NW ¼ of Sec. 35, Township 32 North, Range2 West, P.M. Montana, Toole county, City of Shelby. **Allan motioned to approve this option as it has been noticed in the Shelby Promoter for the last 2 weeks. Ben 2<sup>nd</sup> the motion. The motion passed.**

### COMMISSIONERS' AGENDA

10:00 AM

March 28, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Deb motioned to approve the minutes from the March 25, 2013 meeting. Allan 2<sup>nd</sup> the motion and all were in favor.**

1. Consider approving redistricting of Toole County for voting purposes. **Deb motioned to approve the redistricting of Toole County. Allan 2<sup>nd</sup> the motion and all were in favor.**
2. Consider approving Resolution 11-2013, a resolution setting the voting precinct boundaries. **Allan motioned to approve Resolution 11-2013. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

### COMMISSIONER'S AGENDA

10:00 AM

April 1, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Allan motioned to approve the minutes of the March 28, 2013 meeting. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Consider approving a motion to notice a Public Hearing on Monday, April 15, 2013 at 10:00 a.m. in the Commission Office to consider Resolution 12-2013, a resolution to close the Toole County Courthouse on the following dates: Friday, July 5, 2013 and Friday, November 29, 2013. **Deb motioned to approve the notice of a public hearing on Monday, April 15, 2013. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approving a Memorandum of Understanding between the Toole County Health Department (TCHD) and the Sunburst School District (SSD) to permit the use of equipment and facilities of SSD for a Mass Inoculation Center or Disaster Shelter. **Deb motioned to approve a MOU between the TCHD and Sunburst School District. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider approving the coordination plans for Points of Dispensing Facilities for North Toole County High School in Sunburst and Shelby High School. **Allan motioned to approve the coordination plans. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

**COMMISSIONER'S AGENDA**

**10:00 AM  
April 8, 2013**

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Allan motioned to approve the minutes of the April 4, 2013 meeting. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Consider naming a portion of old Highway 2 (Township 33 North, Range 4 West, Section 32, S½SW¼), as Prairie Winds Road. This road was verified by the Toole County Attorney on October 14, 1993 to be a Toole County road through the abandonment of the highway by the State of Montana on March 31, 1972 and acceptance of the right-of-way by Toole County on October 21, 1993. **Deb motioned to name the legally described property above Prairie Winds Road. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider appointing Joe Parks and Carol Neal to the Toole County DUI Task Force and re-appointing Chance Keller, Jacque Coolidge, Merle Raph, Travis Clark, Dolly Collins, Donna Whitt, Duane Drogitis, Martin Frink, Gary Iverson, Lorette Carter, Don McNett, Deb Brandon, Renae Manley, Tressa Tokerud, Sue Smith, Matt Genger, Jennifer Ramburg, and Jessica Brusven with terms through June 30, 2014. **Deb commented that the reason the Toole County DUI Task Force is so large is because the State requires a broad variety of members. Allan motioned to approve the DUI Task Force. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

**COMMISSIONER'S AGENDA**

**10:00 AM  
April 15, 2013**

PRESENT: Ben Ober, Allan Underdal and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Allan motioned to accept the minutes from the April 8, 2013 meeting. Ben 2<sup>nd</sup> the motion and all were in favor.**

1. Public Hearing on Resolution 12-2013, as noticed in the Shelby Promoter on April 3 and 10, 2013. **Ben opened the public meeting. The meeting was attended by the Commissioner's and the Clerk & Recorder.**
2. Consider approving Resolution 12-2013, a resolution to close the Toole County Courthouse on the following dates: Friday, July 5, 2013 and Friday, November 29, 2013. **Allan Motioned to approve Resolution 12-2013. Discussion was had that phone numbers would be posted at the Courthouse and messages left on the answering machine for anyone needing assistance. County employees would be available. Employees, who choose not to take the days off as vacation days, would be able to work on those days.**

COMMISSIONER'S AGENDA

10:00 AM

April 25, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Jewel Moritz and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Allan motioned to approve the minutes. Ben 2<sup>nd</sup> the motion and all were in favor.

1. Consider Toole County's contribution toward health insurance costs for FY 2013-2014. Ben motioned to leave the County Health Insurance Contribution the same, which is \$625 a month. The Basic Plan will be going up to \$652. Allan asked Jewel how many employees are on the basic plan. Jewel said there were about 56 on the basic plan and 175 eligible employees'. Deb said that she hates to see the employees pay extra because of the other new costs they will incur this year including PERS. Allan 2<sup>nd</sup> the motion to keep the County Contribution to Health Insurance the same. The motion passed with Allan and Ben voting yes and Deb voting no.

COMMISSIONER'S AGENDA

10:00 AM

April 29, 2013

PRESENT: Ben Ober, Allan Underdal and Deb Brandon

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Allan motioned to approve the minutes. Deb 2<sup>nd</sup> the motion and all were in favor.

1. Consider approving a contract with Actuaries Northwest (ANW) to compile a written valuation report complying with GASB 45 valuation. The proposed cost of the report is \$8000.

Allan clarified that this is required by GASB 45 and the auditor urged compliance. Allan motioned to approve the contract, Deb seconded and the motion carried.

COMMISSIONER'S AGENDA

10:00 AM

May 2, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Allan motioned to approve the minutes. Deb seconds the motion and all were in favor. The motion passed.

1. Discussion of possible negotiation strategies for the Turner Road settlement offer. The commissioners called Mike Myers and discussed their options. This agenda item will be postponed until the next meeting.
2. Consider entering into an agreement with Stahly Engineering & Associates, Inc. for the drafting of subdivision regulations. Allan motioned to enter into an agreement. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.
3. Consider appointing Ben Ober to serve as a voting member on the Northern Tier Interoperability Consortium. Deb motioned to appoint Ben as a voting member. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.
4. Consider appointing Kristi Aklestad to serve on the Toole County DUI Task Force with a term ending June 30, 2014. Deb motioned to appoint Kristi to the DUI Task Force. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.

COMMISSIONER'S AGENDA

10:00 AM

May 6, 2013

PRESENT: Ben Ober, Allan Underdal and Deb Brandon

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Allan made the motion to approve, Ben seconded and the motion carried.

1. Consider approval of subdivision plat for High Plains Addition, Phase 7. Allan motioned to approve, Deb seconded and the motion carried.
2. Discussion of possible negotiation strategies for the Turner Road settlement offer. A phone discussion was held with Mark Meyer of Ugrin, Alexander, Zadick & Higgins, PC; Mark will be drafting a counter-proposal letter.

