

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Thursday, January 4, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of December 28, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of Resolution 1-2018, a resolution to approve a Chair and Vice-Chair for the Toole County Commission for 2018. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider approval of Resolution 2-2018, a resolution to approve meeting dates for regular Commission meetings in 2018. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider approval of Resolution 3-2018, a resolution to approve travel and per diem rates for Toole County employees for 2018. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider approval of Resolution 4-2018, a resolution appointing the Commissioners to represent Toole County on boards and committees for 2018. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
5. Consider appointment of Linnet Doane to the Toole County Compensation Board with a term to end 12/31/2020. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

Commissioners' Office
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tccomm@toolecountymt.gov

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RESOLUTION 1-2018

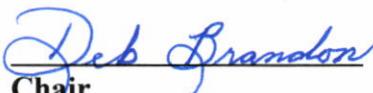
A RESOLUTION TO ELECT THE CHAIR FOR THE BOARD OF TOOLE COUNTY COMMISSIONERS FROM JANUARY 2018 THROUGH DECEMBER 2018

WHEREAS; the board of county commissioners must elect one of its members as the chair at the beginning of each calendar year per 7-4-2109, Montana Code Annotated and also appoint commissioner liaisons to county boards, and

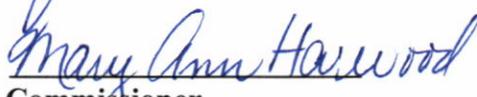
WHEREAS; the chair must preside at all meetings of the board and in case of his/her absence or inability to act, the members present must by an order select one of their number to act temporarily as chair,

NOW THEREFORE BE IT RESOLVED; that the Chair of the Board of Toole County Commissioners is Deb Brandon, commencing January, 2018 through December, 2018. Commissioner Joe Pehan is designated as Vice-Chair, and will preside over the meetings in case of the Chair's absence or inability to act.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 4, 2018.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder

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RESOLUTION 2-2018

A RESOLUTION SETTING COMMISSIONER MEETING DATES FOR THE CALENDAR YEAR JANUARY 1, 2018 THROUGH DECEMBER 31, 2018

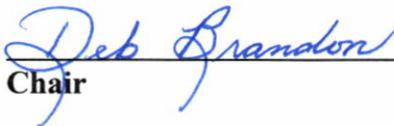
WHEREAS; the governing body of the county shall establish by resolution a regular meeting date and notify the public of that date, per 7-5-2122 of the Montana Code Annotated; and

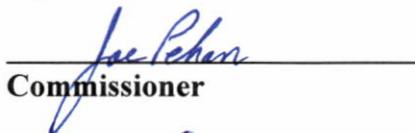
WHEREAS; the agenda for the regular Toole County Commissioners' meeting of January 4, 2018 was posted two days prior to the meeting, notifying the public of Resolution 2-2018, an agenda item setting meetings of the board of Toole County Commissioners for 2018; and

NOW THEREFORE BE IT RESOLVED; that the Toole County Commissioners will hold their regular Board Meetings at 10 AM on Monday and Thursday of each week in which they have an agenda of business posted. These meetings shall be conducted in the office of the Toole County Commissioners in the Toole County Courthouse at 226 1st Street South, Shelby, Montana, commencing January 2018 through December, 2018; and

NOW THEREFORE ALSO BE IT RESOLVED; that the meeting agenda will be posted two days prior with the place, time and date in which public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 4, 2018.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder

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Superintendent of Schools

RESOLUTION 3-2018

A RESOLUTION TO ADOPT TRAVEL/PER DIEM RATES FOR TOOLE COUNTY

WHEREAS, travel/per diem rates are set by the State of Montana, per 2-18-501 and 2-18-502, Montana Code Annotated; and

WHEREAS, the State may at any time during the year change these rates and the counties are notified; and

WHEREAS, Toole County has usually followed the travel/per diem rates of the State of Montana and for out of state travel, the maximum standard federal rate per day; and

WHEREAS, Toole County Commissioners have decided to deviate from the state rates in meal reimbursement: breakfast at \$6, lunch at \$9, and dinner at \$15 for a total daily rate of \$30; and

NOW THEREFORE BE IT RESOLVED; that the Board of Toole County Commissioners have elected to use the travel/per diem rates allowable by the State of Montana with the exception of meal reimbursement changed to \$30 per day and to follow the federal standard travel/per diem rates for out of state travel/per diem, except when specifically amended by the Commissioners.

BOARD OF TOOLE COUNTY COMMISSIONERS dated January 4, 2018.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder

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RESOLUTION 4-2018

A RESOLUTION TO APPOINT THE TOOLE COUNTY COMMISSIONERS TO BOARD, COMMITTEE, AND ADVISORY ASSIGNMENTS FOR JANUARY 2018 THROUGH DECEMBER 2018

WHEREAS; the Toole County Commissioners have many obligations and responsibilities to represent Toole County on different boards, committees, and in other advisory capacities; and

WHEREAS; to properly represent Toole County on these boards, the duties need to be distributed out to the three commissioners, as the meeting times and dates sometimes conflict; and

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TOOLE COUNTY COMMISSIONERS; that the board, committee, and other appointments are assigned to the three Toole County Commissioners as follows:

Mary Ann Harwood

North Central Area Agency on Aging
Shelby Senior Center Board
Kevin/Sunburst Senior Center Board
Opportunities Inc.
Toole County Planning Board
Toole County Transit
Northern Transit Interlocal (Alternate for Joe)
Marias Medical Center Board
Museum Board
Toole County Safety Committee
Toole County Board of Health
Toole County Prevention Committee

Joe Pehan

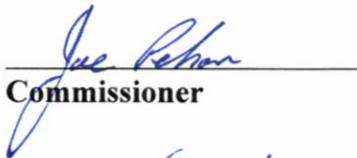
Airport Board
Road/Weed Board
Fair Board
STC Cemetery Board
Shelby Mosquito Board
Marias Medical Center Board
Northern Transit Interlocal
Toole County Transit
Local Emergency Planning Committee
Public Safety Commission
Northern Tier Interoperability Consortium

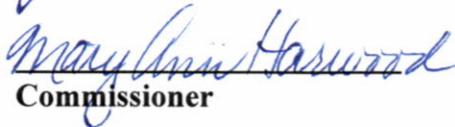
Deb Brandon

Regional Juvenile Detention Board
The Center for Mental Health Governing Board
The Center for Mental Health – Local Advisory Board
Marias Heritage Center Condo Board
Toole County Health Foundation Board
Marias Medical Center Board
Toole County Transit
Northern Transit Interlocal
NETA/Port of Northern Montana
Sweetgrass Development
Shelby/Toole County Transportation & DUI Taskforce
NTC Cemetery Board

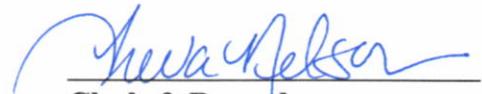
BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 4, 2018.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder

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COMMISSIONERS' AGENDA
Thursday, January 25, 2018
10:00 A.M.