3. Consider appointing Dave Miller to serve on the City/Planning Board with a term ending 3/31/15. **Deb motioned to approve, Allan seconded and the motion passed.**

### COMMISSIONER'S AGENDA

10:00 AM  
May 23, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Deb motioned to approve. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.

1. Consider approving the Emergency Physician Services contract between Marias Healthcare Services, Inc. and Marias Medical Center with a term beginning 7/1/13 and ending 6/30/14. **Allan motioned to approve the Emergency Physician Services contract. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approving Resolution 13-2013, a resolution renewing open burning regulations for Toole County. **Deb motioned to approve Resolution 13-2013. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider approving Task Order #14-07-5-01-051-0, funded by the Maternal Child Health Block Grant (CFDA#93.994), between the MT Dept. of Public Health and Human Services and Toole County Health Department to provide maternal and child health services with a term beginning 7/1/2013 and ending 6/30/14. **Allan motioned to approve Task Order #14-07-5-01-051-0. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
4. Consider approving the ratification of the Southwest Whitlash Sunburst/Swift Sand Unit. **Allan motioned to approve the ratification, subject to approval by the County Attorney. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

### COMMISSIONER'S AGENDA

10:00 AM  
May 30, 2013

PRESENT: Sheriff Donna Whitt, Undersheriff Mike Lamey, Carol Neal, Ben Ober, Allan Underdal and Deb Brandon

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Approval of minutes were postponed until the next agenda meeting.

1. Accept or reject the bid by Dick Anderson Construction for the Toole County Public Safety remodel. A call was made to Mike Heffner (SCHLENKER & MCKITTRICK ARCHITECTS, P.C.). Mr. Heffner felt that the bid from Dick Anderson was a competitive bid and it was his recommendation that Toole County accept the bid. Sheriff Whitt and Undersheriff Lamey discussed the additional costs of IT above the base bid amount of \$419,100 and estimated those costs to be in the neighborhood of \$30,000. It was discussed with Mr. Heffner that using different sliding security doors than were listed on the original bid documents would amount to a cost savings of approximately \$10,000-\$12,000 and still keep all areas secure. The timeframe for the project was discussed; Sheriff Whitt mentioned that it would be best if construction started after the week of the fair; Mr. Heffner said that it would not be a problem to schedule around that week. Sheriff Whitt expressed that it was her opinion that waiting and going out to bid again would be counterproductive at this time. Ben asked for the names of the sub-contractors and Mr. Heffner gave that information verbally and will send that information via email. Undersheriff Lamey asked for specifics on the sub-contractors for the removal of hazardous materials. Mr. Heffner provided that information and also discussed that there would be a credit of \$8,600 given in the first change order. Allan motioned to accept the bid amount of \$419,100 by Dick Anderson Construction and the authorization of an award letter being sent to Dick Anderson by Mr. Heffner. Deb seconded and the motion carried.
2. Consider approving a request by the Marias Medical Center's Board of Directors to run a special levy election asking voters to approve \$400,000 per year for a period of five years to support operations of the hospital. Carol Neal said she believed that at the end of June the Dept. of Revenue will be able to give us an estimated county-wide certified value for more exact figures for FY13-14. Allan motioned to approve Resolution 14-2013, a resolution approving the request by the Marias Medical Center's Board of Directors to conduct a special levy election of \$400,000 per year for a period of five years to support operations of the Marias Medical Center. Ben seconded the motion and the motion carried. Based on 2012 county-wide certified values, a \$100,000 house would be assessed \$30.20 per year.

3. Consider setting the dates for two public hearings for the Compensation Board to meet. **Deb made the motion to set the public hearings for Thursday, June 13 and Monday, June 24, 2013 at 10:00 a.m. in the Commission Office. Allan seconded, and the motion carried.**
4. Consider approving the Toole County DUI Task Force Program Plan for FY 2013-14. **Allan made the motion to approve, Ben seconded and the motion carried.**

**COMMISSIONER'S AGENDA**  
**10:00 AM**  
**Friday, June 7, 2013**

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting: The minutes from the May 23, 2013 and May 30, 2013 were reviewed. Allan motioned to approve the minutes. Deb 2<sup>nd</sup> the motion and the motion passed.**

1. Consider approving a bid for the 4 County Marias Fair's beer booth. **The Fair Board has reviewed this bid. Deb motioned to accept the bid from The Sweet Grass American Legion. Allan 2<sup>nd</sup> the motion and the motion passed.**
2. Consider approving a motion to notice a Public Hearing on Thursday, June 27, 2013 to consider a street closure on a portion of Deer Avenue between Blocks 22 and 23 of the Grandview Addition in Sweet Grass. **Deb motioned to approve the notice for a Public Hearing on Thursday, June 27, 2013 in Sweet Grass. Allan 2<sup>nd</sup> the motion and the motion passed. This meeting would be held at 7 pm.**
3. Consider approving a joint City of Shelby/Toole County Resolution (Toole County Resolution 15-2013; City of Shelby Resolution 1864), a resolution regarding a proposed change in the classification of prisoners through the Supervised Prison-Inmate Community Service Work Program. **Allan motioned to approve Resolution 15-2013. Deb 2<sup>nd</sup> the motion and the motion passed.**
4. Consider action on final payment and close-out of 2011 Maintenance Project (AIP 2010 Grant) and 2012 Hangar and Taxiway Project (AIP 2011 Grant) for the Shelby Airport. **Allan motioned to pay and close-out the aforementioned grants. Deb 2<sup>nd</sup> the motion and the motion passed.**

**COMMISSIONER'S AGENDA**  
**10:00 AM**  
**June 10, 2013**

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting; Deb motioned to approve the minutes of the previous meeting. Allan 2<sup>nd</sup> the motion and all were in favor.**

1. Consider approving Task Order #14-07-4-31-182-0 (CFDA #93.539) between the MT Dept. of Public Health and Human Services and Toole County Health Department to provide immunization services with a term beginning 7/1/2013 and ending 8/30/2014. **Allan motioned to approve Task Order ##14-07-4-31-182-0, CFDA #93.539. Deb 2<sup>nd</sup> the motion and the motion passed.**
2. Consider approving a petition by cattle producers to increase the fee from \$.50 to \$1.00 per head of cattle for predator control. According to the Dept. of Revenue, the requirements for a successful petition have been met. **Allan motioned to set the cattle producers fee at \$1.00 per the request on the petition submitted. The petition met the guide lines of 51% of the cattle produced in Toole County. Deb 2<sup>nd</sup> the motion and the motion passed.**
3. Consider approving the agreement between the MT Dept. of Public Health and Human Services, Senior and Long Term Care Division, and Toole County for an intergovernmental transfer of monies, FY13, for the Marias Medical Center Nursing Home. **Allan motioned to approve the agreement. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
4. Consider approving Operating Contract #107062 between MDT and Toole County (Toole County Transit) for \$144,450 (Federal Share: \$88,453; Local Share: \$55,997). Funds will be used to provide transportation services for the residents of Toole, Glacier and Pondera Counties for the period of July 1, 2013 through June 30, 2014. **Deb motioned to approve the Operating Contract #107062. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

5. Consider approving Intercity Operating Contract #107063 between MDT and Toole County (Northern Transit Interlocal) for \$139,038 (Federal Share: \$87,593; Local Share: \$51,445). Funds will be used to provide intercity transportation for the period of July 1, 2013 through June 30, 2014. **Deb motioned to approve the Intercity Operating Contract #107063. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
6. Consider approving a partnership agreement with Opportunity Link in support of the Vibrant Futures planning project. **Deb motioned to approve a partnership agreement with Opportunity Link. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

#### COMMISSIONER'S AGENDA

10:00 AM

June 17, 2013

PRESENT: Ben Ober, Allan Underdal and Deb Brandon

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting: Deb motioned to approve the minutes of 6/10/13; Allan 2<sup>nd</sup> the motion and all were in favor.**

1. Consider approving an amendment to the WIC program between the Teton County Health Dept. and Toole County Health Dept. with a term ending 9/30/2013. **Allan motioned to approve, Deb 2<sup>nd</sup> the motion and motion carried.**
2. Consider approving lease contract #5892-D between the MT Dept. of Revenue and Toole County for office space with a term beginning 7/1/2013 and ending 6/30/2015. **The term of the lease is two years, effective 7/1/13 through 6/30/15. Beginning July 1, 2013, the annual rental cost will be \$6,426.71, with a rate of approximately \$8.434 per square foot per year. Beginning July 1, 2014, the annual rental cost will be \$6,261.35, with a rate of approximately \$8.217 per square foot per year. Deb motioned to approve the lease contract; Allan 2<sup>nd</sup> the motion carried.**
3. Consider approving the construction contract between Dick Anderson Construction, Inc. and Toole County for the Public Safety Dispatch remodel project in the amount of \$419,100.00. **A call was made to Tim Meldrum of Schlenker & McKittrick, Architects (SMA) to discuss the payment schedule and retainage fee of 10%. Allan motioned to approve the contract with an addendum to change the claim dates as well as adding 1% contractor's tax. Deb seconded the motion carried.**

#### COMMISSIONER'S AGENDA

10:00 AM

June 20, 2013

PRESENT: Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting: Deb motioned to approve the minutes from the June 17, 2013 meeting. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Consider approving Resolution 16-2013, a resolution adopting the Toole County Personnel Policy and Procedure Handbook, effective 7/1/13. **The Personnel Policy and Procedure Handbook was sent to MACO for review. Legal Counsel for MACO approved the Handbook as written. Merle Raph, Toole County Attorney stated that the Personal Appearance Policy on page 33 seems to be subjective, rather than an articulable objective standard. Allan motioned to approve the Personnel Policy and Procedure Handbook. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approving Task Order #14-07-6-11-053-0 (CFDA #93.069) between the MT Dept. of Public Health and Human Services and Toole County to provide Public Health Emergency Preparedness services with a term beginning 7/1/2013 and ending 6/30/14. **Allan motioned to approve Task Order #14-07-6-11-053-0. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

#### COMMISSIONER'S AGENDA

10:00 AM

June 24, 2013

PRESENT: Allan Underdahl, Ben Ober, Merle Raph, Donna Whitt, Boyd Jackson and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Allan motioned to approve the minutes of the June 20, 2013 meeting. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Accept or reject the bid from T & E for 2 tandem graders as recommended by the Road Board on 6/18/13. **Allan motioned to approve the bid from T&E. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approving MT Land Information Act FY 2014 Grant MLIA\_2014\_09 between the MT State Library and Toole County. The awarded grant amount of \$8,784.92 will be used to complete phases 1 and 2 of the Sweet Grass Community County Water & Sewer District GIS mapping project. **Allan motioned to approve the MT Land Information Act FY 2014 Grant MLIA\_2014\_09. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider approving MT Land Information Act FY 2014 Grant MLIA\_2014\_11 between the MT State Library and Toole County. The awarded grant amount of \$28,603 will be used to complete GIS mapping of 19 cemeteries (11 in Toole County; 8 in Liberty County). **Allan motioned to approve the MT Land Information Act FY Grant MLIA\_2014\_11. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

**COMMISSIONER'S AGENDA**

**10:00 AM**

**June 27, 2013**

PRESENT: Allan Underdal, Deb Brandon, Ben Ober and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Deb motioned to approve the minutes from the June 24<sup>th</sup> meeting. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Consider approving Resolution 17-2013, a resolution amending Toole County budgets. **Deb motioned to approve Resolution 17-2013. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approving a Memorandum of Understanding between Toole County ("County") and Marvin and William Cook, Griffith L. Bye, Ronny A. and Roberta M. Rhine, Robert D. Lindskog, MDT Sales, Corp., John I. and Wendy K. Bartel, and W. Charles and Sally Clark ("Landowners") for road work to be performed in Sweet Grass. **Deb motioned to approve the MOU between the County and Landowners. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

**COMMISSIONER'S AGENDA**

**10:00 AM**

**July 1, 2013**

PRESENT: Chairman Ben Ober, Allan Underdal and Deb Brandon

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Deb motioned to approve the minutes of 6/27/13. Allan 2<sup>nd</sup> and the motion carried.**

1. Consider appointing Robert DeLacey to the Shelby Airport Commission Board with a term ending 6/30/2017. **Allan motioned to approve the appointment of Robert DeLacey; Deb 2<sup>nd</sup> the motion and the motion carried.**
2. Consider re-appointing Hank Coolidge to the Shelby Airport Commission Board with a term ending 6/30/2016. **Allan motioned to approve the re-appointment of Hank Coolidge; Deb 2<sup>nd</sup> the motion and the motion carried.**