PRESENT: Deb Brandon, Mary Ann Harwood and Treva Nelson

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

Approval of January 4, 2018 Minutes: Mary Ann motioned to approve. Deb seconded the motion and the motion carried.

1. Consider approval of Capital Contract #109884 between the MT Dept. of Transportation and Toole County for two 27-passenger buses. Toole County, on behalf of Northern Transit Interlocal, will be required to submit a 15% local match in the amount of \$29,598.00. **Mary Ann motioned to approve. Deb seconded the motion and the motion carried.**
2. Consider renewal of Highway 2 Association membership in the amount of \$100.00. **Mary Ann motioned to approve. Deb seconded the motion and the motion carried.**
3. Consider renewal of the Public Alert Notification System in the amount of \$5,000. **Deb motioned to not renew PANS. Mary Ann seconded the motion and the motion carried.**
4. Consider board re-appointment of the following persons:
 - Matt Clark – Road/Weed Board with a term to end 12/31/2021
 - Roger Smedsrud – Road/Weed Board with a term to end 12/31/2021
 - Dottie Moss – Kevin/Sunburst Senior Center Board with a term to end 12/31/2020
 - Jeanne Wigen – STC Cemetery Board with a term to end 12/31/2020.**Mary Ann motioned to re-appoint the board members. Deb seconded the motion and the motion carried.**
5. Consider the appointment of Peggy Hartwell to the Kevin/Sunburst Senior Center Board with a term to end 12/31/2020. **Mary Ann requested this be tabled until she talks to Peggy to see if she wants to be on the board. Agenda item tabled.**

COMMISSIONERS' AGENDA
Thursday, February 8, 2018
10:00 A.M.

PRESENT: Deb Brandon, Mary Ann Harwood, Joe Pehan and Treva Nelson

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

Approval of January 25, 2018 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider support of Northern Transit Interlocal' s Coordination Plan for FY 18-19 with a \$5,000.00 commitment. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of a cooperative fire control agreement & cooperative equipment agreement between Toole County and DNRC for wildland fire control effective February 8, 2018. These agreements satisfy MCA 7-33-2202 (4) (6), 7-33-2210, 76-13-104 and 76-13-136. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
3. Consider approval of the Memorandum of Understanding (MOU) between Toole County and Pondera County for regional transportation coordination through July 1, 2019. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider approval of the Memorandum of Understanding (MOU) between Toole County and Glacier County for regional transportation coordination through July 1, 2019. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
5. Consider approval of a proposal in the amount of \$24,850.00 by Slate Architecture for design and construction administration services for a shower renovation project at the Toole County Detention Center. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried. The money will come out of Fund 4021.**

COMMISSIONERS' AGENDA
Thursday, February 22, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan and Treva Nelson

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

Approval of February 8, 2018 Minutes: Joe motioned to approve. Deb seconded the motion and the motion carried.

1. Consider approval of the coordination plan and grant application to the MT Dept. of Transportation's Transit Program for operational funding in the amount of \$70,525.00 for Northern Transit Interlocal for FY18-19. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
2. Consider approval of the coordination plan and grant application to the MT Dept. of Transportation's Transit Program for operational funding in the amount of \$74,858.00 for Toole County on behalf of Glacier County Transit, Pondera County Transit and Toole County Transit for FY 18-19. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
3. Consider **Resolution #5-2018** that commits Toole County to payments of no more than \$12,000.00 per year for five years to assist the Shelby Volunteer Fire Department to purchase new self-contained breathing apparatus. **The money will come out of the South Toole County Fire Capital Fund 4023. Joe motioned to approve. Deb seconded the motion and the motion carried.**

RESOLUTION NO. 5-2018

A RESOLUTION COMMITTING TOOLE COUNTY TO PAYMENTS
OF NO MORE THAN \$12,000.00 PER YEAR FOR FIVE YEARS TO ASSIST THE
SHELBY VOLUNTEER FIRE DEPARTMENT TO PURCHASE NEW
SELF-CONTAINED BREATHING APPARATUS

WHEREAS, the County of Toole of Shelby, Montana ("County Commissioners") is committed to ensuring the safety of its volunteer firefighters who serve in the Shelby Volunteer Fire Department ("SVFD") and South Toole County Fire Department; and

WHEREAS, the self-contained breathing apparatus ("SCBA") the SVFD currently have reached the end of their life expectancy, are obsolete, unsafe, and need to be replaced; and

WHEREAS, the SVFD requested that the County of Toole assist it financially to purchase new SCBA and related equipment;

WHEREAS, the SVFD requested bids from SCBA suppliers; and

WHEREAS, the SVFD reviewed the submitted bids and recommended to County Commissioners that it approve Municipal Emergency Services ("MES") as the lowest responsible bid in the amount of \$187,725.00; and

WHEREAS, the Commissioners did approve and accept MES' bid to provide the required SCBA and related equipment as set forth and itemized in its bid for the total amount of \$187,725.00; and

WHEREAS, the Commissioners understand that the SVFD has already received a grant from Town Pump for \$20,000.00 towards the purchase of the SCBA and related equipment; and

WHEREAS, the County Commissioners understand that the City of Shelby will commit to \$22,030.00 per year for five (5) years (\$110,150.00 total) towards the purchase of the SCBA and related equipment; and

WHEREAS, the SVFD intends to obtain a loan from the First State Bank of Shelby in order to immediately purchase the SCBA and related equipment; and

WHEREAS, the SVFD requested that Toole County commit to paying the cost of \$12,000.00; and

WHEREAS, the SVFD will repay the loan plus interest and other costs over five (5) years with the Town Pump grant, monies from Toole County, and the City of Shelby; and

WHEREAS, the SVFD additionally has applied for a grant from the Federal Emergency Management Agency ("FEMA") for the purchase of SCBA and related equipment; and

WHEREAS, the FEMA grant may be applied retroactively to purchases of SCBA and related equipment already made;

WHEREAS, if approved, the FEMA grant will pay for ninety-five (95%) of the purchase of the SCBA and related equipment; and

WHEREAS, if the FEMA grant is approved, the SVFD will pay the remaining five percent (5%) match with the Town Pump grant and use any remaining Town Pump grant to purchase additional SCBA air bottles; and

WHEREAS, the SVFD will not learn whether FEMA approves the grant before sometime between April and November, 2018; and

WHEREAS, MES will deliver the SCBA and related equipment approximately eight (8) weeks from the date the SVFD orders it; and

WHEREAS, if FEMA approves its grant, the SVFD will use the FEMA grant money to immediately repay the remaining balance of the First State Bank loan and reimburse the City of Shelby for any payments towards the loan it may have made.

THEREFORE, BE IT RESOLVED BY THE TOOLE COUNTY COMMISSIONERS, SHELBY, MONTANA;

1. That Toole County accept liability in the amount not to exceed \$12,000.00 per year and commit to paying said amount per year for no more than five (5) years towards the purchase of twenty-five (25) SCBA units and related equipment as set forth and itemized in MES' bid; and

2. That, if the SVFD is unable to secure the additional required funding from the City of Shelby, in a form acceptable to the lender, within ninety (90) days of this Resolution, then this Resolution shall expire and the funds will no longer be committed; and

3. That, if FEMA approves its grant, then the SVFD will repay the First State Bank of Shelby loan in its entirety and Shelby's remaining for financial liability shall expire,

PASSED AND ADOPTED by the Toole County Commissioners, Shelby, Montana,

this 20th day of February, 2018.