**COMMISSIONER'S AGENDA**

**10:00 AM**

**July 8, 2013**

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Deb motioned to approve the minutes from the 7/1/2013 meeting. Allan 2<sup>nd</sup> the motion and the motion carried.**

1. Consider approving a 10 foot wide underground electrical line access easement (S2SW4, Section 32, T33N, R4W) to William Stenger. **Deb motioned to approve the above access easement. Allan 2<sup>nd</sup> the motion and the motion carried.**

Public Hearing  
July 11, 2013: 7:00 P.M.  
Sweet Grass American Legion Hall

The public hearing was brought to order by Commission Chairman Ben Ober at 7:05 p.m. In attendance:

Drew Peltier, Janice Baldwin, Patrick Fitzpatrick, Bert Baldwin, Brian Lee, Lloyd Omdahl, Joyce Wallinder, Delia Atkinson, Lori Schoendaller, Treva Nelson, Ben Ober, Allan Underdal and Deb Brandon. Ben made introductions and explained that the first meeting will be a public hearing to discuss the petition to discontinue and close a portion of a street. Following the public hearing, there will be an informational meeting and discussion on summer road construction projects within the vicinity of Sweet Grass.

**1. Public Hearing:**

Discontinue & Close Street: Deer Avenue (between Blocks 22 and 23).

Allan started the discussion. The commissioners have a petition to close Deer Ave. It hasn't been used as a street but it is platted, so it needs to be brought before the public. The street is platted at 70 feet. Drew said they requested it to be closed because they are already on the property line. Allan asked if anyone would have opposition to closing the street. Comments were made that they haven't seen anyone ever use it as a street. Deb asked if you discontinue a street does it become their property. Do they have to buy the street? Lori asked who owns the property. Allan said because both sides of the property are owned by the same owner, there would be no changes necessary, but that Toole County would retain the easement for utilities. Allan asked if there were any other comments. Allan said the commissioners will be considering this issue at an upcoming meeting. Ben closed the public hearing at 7:25 p.m.

**2. Informational Meeting:**

Lloyd said the contractor should be here on the 22nd. Construction will be on Loop Road The next is Elm and then other roads depending on the amount of millings available.

Lori asked if there are any plans to do 2<sup>nd</sup> street and how wide is the street? Yes, there is a plan to work on 2nd street. Allan said they are not going to pave the whole width of street. Lori said that her street services over 100 trucks a day and needs that street to be paved and widened. She manages Duty Free. She would like to know how wide they are going to fix. She doesn't want to fix her part and still have a gap. Deb said they would have to look at that and see where exactly the street will go. Allan asked if there was drainage. Lloyd will have to look at that. Lori is going to put in drainage. Deb asked Drew if his trucks are coming up the loop and how are the trucks getting there? Lloyd explained how the construction would progress. Deb asked if the water station is working. It is operational but needs to be fine-tuned. Lloyd said that the water they need will be coming from the water station.

Are you going to be adding any gravel to any other streets, Joyce asked? Lloyd said they have graveled some other streets and have been grading. Lori asked if anything has been going on in the alley. Lloyd said if you want it graded we can do that. Lori commented absolutely grade it. Questions about adding speed limit signs on Central, toward the cemetery, were asked by Patrick. The speed is out of control, trucks, cars and everything else goes speeding by. Joyce asked if there was still open grazing. That could be possible Allan said; you would have to look at the range map. In open range you have to fence other people's animals out. Deb said we have the option to do ordinances. When they looked at junk vehicles they decided not to do an ordinance. Patrick said the border road to the cemetery needed help badly. Allan said they have dealt with that road before. Allan said maybe they could grade it after talking to the Border Patrol. Deb said while the equipment is here it would be the time to deal with it. The ruts are loaded with water and the mosquitos are bad.

Being no further comment, the meeting was adjourned.

**COMMISSIONER'S AGENDA**

**10:00 AM**

**July 18, 2013**

PRESENT: Allan Underdal, Ben Ober, Deb Brandon, Cari Kent and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting; Deb motioned to accept the minutes of the July 8, 2013 meeting. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Consider approval of Disaster and Emergency Services' EMW-2012-EP-00057-S01 grant modification. The original grant period of 7/1/2012 to 6/30/2013 will be modified to 7/1/2012



- to 9/30/2013. **Allan motioned to approve the Disaster and Emergency Services grant modification. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider taking action to discontinue and close a portion of Deer Avenue between Blocks 22 and 23 within the Grandview Addition to Sweet Grass. During the public hearing of 7/11/13, there was no opposition voiced by the audience in attendance. **Deb noted that Chuck Clark and Bob Lindskog were both contacted and in favor of this closure. Allan would like to postpone this agenda item until after contacting the County Attorney. Agenda item postponed.**
  3. Consider setting Thursday, August 22, 2013 at 10:00 a.m. in the Commission Office as the date for two public hearings to obtain public comments regarding (1) proposed regulations governing review of buildings for rent or lease and (2) subdivision regulations. **Deb motioned to set Thursday, August 22, 2013 as the date for two public hearings. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
  4. Consider approval of contract #108177 between MDT and Toole County for a 17 passenger bus. The total cost of the bus will be \$72,150.90 with a match from Pondera County of \$9,682.65. The bus will be insured and titled by Pondera County. **Allan motioned to approve contract #108177. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

### COMMISSIONER'S AGENDA

10:00 AM

July 29, 2013

PRESENT: Ben Ober, Allan Underdal and Deb Brandon

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: **Deb motioned to approve the minutes from the 7/18/2013 meeting. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Consider taking action to discontinue and close a portion of Deer Avenue between Blocks 22 and 23 within the Grandview Addition to Sweet Grass. During the public hearing of 7/11/13, there was no opposition voiced by the audience in attendance. **Deb motioned to approve Resolution 18-2013. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider purchasing a 2006 Ford E450 ambulance from Apgar Ambulance of Bozeman. **Allan motioned to approve the purchase of the 2006 Ford E450 ambulance. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider approving the 7/2013 revision of Marias Medical Center's Board of Trustees Bylaws. **Deb motioned to approve the revision of the Marias Medical Center Board of Trustees Bylaws. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

Other Business:

**Allan stated that a letter will be sent to Dave McEwen regarding an incident on July 18, 2013 with a county employee. This incident was on the Gold Butte Road.**

### COMMISSIONER'S AGENDA

10:00 AM

August 5, 2013

PRESENT: Allan Underdal, Ben Ober and Treva Nelson. Deb Brandon and Barb Beck joined the meeting at 11:00.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes from Previous Meeting: Allan motioned to approve the minutes from the July 29, 2013 meeting. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.