ATTEST:
Mary Ann Nelson

Deb Brandon

Deb Brandon

Joseph P. Pehan

Joseph Pehan

Mary Ann Harwood

Mary Ann Harwood

COMMISSIONERS' AGENDA
Thursday, March 1, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of February 22, 2018 Minutes: Joe motioned to approve. Deb seconded the motion and the motion carried.

1. Consider approval of an Emergency Management Performance Grant (EMPG) commitment letter between Toole County and the State of MT Dept. of Military Affairs, Disaster and Emergency Services, for FFY 2018-19. The EMPG's project cost of \$43,604.00 requires a match of \$21,802.00 from Toole County. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider the appointment of Darrell Stafford, DES Coordinator, as Toole County's agent for the 2018-19 Emergency Management Performance Grant (EMPG). **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
3. Consider approval of a Memorandum of Understanding (MOU) between the City of Shelby and Toole County for the airport waterline project and City of Shelby water tower project. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA
Thursday, March 22, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Treva Nelson and Jim Lassabe

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

Approval of March 1, 2018 Minutes: Joe motioned to approve the minutes. Deb seconded the motion and the motion carried.

1. Consider approval of the Toole County Health Foundation bylaws as recommended by the Foundation board members during the 2/27/2018 meeting. **Joe motioned to approve the bylaws as recommended. Deb seconded the motion and the motion carried.**
2. Consider the re-appointment of the following persons to the Marias Fair Board:
 - Jeff Habets with a term to end 12/31/2020
 - Todd Howell with a term to end 12/31/2020
 - Linnet Doane with a term to end 12/31/2020

Joe motioned to approve the re-appointments. Deb seconded the motion and the motion carried.

3. Consider possible action upon review of the appraisal of the following Toole County agricultural properties:
 - Section 17, T 36N, R 2W
 - Section 16 T 36N R 2W (Certificate of Survey 85-1)

Joe motioned to follow the recommendation from the Road Board meeting, March 20, 2018, to not sell this property. Deb seconded the motion and the motion carried.

4. Consider approval of Lloyd Omdahl's request for an extension of time to use accrued vacation. **Joe motioned to extend the time limit for Lloyd to use his excess vacation. Due to the demands of Lloyd's job this winter he hasn't had time to use the excess. Lloyd will need to use the excess vacation time by June 25, 2018 or lose it. Deb seconded the motion and the motion carried.**

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Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson - Public Admin.



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Debra Munson - Clerk of Court
Trevia Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Thursday, March 29, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan and Mary Ann Harwood (via phone)

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

Approval of March 22, 2018 Minutes: Joe motioned to approve the minutes; MaryAnn seconded the motion, and the motion carried.

1. Consider approval of a contract between Marias Medical Center and Marias Healthcare Services, Inc. to provide surgical technicians for the OB Program as approved by the Marias Medical Center Board on 11/29/2017. **Mary Ann motioned to approve; Joe seconded the motion, and the motion carried.**
2. Consider the re-appointment of Guy Dubois to the City of Shelby/Toole County Planning Board with a term to end 4/1/2020. **Mary Ann motioned to approve; Joe seconded the motion, and the motion carried.**
3. Consider the appointment of Bob Longcake to the City of Shelby/Toole County Planning Board with a term to end 4/1/2019. **Mary Ann motioned to approve; Joe seconded the motion, and the motion carried.**
4. Consider the appointment of Renae Manley to the Toole County Health Foundation Board with a term to end 10/31/2019. **Mary Ann motioned to approve; Joe seconded the motion, and the motion carried.**
5. Consider the re-appointment of Ken Morrison to the Galata County Water District Board with a term to end 5/31/2024. **Mary Ann motioned to approve the re-appointment with a term to end 5/31/2022 as required by law; Joe seconded the motion, and the motion carried. Deb will write a letter to Sara Staub, secretary of the district, noting the correct board term.**
6. Consider approval of the proposed cost of \$6,156.58 to remove and replace the heat pump in the extension office. Johnson Controls' proposal includes the removal of the old unit by taking out ceiling tiles and disconnecting the water and electrical supply, installation of a new heat pump and reconnection of ductwork, power and water. **Mary Ann motioned to approve; Joe seconded the motion, and the motion carried.**

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COMMISSIONERS' AGENDA
Thursday, April 5, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood, Merle Raph and Treva Nelson

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

Approval of March 29, 2018 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of a contract between Marias Medical Center and Marias Healthcare Services, Inc. to provide OB nursing assistance as approved by the Marias Medical Center Board on 3/27/18. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider designation of 2018-2019 health insurance plans for Toole County employees. **Mary Ann motioned to approve the following plans. These are the same plans from last year. Joe seconded the motion and the motion carried.**

Existing Plans	Member Only	Member/ Spouse	Member/ Child(ren)	Member/ Family	Non-Medicare Retiree Only	Non-Medicare Retiree/ Spouse
RM2000-80%-4000	\$801	\$1,482	\$1,289	\$1,745	\$801	\$1,482
RM3000-80%-5000	\$753	\$1,392	\$1,211	\$1,641	\$753	\$1,392
BP2000-70%-4000	\$689	\$1,276	\$1,111	\$1,504	\$689	\$1,276
HD3000-80%-5000	\$678	\$1,256	\$1,092	\$1,479	\$678	\$1,256
DENTAL	\$36	\$72	\$75	\$109	\$36	\$72
VISION	\$16	\$31	\$22	\$35	\$16	\$31

Consider Toole County's contribution toward health insurance costs for FY 2018-2019. **Mary Ann motioned to contribute \$745 monthly towards employee health insurance. If an employee chooses a plan that is less than \$745 they may add dental and/or vision up to that amount. If an employee chooses the high deductible plan the remaining amount can go toward the dental and /or vision or the remainder will go into the employees' Health Savings Account. Joe seconded the motion and the motion passed**

3. Consider approval of Resolution 6-2018, a resolution renewing open burning regulations for Toole County. **Joe motioned to approve Resolution 6-2018. Mary Ann seconded the motion and the motion carried.**
4. Consider designation of Alcohol Tax money for chemical dependency services within Toole County. **Tabled**

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson - Public Admin.



Dan B. Whitted - Coroner
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RESOLUTION 6-2018

A RESOLUTION RENEWING OPEN BURNING REGULATIONS AND PERMISSION POLICY FOR TOOLE COUNTY, STATE OF MONTANA, PURSUANT TO SECTION 7-33-2205, MCA.

WHEREAS, Section 7-33-2205, MCA, provides that the County governing body may in its discretion establish fire seasons annually during which no person may ignite or set any forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or open fire within the county protection area on any forest, range, or croplands subject to the provisions of this section without having obtained an official written permit or permission to ignite or set a fire from the recognized protection agency for that protection area; and

WHEREAS, in order that the county officially establish fire seasons annually and enforce the above-referenced section of law, the Board of Toole County Commissioners have, by this reference, established an Exhibit "A" - a set of county-wide open burning regulations and permission setting forth specific guidelines for burning; and

WHEREAS, Toole County has two rural fire departments which have agreed to comply with and adhere to the said open burning regulations and whose fire chiefs recognize their responsibility for the enforcement of said regulations and permission, namely:

- 1. North Toole County Fire Department**
- 2. South Toole County Fire Department**

WHEREAS, pursuant to Section 7-33-2206, MCA, any person who ignites or sets any forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or open fire within any forest, range, or cropland subject to the provisions of this part without first having obtained a written permit or permission to ignite or set such fire is guilty of a misdemeanor; and

WHEREAS, starting January 1, 2007 permission shall be obtained by calling the Toole County Sheriff's Department with your name, phone number, and location of your intended controlled burn; and

WHEREAS, failure to call in and obtain advance permission for your controlled burn from the Toole County Sheriff's Department may result in your local fire department being called out, your burn put out, and a charge for services will be allotted based on the following rates:

- Class six engines, one hundred fifty dollars (\$150) per hour**
- Class one engines, three hundred dollars (\$300) per hour**
- Water tenders, two hundred fifty dollars (\$250) per hour; and**

WHEREAS, persons living in towns and cities should check with local fire departments before burning as it may not be allowed; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Toole County Commissioners hereby establish and adopt Exhibit "A" - Toole County Open Burning Regulations and Permission pursuant to Section 7-33-2205, MCA, which permission shall be issued under the compliance of all pertinent fire regulations of Toole County and the State of Montana. Open burning season years shall run from March 1 to March 1 of each ensuing year.

BE IT FURTHER RESOLVED that the above referenced fire departments shall comply with and adhere to said regulations and permit and whose fire chiefs shall be responsible for the enforcement of said documents. Any violation of Section 7-33-2205, MCA, shall be punishable pursuant to Section 7-33-2206, MCA, and Sections 50-63-102, 50-63-103, MCA.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated April 5, 2018



Deb Brandon
Commission Chair

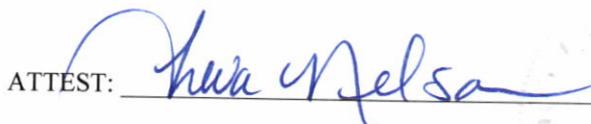


Joe Pehan
Commissioner



Mary Ann Harwood
Commissioner

ATTEST:



Treva Nelson, Toole County Clerk and Recorder

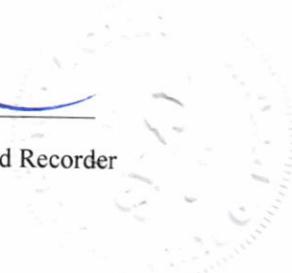


EXHIBIT "A"

TOOLE COUNTY OPEN BURNING REGULATIONS

PERMISSION

No person shall cause, allow, or permit the open burning of any material unless he/she has received prior permission for such open burning from the TOOLE COUNTY SHERIFF'S DEPARTMENT.

DEFINITIONS

Open burning: Open burning as used here is defined as the burning of a quantity or large area of allowable material outside of a container or small enclosed area.

Local Fire Authority: The **Fire Chief and Fire Line Officers** of the fire department in the area where burning is anticipated.

NOTIFICATION

The Sheriff's office must be notified of the intent to initiate burning within 24 hours prior to the actual burning by calling 406-434-5585 and giving your name, phone number, and location of the proposed burn. The initiator of burn is responsible and liable for damages and expenses incurred do to his/her neglect.

PENALTIES

The violation of these regulations is a misdemeanor. Failure to call in and obtain prior permission for your controlled burn may result in your local fire department being called out, your burn being put out, and a charge for services will be allotted based on the following rates:

Class six engines, one hundred fifty dollars (\$150) per hour

Class one engines, three hundred dollars (\$300) per hour

Water tenders, two hundred fifty dollars (\$250) per hour

RESTRICTED BURNING SEASON

Fire control authorities retain the right to restrict the burning season in the event of excessively dry or hazardous conditions.

PRECAUTIONS

1. Take every precaution to prevent the spread of your fire or particulate emissions from it beyond your property. Have on hand the necessary materials and personnel to keep your fire in control at all times.
2. Burn only clean dry materials in a small enough area that it can be observed and controlled at all times.
3. Have an adult attending to the fire at all times.
4. Be sure that your fire is completely out before abandoning it.
5. **Do not** burn in a period of high wind or excessively dry conditions.
6. **Do not** burn in an area where wind drift is such that smoke from your fire will create a hazard on a roadway or other public facility or otherwise create a public nuisance.
7. **Do not** burn animal droppings, garbage, dead animals (except when required by ARM for disease control with permission), tires or any rubber materials, oil, or any type of petroleum products, railroad ties, tarpaper, plastic materials or toxic wastes.
8. **Do not** burn at night!

Fire control authorities retain the right to enter private property to investigate and/or suppress fires if deemed necessary.

EMERGENCY MEETING

COMMISSIONERS' AGENDA

Wednesday, April 18, 2018

9:45 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

1. Consider approval of Resolution 7-2018, a Toole County Disaster Declaration Resolution. **Mary Ann motioned to approve Resolution 7-2018. Joe seconded the motion and the motion carried.**

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

RESOLUTION 7-2018

TOOLE COUNTY DISASTER DECLARATION RESOLUTION

WHEREAS, snow melt flooding has caused severe damage to county roads within the County; and

WHEREAS, restoration of these roads is essential to ensure the health, safety and welfare of residents of the County; and

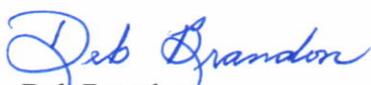
WHEREAS, the County has committed all available resources, taken all possible action to combat and alleviate the situation and local resources are not adequate to cope with the situation; and

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners that a disaster is hereby declared pursuant to Section 10-3-403, MCA, because expenditures for repair and damaged facilities will be beyond the financial capability of the County.

BE IT FURTHER RESOLVED that there shall be appropriated immediately to Fund 2900 an amount equivalent to two (2) mills on the taxable valuation of the County outside the incorporated municipalities, pursuant to Section 10-3-405, MCA. Said two (2) mills will be levied during fiscal year 2018 and be utilized for restoring services and repairing facilities damaged by the flooding and washing out of roads.

BE IT FURTHER RESOLVED that a copy of this resolution will be filed with the County Clerk and Recorder, County Assessor and the Montana Disaster and Emergency Services Division in Helena.

PASSED AND ADOPTED by the Toole County Board of County Commissioners on April 18, 2018.


Deb Brandon
Commission Chair


Joe Pehan
Commissioner


Mary Ann Harwood
Commissioner

ATTEST: 
Treva Nelson, Toole County Clerk and Recorder

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

Commissioners' Office Clerk & Recorder's Office
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tccomm@toolecountymt.gov tnelson@toolecountymt.gov

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Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
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Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Monday, April 30, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood, Jim Lassabe and Treva Nelson

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

Approval of April 5, 2018 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

Approval of April 18, 2018 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of polling places for each of the 5 precincts within Toole County.