1. Consider appointment of Dr. Melanie Hardy, MO as Health Officer for the Toole County Board of Health. **Allan motioned to appoint Dr. Hardy as Health Officer. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider re-appointment of Korey Fauque to the Marias Medical Center Board of Directors with a term ending 10/31/2017. **Allan motioned to appoint Korey Fauque. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider Resolution No. 19-2013, a resolution to appoint Jennifer Stutz of Choteau, MT as Deputy Toole County Attorney to investigate and prosecute cases for Toole County. **Allan motioned to appoint Jennifer Stutz as Deputy Toole County Attorney. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
4. Toole County Pre-Disaster Mitigation Plan update by Barb Beck of Beck Consulting. **Barb gave an update on the Pre-Disaster Plan. She has 20 projects for the 4 jurisdictions. Barb met with the different mayors and councils to gather their comments and ideas. The draft is prepared and will be handed out to the entities. There will be a 6 week**

comment period and then the final copy will be sent to the State for review. After the state review the document will be sent to FEMA for review. The review process will probably take around 4 months.

#### **Other Business**

The Ambulance approved for purchase at the July 29, 2013 meeting has been sold. The search for an ambulance will continue.

### **COMMISSIONER'S AGENDA**

**10:00 AM**

**August 12, 2013**

PRESENT: Ben, Allan and Deb

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Deb motioned to approve the minutes of 8/5/13; Allan 2<sup>nd</sup> and the motion carried.

1. Consider purchasing a 2005 Ford F450 Type III MedTech ambulance from Apgar Ambulance of Bozeman. **Allan made a motion to approve an expenditure of \$24,500 to purchase the 2005 ambulance. This transport ambulance was necessary because the NTC ambulance was totaled in a wreck in May of 2013. Deb 2<sup>nd</sup> the motion and the motion carried.**

**Other Business:** Discussion was held on chip-sealing the roads in Sweet Grass that the millings were placed on last week. The work will be completed by Schillinger Construction Co., Inc. within the next day or two, so immediate action is necessary. Allan made the motion to approve the chip-seal project in Sweet Grass with expenditure no greater than \$55,000; Deb 2<sup>nd</sup> and the motion carried.

### **COMMISSIONER'S AGENDA**

**10:00 AM**

**August 15, 2013**

PRESENT: Ben, Allan and Deb

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:**

**Allan made the motion to approve the minutes of 8/12/13. Deb 2<sup>nd</sup> and the motion carried.**

1. Consider approval of grant agreement between Toole County Health Department and Montana Big Sky Chapter of March of Dimes. The grant award of \$2,500 will be used for WIC outreach opportunities within Toole and Glacier Counties between 09/01/ 2013 and 08/30/2014. **Deb made the motion to approve the grant agreement. Allan 2<sup>nd</sup> the motion and the motion carried.**

**Other:** Allan made a motion to increase the amount to be spent on the chip-seal project to \$57,500. Deb 2<sup>nd</sup> the motion and the motion carried.

### **COMMISSIONER'S AGENDA**

**10:00 AM**

**August 22, 2013**

PRESENT: Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Deb motioned to approve the minutes of the 8/15/2013 meeting. Allan 2<sup>nd</sup> and the motion carried.

1. Public Hearing: Regulations Governing Review of Buildings for Rent or Lease. **Commissioner Underdal opened the public hearing. Treva was the only member of the public to attend. Deb mentioned that the resolution will be on the August 29, 2013 and the final draft will be on the website. Being no further comments the hearing was closed.**
2. Public Hearing: Subdivision Regulations. **Commissioner Underdal opened the public hearing on the Subdivision Regulations. Stahly Engineering prepared the regulations. There was not public comment. The meeting was closed. Approval of the Regulations will be an agenda item on the August 29, 2013 agenda. The**
3. Consider approval Of Memorandum of Understanding (MOU) between Toole County and the MT Stockgrowers Association for predator control services between 7/1/13 and 6/30/14.
  - o Stock Sheep on Tax Rolls: 2,192 (Sheep License Fee/Head: \$1.00)
  - o Stock Cattle on Tax Rolls: 15,247 (Cattle License Fee/Head: \$1.00)

Funds will be expended within Toole County for costs associated with the Wildlife Services Specialist (vehicle, partial salary) and contract fixed wing and/or helicopter flying. **Deb motioned to approve the MOU between Toole County and the MT Stockgrowers Association. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

Other Business:

**The Special Emergency Levy Election was held on August 20, 2013. 1413 ballots were returned. 518 voters voted FOR the mill levy, 893 voters voted AGAINST the mill levy and 2 ballots were**

blank. The mill levy did not pass. Voter turnout was 61%. The commissioners declined an audit of the precincts.

### COMMISSIONER'S AGENDA

1:30 P.M.

August 26, 2013

PRESENT: Allan and Deb

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** 8/22/13 minutes will be approved on 8/29/13.

1. Bid Opening and possible award of airport land lease.  
**Allan called the meeting to order at 1:30 p.m. One bid was submitted. Welker Farms, Inc. submitted a bid of \$24 per acre per year to lease approximately 103 acres. Upon recommendation from the Airport Board to accept the bid, Deb made the motion to accept the bid proposal, Allan 2<sup>nd</sup> and the motion carried.**

### COMMISSIONER'S AGENDA

10:00 AM

August 29, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Allan motioned to approve the minutes of the August 26, 2013 meeting. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.