<u>Precinct</u>	<u>Polling Place</u>
Devon/Galata	Galata Community Hall
Kevin	Kevin Senior Center
Shelby City	Shelby Civic Center
Shelby Rural	Shelby Civic Center
Sunburst	Sunburst Elementary

Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

2. Consider approval of Election Judges for the next 2 years. Certified judges are as follows:

<u>City of Shelby</u>	<u>Shelby Rural</u>	<u>Sunburst</u>
Marigail Sveum	Julene Peters	Roberta Buckley
Sharon Berthelote	Sara Staub	Judy Reighard
Nancy Tomsheck	Jewell Benjamin	Harriet Karst
Deb Steinbacher		Nancy Simmes
Myra Schilling	<u>Kevin</u>	
Joyce Benjamin	Dolores Turner	<u>Devon/Galata</u>
Jean Flesch	Lucille Knaup	Geneva Sisk
Sammie Hurtig	Marilyn Enneberg	Cherie Wigen
Cheri Jansen		Ruby Bussell
Sonia Harris		
Kate Leck		

Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

3. Consider approval of the Election Audit Committee for 2018. Committee members are:

Deb Munson
David Irvin
Carrie Tasker

Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

4. Consider approval of 2018 annual dues to Northern Montana Oil & Gas Association in the amount of \$250. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

5. Consider approval of Task Order/Contract #19-07-6-11-053-0 between the MT Dept. of Public Health and Human Services (DPHHS) and Toole County to provide Public Health Emergency Preparedness services with a term beginning 7/1/2018 and ending 6/30/2019. DPHHS will reimburse Toole County \$27,857. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

6. Consider the designation of Alcohol Tax money for chemical dependency services within Toole County. **Mary Ann motioned to approve 100% of the Alcohol Tax money to Misfits for outpatient services. Joe seconded the motion and the motion carried.**

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
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Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Friday, May 11, 2018

9:00 A.M.

**(Please note the change of meeting day.
Commissioners are attending the MACo District meetings
on their usual meeting date of 5/10/2018.)**

PRESENT: Deb Brandon, Joe Pehan and Mary Ann Harwood

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

Approval of April 30, 2018 Meeting Minutes: Minutes were not available for review.

- 1. Consider approval of the agreement between the County of Warner No. 5 and Toole County for maintenance of the Border Road. Mary Ann made a motion to approve; Joe seconded the motion and the motion carried.**
- 2. Consider approval of the DUI Task Force Plan for SFY 2019. Joe made a motion to approve; Mary Ann seconded the motion and the motion carried.**
- 3. Consider approval of the maintenance projects for the Toole County Jail to be supervised by Diamond Construction. Mary Ann made a motion to approve; Joe seconded the motion and the motion carried.**

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Trevia Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Thursday, May 17, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan and Mary Ann Harwood

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

Approval of April 30, 2018 Meeting Minutes: Joe motioned to approve; Mary Ann seconded the motion and the motion carried.

Approval of May 11, 2018 Meeting Minutes: Joe motioned to approve; Mary Ann seconded the motion and the motion carried.

1. Consider approval of an intergovernmental transfer to the State in the amount of \$435,632.80. Marias Care Center will then receive \$575,505.50. **Joe motioned to approve; Mary Ann seconded the motion and the motion carried.**

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

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Fax: (406) 424-8301	
http://www.toolecountymt.gov	

*Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.*



*Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools*

COMMISSIONERS' AGENDA

Thursday, May 24, 2018

10:00 A.M.

PRESENT: Deb Brandon by phone, Joe Pehan and Treva Nelson

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

Approval of May 17, 2018 Meeting Minutes: Deb motioned to approve. Joe seconded the motion and the motion carried.

1. Consider the purchase of a phone system for the courthouse, health department and library. **Joe received a bid from 3Rivers Communications a few months ago, for \$44,595. He contacted them to give him an updated bid by today. No new bid was supplied. Preferred IT Systems submitted a bid for \$12,500.68, plus \$1,365 for cables and switches. Deb motioned to go with Preferred IT Systems. Joe seconded the motion and the motion carried.**
2. Consider approval of a renewal agreement with Bern Pugh, Inc. for an employee benefit plan covering unreimbursed medical expenses and dependent day care costs. **Deb mentioned the administrative cost and the cost to the employee has gone up. Deb motioned to no longer contract with Bern & Pugh, Inc. Joe seconded the motion and the motion carried.**
3. Consider approval of an agreement with American Family Life Assurance Company (Aflac) for a Premium Only Cafeteria Plan. **Deb motioned to approve. Joe seconded the motion and the motion passed.**
4. Consider approval of audit engagement services with Denning, Downey & Associates, P.C. for fiscal years 2018, 2019 and 2020. **Deb motioned to approve. Joe seconded the motion and the motion passed.**

Discussion was held by the commission on leasing a backhoe. The county backhoe is broke down and because of the recent flooding, a backhoe is needed.

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



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Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Monday, June 4, 2018

10:00 A.M.

PRESENT: Deb Brandon (via phone), Mary Ann Harwood and Joe Pehan

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

Approval of May 24, 2018 Minutes: Mary Ann motioned to approve the minutes and Joe seconded it. Passed.

1. On April 18, 2018, the Toole County Commissioners passed Resolution #7-2018, declaring a disaster pursuant to Section 7-5-2304, MCA. While emergency exists Toole County needs to acquire a backhoe immediately, as the one the County owns is broken down and will take a while to repair. Therefore, pursuant to Section 7-5-2304, MCA, a rental agreement with Tractor and Equipment for a 4-year lease of a backhoe at \$27,689.81 per year needs to be considered. **Mary Ann motioned to move forward to budget in July, 2018 for the payment in November, 2018. Deb seconded the motioned and all voted in favor.**
2. Consider a Right-Of-Way Lease with Douglas Demarest of Demarest Ranch (Lessor) to Toole County (Lessee) for \$150.00 beginning July 1, 2018 and ending June 30, 2019, for the right to use the existing road which crosses Lessor's land that leads to the SE1/4NE1/4 of Section 25, T36N, R4E, MPM. **Mary Ann made the motion to accept lease and Deb seconded it. Passed.**
3. Consider **RESOLUTION #8-2018**, to sell a tract of land to the City of Shelby located in the SW1/4NW1/4 and N/2NW1/4 of T32N, R2W, MPM, as shown in on the C/S #2013-2 filed in the Toole County Clerk and Recorder's Office. **Mary Ann motioned to approve the Resolution with Deb seconding it. Motion passed.**

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Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
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Treva Nelson - Clerk and Recorder
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Superintendent of Schools

RESOLUTION 8-2018

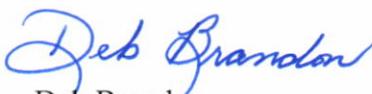
A RESOLUTION OF INTENT TO TRANSFER PROPERTY, BY SALE, FROM TOOLE COUNTY TO THE CITY OF SHELBY

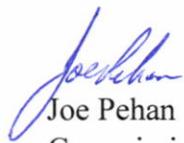
WHEREAS, the authority to transfer land between certain governmental entities is given in 7-8-101 MCA; and

WHEREAS, a .24 +/- acre of county land, located in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ and N $\frac{1}{2}$, NW $\frac{1}{4}$ of T32N, R2W, MPM, as shown on the Certificate of Survey #2013-2 filed in the Toole County Clerk and Recorder's Office. is land deemed to be not necessary for county business; and

NOW, THEREFORE, BE IT RESOLVED; in a meeting held by the Toole County Commissioners on June 4, 2018, that it is the intent of the Commissioners that a .24 +/- acre of land be sold to the City of Shelby from Toole County following 7-8-101 MCA.

PASSED AND ADOPTED by the Toole County Board of County Commissioners on June 4, 2018.


Deb Brandon
Commission Chair


Joe Pehan
Commissioner


Mary Ann Harwood
Commissioner

ATTEST:


Treva Nelson, Toole County Clerk and Recorder

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

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Deb Brandon - Commission Chair
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Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Monday, June 11, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann and Treva Nelson

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

Approval of June 4, 2018 Meeting Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of Resolution 9-2018, a resolution authorizing participation in the Board of Investments' InterCap Program. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of a loan (Loan Agreement #2803) between the Board of Investments and Toole County in the amount of \$141,729.71. Funds will be used to purchase telemetry equipment for Marias Medical Center. **Mary Ann motioned to approve, with the payment coming out of Fund 5420. Joe seconded the motion and the motion carried.**
3. Consider adoption of Toole County's Procurement Policy. **Deb requested that this be tabled until the County Attorney has a chance to review.**
4. Consider approval of Task Order 19-07-4-31-147 for the period of 7/1/2018 – 6/30/2019 to provide immunization services through the Toole County Health Department. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
5. Consider approval of Task Order 19-07-5-01-051-0 for the period of 7/1/2018 - 9/30/2019 to provide maternal and child health services through the Toole County Health Department. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

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Fax: (406) 424-8301 http://www.toolecountymt.gov	

RESOLUTION AUTHORIZING PARTICIPATION IN THE INTERCAP PROGRAM

CERTIFICATE OF MINUTES RELATING TO
RESOLUTION NO. 9-2018

Issuer: Toole County

Kind, date, time and place of meeting: A Commission meeting held on 6-11-2018 at 10 o'clock a.m. in Shelby, Montana.

Members present: Deb Brandon, Joe Pehan and Mary Ann Harwood

Members absent: None

RESOLUTION NO. 9-2018

RESOLUTION AUTHORIZING PARTICIPATION IN THE BOARD OF INVESTMENTS OF THE STATE OF MONTANA ANNUAL ADJUSTABLE RATE TENDER OPTION MUNICIPAL FINANCE CONSOLIDATION ACT BONDS (INTERCAP REVOLVING PROGRAM), APPROVING THE FORM AND TERMS OF THE LOAN AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO

I, the undersigned, being the fully qualified and acting recording officer of the public body issuing the obligations referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of the public body in my legal custody, from which they have been transcribed; that the documents are a correct and complete transcript of the minutes of a meeting of the governing body at the meeting, insofar as they relate to the obligations; and that the meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS my hand officially as such recording officer this 15th day of June, 2018.

By Shelva Nelsa
Its Clerk & Recorder



RESOLUTION NO. 9-2018

RESOLUTION AUTHORIZING PARTICIPATION IN THE BOARD OF INVESTMENTS OF THE STATE OF MONTANA ANNUAL ADJUSTABLE RATE TENDER OPTION MUNICIPAL FINANCE CONSOLIDATION ACT BONDS (INTERCAP REVOLVING PROGRAM), APPROVING THE FORM AND TERMS OF THE LOAN AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO

BE IT RESOLVED BY THE Commissioners (the Governing Body) OF TOOLE COUNTY (the Borrower) AS FOLLOWS:

ARTICLE I

DETERMINATIONS AND DEFINITIONS

Section 1.01. Definitions. The following terms will have the meanings indicated below for all purposes of this Resolution unless the context clearly requires otherwise. Capitalized terms used in this Resolution and not defined herein shall have the meanings set forth in the Loan Agreement.

Adjusted Interest Rate means the rate of interest on the Bonds determined in accordance with the provisions of Section 3.03 of the Indenture.

Authorized Representative shall mean the officers of the Borrower designated and duly empowered by the Governing Body and set forth in the application.

Board shall mean the Board of Investments of the State of Montana, a public body corporate organized and existing under the laws of the State and its successors and assigns.

Board Act shall mean Section 2-15-1808, Title 17, Chapter 5, Part 16, MCA, as amended.

Bonds shall mean the Bonds issued by the Board pursuant to the Indenture to finance the Program.

Borrower shall mean the Borrower above named.

Indenture shall mean that certain Indenture of Trust dated March 1, 1991 by and between the Board and the Trustee pursuant to which the Bonds are to be issued and all supplemental indentures thereto.

Loan means the loan of money by the Board to the Borrower under the terms of the Loan Agreement pursuant to the Act and the Borrower Act and evidenced by the Note.

Loan Agreement means the Loan Agreement between the Borrower and the Board, including any amendment thereof or supplement thereto entered into in accordance with the provisions thereof and hereof.

Loan Agreement Resolution means this Resolution or such other form of resolution that the Board may approve and all amendments and supplements thereto.

Loan Date means the date of closing a Loan.

Loan Rate means the rate of interest on the Loan which is initially 3.15% per annum through February 15, 2019 and thereafter a rate equal to the Adjusted Interest Rate on the Bonds and up to 1.50% per annum as necessary to pay Program Expenses.

Note means the promissory note to be executed by the Borrower pursuant to the Loan Agreement, in accordance with the provisions hereof and thereof, in substantially the form set forth in the Promissory Note, or in such form that may be approved by the Board.

Program shall mean the INTERCAP Program of the Board pursuant to which the Board will issue and sell Bonds and use the proceeds to make loans to participating Eligible Government Units.

Project shall mean those items of equipment, personal or real property improvements to be acquired, installed, financed or refinanced under the Program as set forth in the Description of the Project/Summary of Draws.

Security Instrument means a security agreement in substantially the form set forth, and, a Uniform Commercial Code financing statement, in a form acceptable to the Board and the Trustee granting a security interest in, or a lien on, the property constituting the Project or other real or personal properties added to or substituted therefor.

Trustee shall mean U. S. Bank National Association (formerly known as First Trust Company of Montana National Association) and its successors.

Section 1.02. Authority. The Borrower is authorized to undertake the Project and is further authorized by the Borrower Act to enter into the Loan Agreement for the purpose of obtaining a loan to finance or refinance the acquisition and installation costs of the Project.

Section 1.03. Execution of Agreement and Delivery of Note. Pursuant to the Indenture and the Board Act, the Board has issued and sold the Bonds and deposited a part of proceeds thereof in the Loan Fund held by the Trustee. The Board has, pursuant to the Term Sheet, agreed to make a Loan to the Borrower in the principal amount of \$141,729.71 and upon the further terms and conditions set forth herein, and as set forth in the Term Sheet and the Loan Agreement.