1. Public Hearing: FY 2013-14 Budget. **Ben opened the public hearing. Ben asked how much revenue would be budgeted for the hospital this year. Allan wasn't sure. Ben wanted it noted that he doesn't want to give the hospital any more money than they were given last year. Allan motioned to continue the meeting until Tuesday September 3, 2013, due to incomplete information. Deb 2<sup>nd</sup> the motion and all were in favor.**
2. Consider approval of FY 2013-14 budget. **This item is also continued until Tuesday September 3, 2013.**
3. Consider approval of Resolution 20-2013, a resolution adopting Toole County's Building for Lease or Rent application and review process. **Deb motioned to approve Resolution 20-2013. Allan 2<sup>nd</sup> the motion and the motion carried.**
4. Consider adoption of Toole County Subdivision Regulations which comply with the MT Subdivision and Platting Act. **Deb motioned to postpone this item until in October. The County Planner is still working on a few items in the draft. Allan 2<sup>nd</sup> the motion and the motion carried.**
5. Consider approval of a procedure to order construction of a railroad crossing on the Border Road in Sweet Grass. **The description is where the Border Road crosses the BNSF RR tracks in Sweet Grass, MT in the NE1/4 of Sec 2, T 37N, R 3W. A new 3<sup>rd</sup> track is being installed as part of a Columbia Grain Inc. project and an additional crossing is required. Deb motioned to approve the procedure order. Allan 2<sup>nd</sup> the motion and the motion carried.**
6. Consider approval of the amended plat of Lots 1, 2, 3 & 4, Block 9, Townsite of Sweetgrass, Toole County, MT. **Allan motioned to approve the amended plat. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
7. Consider approval of Resolution 21-2013, a resolution appointing Chad Parker of Helena, MT as Special Deputy Toole County Attorney to investigate and possibly prosecute the matter of the motor vehicle crash of May 13, 2013 for Toole County. **Allan motioned to approve Resolution 21-2013. Deb 2<sup>nd</sup> the motion and the motion carried.**

### COMMISSIONER'S AGENDA

10:00 AM

September 3, 2013

PRESENT: Allan Underdal, Ben Ober and Treva Nelson.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Allan motioned to approve the minutes as amended. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.

1. Continuation of Public Hearing: FY 2013-14 Budget. **Allan motioned to continue the budget hearing until Thursday September 5, 2013. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approval of FY 2013-14 budget. **Approval will be postponed until after the public hearing has closed.**
3. Consider approval of a subcontract between Teton County Health Dept. and Toole County Health Dept. to provide MT Tobacco Use Prevention Program (MTUPP) services. **Allan motioned to approve the subcontract. Ben 2<sup>nd</sup> the motion and the motion carried.**
4. Consider approval of the Toole County Health Foundation's Bylaws. **Allan motioned to approve the bylaws. Ben 2<sup>nd</sup> the motion and the motion carried.**

COMMISSIONER'S AGENDA

10:00 AM

September 5, 2013

PRESENT: Allan Underdal, Ben Ober Deb Brandon per telephone and Treva Nelson.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:**

1. Continuation of Public Hearing: FY 2013-14 Budget. **Allan explained that if we don't cut budgets and the reserve is backed down to 29% we would still have to levy more mills. This is due to the counties cash being over stated since approximately January 2012. Meetings have taken place with Dave Rindell of C'etera, Boyd Jackson, Bob Denning, Treva Nelson and Allan Underdal. Dave will be supplying the county and the auditor with more information. Allan will let the County Attorney know about the situation. Ben asked if the sheriff, hospital and road departments are receiving about the same as last year. Allan said no, the sheriff budget is increased because of the cost of meals and the cost of 2 new deputies. The road department has asked the commission to budget 5.1 more mills and the hospital will receive about \$36,000 more than last year due to the mills going up. \$270,000 from the Oil & Gas Revenue will be going to the hospital, which is down from last year. Ben said he feels we need to increase our mills. After much discussion about cutting the budgets, decreasing raises and increasing taxes it was recommended that Allan finish preparing the budget with reserves at 29% and the meeting will be left open until Monday September 9<sup>th</sup>.**
2. Consider approval of FY 2013-14 budget. **Approval will be postponed until after the public hearing has closed.**
3. Consider approval of Resolution 23-2013. A resolution requesting prosecutorial assistance. **Allan motioned to approve. Ben 2<sup>nd</sup> the motion and the motion carried.**

COMMISSIONER'S AGENDA

10:00 AM

September 9, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Larry Bonderud, Teri Ruff and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from 9/3/13 & 9/5/13 Meetings:** Allan motioned to approve the minutes from both the 9/3/2013 & 9/5/2013 meetings.

1. Continuation of Public Hearing: FY 2013-14 Budget: **Ben resumed the public hearing by asking for comments. Allan stated that this is the largest county budget we have ever presented. Mostly because of the TIGER III Grant that NETA has been awarded. Allan explained that because our investments had been overstated and because of GASB we are looking at levying 15.86 more mills this year. Allan decreased the reserve in the general fund from 33% to 29.5%. Discussion was held about the combine City/County Sheriff Budget. Treva will do a worksheet adding the City Revenue and the Permissive Levy Revenue. The public hearing was closed.**
2. Consider approval of Budget Resolution 22-2013: **Allan motioned to approve Resolution 22-2013 and Resolution 24-2013 authorizing cost-of-living salary adjustments. Deb 2<sup>nd</sup> the motion and the motion passed.**

COMMISSIONER'S AGENDA

10:00 AM

October 3, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Treva Nelson, Marlyann Verploegen, Lori Glinn and Donna Grant.

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting:** Allan motioned that the minutes from the previous meeting be approved. **Deb 2<sup>nd</sup> the motion and the motion passed.**

1. Consider approval of lease agreement between Marias Healthcare Services Inc. and Marias Medical Center for storage space within the Marias Healthcare Annex, located at 815 Oilfield

- Avenue in Shelby (Ambulance Barn). The lease agreement stipulates a rent payment of \$425.00 per month for a period of two years beginning July 1, 2013 and ending June 30, 2015. **Allan motioned to approve the lease agreement for the storage space with in the Marias Healthcare Annex. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Discussion and possible action on a funding request from the MT Defense Alliance. **Allan explained what the Defense Alliance uses their money for. Allan motioned to put this on the agenda in 2 weeks. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
  3. Report by and discussion with Marlyann Verploegen of the MT Dept. of Revenue. **Marlyann explained that Lori would be working in Chester now and Donna would be working in the office here.**
  4. Consider the appointment of Dave Rindal to the Toole County Board of Health with a term ending 12/31/2015. **Deb motioned to appoint Dave Rindal to the Board of Health. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
  5. Consider the appointment of Pat Simons to the NETA Board of Directors with a term ending 12/31/2017. **Deb motioned to reappoint Pat Simons to the NETA Board. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
  6. Consider adoption of the Toole County Subdivision Regulations and associated fee schedule. There were no comments on the proposed regulations expressed during the public hearing held on August 22, 2013. **Allan motioned to adopt the Toole County Subdivision Regulations and postpone the adoption of the Fee Schedule. Deb 2<sup>nd</sup> the motion and the motion passed.**
  7. Consider approval of MT Cancer Control Program (MCCP) agreement with Teton County for FY13-14. **Deb motioned to approve the MCCP agreement. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
  8. Consider approval of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) agreement with Teton County from October 1, 2013 through September 30, 2014. **Deb motioned to approve the WIC agreement with Teton County. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
  9. Consider approval of Memorandum of Understanding for use of the Toole County Search and Rescue facility during health emergencies and disasters. **Deb motioned to approve the MOU. Allan 2<sup>nd</sup> the motion and the motion passed.**
  10. Discussion and possible action on video surveillance quote for the Toole County Courthouse. **Allan motioned to accept the quote from Alert Security Professionals on the video surveillance equipment and maintenance. Deb 2<sup>nd</sup> the motion and the motion carried.**