ARTICLE II

THE LOAN AGREEMENT

Section 2.01. Terms. (a) The Loan Agreement shall be dated as of the Loan Date, in the principal amount of \$141,729.71 and shall constitute a valid and legally binding obligation of the Borrower. The obligation to repay the Loan shall be evidenced by a Promissory Note. The Loan shall bear interest at the initial rate of 3.15% per annum through February 15, 2019 and thereafter at the Adjusted Interest Rate, plus up to 1.50% per annum as necessary to pay the cost of administering the Program (the Program Expenses). All payments may be made by check or wire transfer to the Trustee at its principal corporate trust office.

(b) The Loan Repayment Dates shall be February 15 and August 15 of each year.

(c) The principal amount of the Loan may be prepaid in whole or in part provided that the Borrower has given written notice of its intention to prepay the Loan in whole or in part to the Board no later than 30 days prior to the designated prepayment date.

(d) The Prepayment Amount shall be equal to the principal amount of the Loan outstanding, plus accrued interest thereon to the date of prepayment.

(e) Within fifteen days following an Adjustment Date, the Trustee shall calculate the respective amounts of principal and interest payable by each Borrower on and with respect to its Loan Agreement and Note for the subsequent August 15 and February 15 payments, and prepare and mail by first class mail a statement therefor to the Borrower.

Section 2.02. Use and Disbursement of the Proceeds. The proceeds of the Loan will be expended solely for the purposes set forth in the Description of the Project/Summary of Draws. The proceeds from the sale of the Note to the Board shall remain in the Borrower's Account pending disbursement at the request of the Borrower to pay the budgeted expenditures in anticipation of which the Note was issued. Requests for disbursement of the Loan shall be made to the Board. Prior to the closing of the Loan and the first disbursement, the Borrower shall have delivered to the Trustee a certified copy of this Resolution, the executed Loan Agreement and Note in a form satisfactory to the Borrower's Counsel and the Board's Bond Counsel and such other certificates, documents and opinions as set forth in the Loan Agreement or as the Board or Trustee may require. The Borrower will pay the loan proceeds to a third party within five business days after the date they are advanced (except for proceeds to reimburse the Borrower for previously paid expenditures, which are deemed allocated on the date advanced).

Section 2.03. Payment and Security for the Note. In consideration of the making of the Loan to the Borrower by the Board, the provisions of this Resolution shall be a part of the Agreement of the Borrower with the Board. The provisions, covenants and Agreements herein set forth to be performed by or on behalf of the Borrower shall be for the benefit of the Board. The Loan Agreement and Note shall constitute a valid and legally binding obligation of the Borrower and the principal of and interest on the Loan shall be payable from the general fund of the Borrower, and any other money and funds of the Borrower otherwise legally available therefor. [The repayment of the Loan shall be secured by a security interest in the Project being financed.] The Borrower shall enforce its rights to receive and collect all such taxes and revenues to insure the prompt payment of the Borrower obligations hereunder.

Section 2.04. Representation Regarding the Property Tax Limitation Act. The Borrower recognizes and acknowledges that the amount of taxes it may levy is limited by the state pursuant to Section 15-10-402, et. seq. (the Property Tax Limitation Act). The Borrower is familiar with the Property Tax Limitation Act and acknowledges that the obligation to repay the Loan under the Agreement and Note are not exceptions to the provisions of the Property Tax Limitation Act. The Borrower represents and covenants that the payment of principal of and interest on the Loan can and will be made from revenues available to the Borrower in the years as they become due, notwithstanding the provisions of the Property Tax Limitation Act.

Section 2.05. Levy and Appropriate Funds to Repay Loan. The Borrower agrees that in order to meet its obligation to repay the Loan and all other payments hereunder that it will budget, levy taxes for and appropriate in each fiscal year during the term of the Loan an amount sufficient to pay the principal of and interest hereon within the limitations of the Property Tax Limitation Act, as may be amended, and will reduce other expenditures if necessary to make the payments hereunder when due.

ARTICLE III

CERTIFICATIONS, EXECUTION AND DELIVERY

Section 3.01. Authentication of Transcript. The Authorized Representatives are authorized and directed to prepare and furnish to the Board and to attorneys approving the validity of the Bonds, certified copies of this Resolution and all other resolutions and actions of the Borrower and of said officers relating to the Loan Agreement, the Note, the Security Agreement and certificates as to all other proceedings and records of the Borrower which are reasonably required to evidence the validity and marketability of the Note. All such certified copies and certificates shall be deemed the representations and recitals of the Borrower as to the correctness of the statements contained therein.

Section 3.02. Legal Opinion. The attorney to the Borrower is hereby authorized and directed to deliver to the Board at the time of Closing of the Loan his or her opinion regarding the Loan, the Loan Agreement, the Note and this Resolution in substantially the form of the opinion set forth in the Attorney's Opinion.

Section 3.03. Execution. The Loan Agreement, Note, Security Agreement and any other document required to close the Loan shall be executed in the name of the Borrower and shall be executed on behalf of the Borrower by the signatures of the Authorized Representatives of the Borrower.

PASSED AND APPROVED by the Toole County Commissioners this 11th day of June, 2018.

By Deb Brandon
Its Commission Chair

Attest:

By Anna Nelson
Its Clerk and Recorder



Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Thursday, June 21, 2018

10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of June 11, 2018 Meeting Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of Resolution 10-2018, a resolution requesting reservation of local government road construction and maintenance match program funds made possible by House Bill 473. **Joe motioned to approve as recommended by the Road Board. Mary Ann seconded the motion and the motion carried.**
2. Consider adoption of Toole County's Procurement Policy. **This was reviewed by the County Attorney. Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
3. Consider approval of a Memorandum of Understanding (MOU) between the Ninth Judicial District Adult Drug Court and Toole County to assist in expenses of drug treatment costs in the amount of \$5,000 by Toole County for the period of 5/1/18 - 6/30/19. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider approval or rejection of road grader bids. Two bids were submitted and opened on 6/7/18. **Joe motioned to approve the bid recommended by the Road Board on 6/19/18. The bid is from RDO for a 2018 John Deere road grader. This will be a 6-year term, buyback of \$171,300 after 72 months and 6000 hours. Mary Ann seconded the motion and the motion carried.**
5. Consider a revision to the "Years of Service" incentive guidelines. **No action was taken on this item.**
6. Consider approval of Contract #110085 (CFDA #20.509) between the MT Dept. of Transportation (MDT) and Toole County (Toole County Transit, Glacier County Transit & Pondera County Transit) for FY18-19 transit operations with federal funding of \$66,114.00 and a local match of \$42,668.00. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
7. Consider approval of a FY18-19 Memorandum of Agreement between MDT and Toole County for TransADE (Transportation Assistance for the Disabled and Elderly) funding in the amount of \$4,333.00. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
8. Consider approval of Contract #110084 (CFDA #20.509) between MDT and Toole County (Northern Transit interlocal) for FY18-19 transit operations with federal funding of \$70,525.00 and a local match of \$44,620.00. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