#### COMMISSIONER'S AGENDA

10:00 AM

October 17, 2013

PRESENT: Ben Ober and Allan Underdal

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes from Previous Meeting: Allan motioned to accept the minutes from the previous meeting.**

5. Consider action on bids for a 2014 4x4 ambulance. There were two bids opened on 10/07/2013:
  - True North Emergency Equipment
    - Total Unit: \$158,850
    - Trade In (1991 ambulance): \$3,850
    - Net Cost: \$155,000
  - Apgar Ambulance
    - Total Unit: \$154,555
    - Trade In: \$4,600
    - Net Cost: \$149,955**Apgar Ambulance was awarded the bid for the 2014 4x4 ambulance.**
6. Consider approval of FY13-14 Emergency Management Performance Grant in the amount of \$20,764. **Allan motioned to approve the Grant. Ben 2<sup>nd</sup> the motion. The motion carried.**
7. Consider appointment of Luke Casey to the Toole County Health Foundation Board with a term ending 10/31/2017. **Allan motioned to appoint Luke Casey to the TCHF. Ben 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
8. Consider approval of the Partnership Agreement with Opportunity Link, Inc. Opportunity Link will provide \$5,000 of match to assist with updating Toole County's growth policy. **Allan motioned to the Partnership Agreement. Ben 2<sup>nd</sup> the motion and the motion carried.**
9. Consider approval of subdivision review fee schedule. **This item is postponed until there is further discussion.**

COMMISSIONER'S AGENDA  
10:00 AM  
October 21, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes: Allan motioned to approve the minutes from the 10/17/2013 meeting. Deb 2<sup>nd</sup> the motion and the motion carried.**

1. Consider approval of Change Order #1 to the Public Safety building's dispatch remodel project. **This has been postponed until the request is received.**
2. Consider approval of Resolution 25-2013, a resolution adopting Toole County's subdivision regulations. **Deb motioned to approve Resolution 25-2013. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider approval of subdivision fee schedule. **A conference call was held with Dan Stahly about the fee schedule. Deb motioned to approve the schedule. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
4. Discussion of Emergency/Disaster plans for courthouse. **Discussion was held on the Emergency/Disaster plan for the courthouse. No action was taken.**

COMMISSIONER'S AGENDA  
10:00 AM  
October 28, 2013

PRESENT: Associate Pastor John Meckling and Pastor Fred Brown of the New Life Community Church; Boyd Jackson, Toole County Treasurer; Carol Neal, Dept. of Revenue's Property Evaluation Specialist; Allan, Ben and Deb

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes: Allan made the motion to approve, Deb 2<sup>nd</sup> and the motion carried.**

1. Consider approval of Resolution 26-2013, a resolution to refund property taxes paid by New Life Community Church for the property with Geocode 21-4424-22-3-26-01-0000 from 2004 to present. The Department of Revenue has recently approved tax-exempt status for this property on religious grounds.  
**Carol shared that there was no evidence of any paperwork in the local Dept. of Revenue office prior to 2013. Carol contacted Linda Sather, Dept. of Revenue's Exemption Specialist in Helena; Linda reported that she did not have any records prior to 2013's submittal. Pastor Brown explained that an attorney was hired to take care of filing the necessary paperwork when the house in question was purchased. Allan made a motion to approve Resolution 26-2013, granting the refund of property taxes for the years 2004 to present. Deb 2<sup>nd</sup> the motion. Allan then stated that although it is the taxpayer's responsibility to take care of filing for an exemption, it is apparent that the property has been used for the purposes of a church and he believed that we should grant the tax refund. Ben also agreed that a good-faith effort had been made by the church and he was in support the refund of taxes. Ben called for a vote and the vote was unanimous to refund the property taxes paid by the New Life Church.**
2. Consider approval of MACo/CRS Inmate Excess Medical Insurance Program renewal. The rate of \$0.85 per inmate per day will be in effect from 11/01/13-10/31/14.  
**Allan motioned to approve, Deb 2<sup>nd</sup> the motion, and the motion carried.**

COMMISSION'S AGENDA  
10:00 AM  
November 4, 2013

PRESENT: Allan Underdal, Ben Ober, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

Approval of Minutes: Allan motioned to approve the minutes of the October 21, 2013 meeting. Deb 2<sup>nd</sup> the motion and the motion passed.

1. Consider appointment of three members to the Marias Heritage Center (MHC) Condominium Board. Wendy Nielsen, replacing Karen Taylor, will serve a term ending 12/31/15; Heidi Alford, replacing Rhonda Wiegand, will serve a term ending 12/31/16; and Lorette Carter, replacing Dr. Larry Bonderud, will serve a term ending 12/31/15. **Allan motioned to appoint Wendy Nielsen, Heidi Alford and Lorette Carter. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider appointment of Mallory Riphenburg to the Toole County DUI Task Force. **Deb motioned to appoint Mallory. Allan 2<sup>nd</sup> the motion and the motion passed.**
3. Consider approval of the submittal of a Community Development Block Grant (CDBG) Housing and Public Facilities Housing planning grant application. Toole County will be applying for \$25,000 from the Dept. of Commerce for the purpose of updating Toole County's Growth Policy with an included special study of the fairgrounds area. The application will include a match in the amount of \$5,000 from Opportunity Link Inc. and \$5,000 from Toole County. **Deb motioned to approve the submittal of this grant application. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

#### COMMISSIONER'S AGENDA

10:00 AM

November 14, 2013

PRESENT: Allan Underdal, Ben Ober, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes:** Deb motioned to approve the minutes of the November 4, 2013 meeting. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.

3. Consider approval of Change Order #1 to the Public Safety building's dispatch remodel project. **Allan motioned to approve Change Order #1. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
4. Consider approval of a Third Party Administrator (TPA) contract for Controlled Substance and Alcohol Testing program with William P. Hanley, Hi-Line Consortium for the Road Department. **Deb motioned to approve Controlled Substance and Alcohol Testing with William P. Hanley, Hi-Line Consortium. Allan 2<sup>nd</sup> the motion and the motion passed.**
5. Consider approval of a TPA contract for Controlled Substance and Alcohol Testing program with William P. Hanley, Hi-Line Consortium for the transit systems which operate with Toole County as Lead Agency: Northern Transit Interlocal, Toole County Transit, Glacier County Transit and Pondera County Transit. **Deb motioned to approve a contract for Controlled Substance and Alcohol Testing for the transit systems. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

#### **OTHER BUSINESS:**

The MRI machine at the hospital has broken. \$10,000 has been spent in parts and repairs in the last 6 weeks. Additional parts are unavailable for this machine. The MRI machine is pertinent to the revenue at the hospital. The hospital has signed a 1 year lease for a replacement machine. The machine will cost \$600 a day if the full year lease is maintained. The machine will be \$750 a day if we terminate the lease early. The hospital has solicited bids to sell the old machine. The machine it's self has no value, but the trail does. **Allan motioned to declare this an emergency situation and to approve the lease agreement. Deb 2<sup>nd</sup> the motion. Allan motioned to accept the highest bidder on the old MRI machine. Deb 2<sup>nd</sup> the motion and all were in favor.**

Deb stated we have an agreement with the Sunburst Lutheran Church to clean the carpets every other year along with the rent we pay for using the facility as a Senior Center. The carpets will need to be cleaned in January.

Deb also mentioned that our website will need to be revamped in the future. This will allow us to have a more interactive website. There will also be a fee to our host, Morrison and Maierle, to move the website.

#### COMMISSIONER'S AGENDA

10:00 AM

November 18, 2013

PRESENT: Allan, Ben, Deb, Dr. Larry Bonderud, City of Shelby Mayor and Carol Neal, Dept. of Revenue

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes:** Allan made the motion to approve the minutes of 11/14/13 as corrected. Deb seconded the motion, and the motion carried.

1. Review and consider approval of the City of Shelby's Comprehensive Development Plan for Shelby Industrial Park Targeted Economic Development Tax Increment Financing District.

Mayor Larry Bonderud explained the new TED/TIF district. Carol took the development plan to review. Allan will attend the public hearing scheduled for tonight, and action on the plan will be considered on 11/21/13.

2. Discussion and possible action on the advertising for the sanitarian position.  
Discussion took place on the position. Possible action has been postponed until 11/21/13.

COMMISSIONER'S AGENDA

10:00 AM

November 21, 2013

PRESENT: Ben, Allan, Deb and Carol Neal, Dept. of Revenue

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes:**

1. Review and consider approval of the City of Shelby's Comprehensive Development Plan for Shelby Industrial Park Targeted Economic Development Tax Increment Financing District.  
**Allan motioned to approve the development plan and provide a letter of support; Deb seconded and the motion carried.**
2. Discussion and possible action on the advertising for the sanitarian position.  
**Ben stated he would like to move forward with the sanitarian position as a part-time contracted position. Deb expressed concern that we will be unable to find a part-time county employee to fill the role of sanitarian. Allan made the motion to advertise for a contractor to provide the services of a sanitarian for Toole County; Deb seconded and the motion carried.**

**Additional business: The Justice of the Peace was in yesterday requesting immediate assistance from Toole County to provide worker's compensation coverage, required for community service workers, for those persons unable to provide the funding. Ben made a motion to approve \$150 for the remainder of this fiscal year. Allan seconded the motion and the motion carried.**

COMMISSIONER'S AGENDA

10:00 AM

December 9, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Minutes: Allan motioned to approve the minutes from the November 18, 2013 and November 21, 2013 meetings. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Review and consider approval of the Title VI program for the Northern Transit Interlocal and Toole County (Toole County Transit, Glacier County Transit and Pondera County Transit) transit systems. **Deb motioned to approve the Title VI program for Northern Transit Interlocal and Toole County transit systems. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider approval of a contract with RCJ Enterprises, Inc. for temporary sanitarian services through December 31, 2013. **Allan motioned to approve the contract with RCJ Enterprises, Inc. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed. Ron Andersen will be providing temporary sanitarian service for the county. The contract is for \$75 an hour.**

COMMISSIONER'S AGENDA

10:00 AM

December 16, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Dec. 9, 2013 Minutes: Deb motioned to approve the minutes. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**



1. Review and consider approval of the Marias Medical Center's union employee two year contract as recommended by the MMC Board. **This line item was postponed until the next meeting.**
2. Consider approval of a cooperative agreement, effective January 1, 2014 through December 31, 2014, between the MT Dept. of Public Health and Human Services (DPHHS) and Toole County (Board of Health). The purpose of this agreement is to establish a payment schedule for disbursing funds to Toole County for inspections of licensed establishments within Toole County. **Allan motioned to approve the cooperative agreement except for; inspections of pools, spas and other water features, not to perform inspections of Body Art establishments under state licensure and not to perform plan reviews of Body Art establishments under state licensure. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
3. Consider approval of an agreement, effective July 1, 2013 through June 30, 2015, between MT DPHHS, Addictive and Mental Disorders Division and Toole County. The purpose of this agreement is to provide county funding for Medicaid reimbursement for mental health services. **Allan motioned to approve the agreement. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA

10:00 AM

December 19, 2013

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Kristi Aklestad and Treva Nelson

**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

**Approval of Dec. 16, 2013 Minutes: Allan motioned to approve the minutes. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**

1. Review and consider approval of the Marias Medical Center's union employee two year contract as recommended by the MMC Board. **Deb motioned to approve the recommended contract for union employees at Marias Medical Center. Allan 2<sup>nd</sup> the motion and all were in favor. The motion passed.**
2. Consider acceptance or rejection of sanitarian proposals. **Allan motioned to accept the sanitarian proposal submitted by Ron Andersen. Deb 2<sup>nd</sup> the motion. Discussion was had with Kristi about this being a contract employee and not a full time employee. She expressed concern about good communication and all of the work needing to get done. Allan suggested that Kristi, the Board of Health and Ron sit down and have a discussion. Allan also suggested that we request reports and see if everything is getting done. All were in favor and the motion passed.**
3. Consider approval of Change Order #2 for the Public Safety Dispatch remodel. **The change order was a decrease of \$74.12. Allan motioned to approve Change Order #2. Deb 2<sup>nd</sup> the motion and all were in favor. The motion passed.**