RESOLUTION 10-2018

A RESOLUTION REQUESTING RESERVATION OF LOCAL GOVERNMENT ROAD CONSTRUCTION AND MAINTENANCE MATCH PROGRAM FUNDS

Whereas, the Bridge and Road Safety and Accountability Restricted Account created by HB 473 requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, and bridges; and

Whereas, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and

Whereas, a city, town, county, or consolidated city-county government may request that its share of allocated funds be reserved for up to two years; and

Whereas, a city, town, county, or consolidated city-county government requesting to reserve their allocated funds must submit a request to the Department of Transportation by November 1 of the year after the year in which the department allocated the funds; and

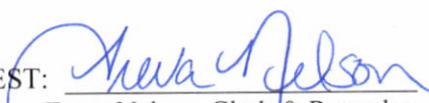
NOW, THEREFORE, BE IT RESOLVED; that Toole County requests its share of the allocated Bridge and Road Safety and Accountability funds be reserved for use in subsequent years as allowed by law and that Toole County Commissioners are hereby empowered and authorized to execute such further documents as may be necessary to facilitate the reservation of said funds.

PASSED AND ADOPTED by the Toole County Board of County Commissioners on June 21, 2018.


Deb Brandon
Commission Chair


Joe Pehan
Commissioner


Mary Ann Harwood
Commissioner

ATTEST: 
Treva Nelson, Clerk & Recorder

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

Commissioners' Office Phone: (406) 424-8310
tcomm@toolecountymt.gov
Clerk & Recorder's Office Phone: (406) 424-8300
tnelson@toolecountymt.gov
Fax: (406) 424-8301
<http://www.toolecountymt.gov>

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Thursday, June 28, 2018

10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of June 21, 2018 Meeting Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Public Hearing to consider budget amendments for the fiscal year 2017-2018. **Discussion was held on the yearly budget amendments. The Public Hearing was closed at 11:05 p.m.**
2. Consider approval of Resolution 11-2018, a resolution to amend the FY 2017-2018 budget. **Mary Ann motioned to approve Resolution 11-2018. Joe seconded the motion and the motion carried.**
3. Consider approval of a 10-year airport hangar lease agreement with Triple Ace, LLC. **This agenda item was tabled.**
4. Consider agreement with Stahly Engineering & Associates, Inc. to prepare Hydrology and Hydraulics (H&H) reports for the Suphellen and Jap Evans roads. The engineering fees associated with the H&H reports are as follows:
 - Suphellen Road: \$1,000
 - Jap Evans Road: \$1,750

Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

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RESOLUTION 11-2018
A RESOLUTION AMENDING BUDGETS

WHEREAS: a budget amendment for NTC Rural Fire (1000-420461-300) was done to increase expenditures by \$11,967.27. This reflected the increase in revenue from insurance. The account budget changed but the Fund budget did not, and

WHEREAS: a budget amendment for Employer Contribution Health (2371-410800-141) in the amount of \$3500, to increase expenditures, due to under estimating our contribution. The overall budget changed but the cash was available, and

WHEREAS: a budget amendment for Employer Contribution PERS (2370-410800-140) in the amount of \$7500, to increase expenditures, due to under estimating our contribution. The overall budget changed but the cash was available, and

WHEREAS: a budget amendment in the amount of \$3400 for Economic Development Fund 2320-473000. Decrease object code 370 by \$3400 and increase object code 345 by \$400 and object code 350 by \$3000. This did not change the overall budget, and

WHEREAS: a budget amendment in the amount of \$2830.73 for COA Shelby Fund 2280. Decrease 450300-100 and increase 521000-820. This did not change the overall budget, and

WHEREAS: a budget amendment in the amount of \$147.59 for PILT Fund 2900. Decrease 411200-220 and increase 521000-820. This did not change the overall budget, and

WHEREAS: a budget amendment in the amount of \$2872.71 for Museum Fund 2360. Decrease 460452-220-360 and increase 521000-820. This did not change the overall budget, and

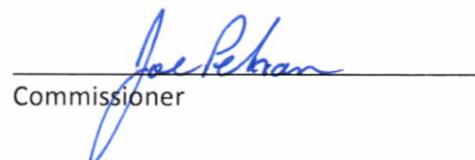
WHEREAS: a budget amendment in the amount of \$9262.09 for Junk Vehicle Fund 2830. Decrease 430840-100-210-230 and increase 521000-820. This did not change the overall budget, and

WHEREAS: short-term loans were given to Funds with negative cash amounts at the end of FY 17-18. The Funds included in the short-term loans are; Fund 5420 Marias Medical Center in the amount of \$893,192.76, Fund 2317 Crime Victims Advocate in the amount of \$16,460.95 and Fund 2973 MCH in the amount of \$537.74. This short-term loan was made from Fund 2399 Impact Fees

THEREFORE, BE IT RESOLVED that a public hearing was held on June 28, 2018 to amend the FY 17-18 budgets as stated above.

ADOPTED THIS 28TH DAY OF JUNE 2018 BY THE TOOLE COUNTY COMMISSIONERS.


Commission Chairman


Commissioner


Commissioner


Clerk & Recorder



Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Thursday, July 5, 2018

10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood, John Overcast and Treva Nelson

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

Approval of June 28, 2018 Meeting Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider a request by LS Samantha Court, LLC for taxes in the amount of \$1,341.33 and corresponding interest, attorney fees and surveyor fees. **Joe motioned to refund the taxes but not the corresponding interest, attorney fees or the surveyor fees. Mary Ann seconded the motion and the motion carried.**
2. Consider the appointment of Justin Gallup to the Sweet Grass Community County Water & Sewer District as the Toole County Commission representative with a term to end 5/31/2022. **Mary Ann motioned to appoint Justin Gallup. Joe seconded the motion and the motion carried.**
3. Consider approval of a 10-year airport hangar lease agreement with Triple Ace, LLC. **Joe motioned to approve the 10-year airport hangar lease. Mary Ann seconded the motion and the motion carried.**
4. Consider FY18-19 Sweetgrass Development dues in the amount of \$2,000. **Joe motioned to approve the dues to Sweetgrass Development. Mary Ann seconded the motion and the motion carried.**
5. Consider designating Mary Ann Harwood as Toole County's representative at the NACo meetings and Montana Day at the White House. **Deb motioned to designate Mary Ann. Joe seconded the motion, Mary Ann abstained. The motion carried.**
6. Consider approval of Memorandum of Understanding (MOU) between Toole County and the MT Stock Growers Association for predator control services for cattle between 7/1/18 and 6/30/19. 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.
 - Stock Cattle on Tax Rolls: 15,770 (Cattle License Fee/Head: \$1.00)**Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
7. Consider approval of Memorandum of Understanding (MOU) between Toole County and the MT Wool Growers Association for predator control services for sheep between 7/1/18 and 6/30/19. Funds will be expended within Toole County wildlife services; an airplane will be used where feasible and funds are available.
 - Stock Sheep on Tax Rolls: 1,782 (Sheep License Fee/Head: \$1.00)**Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



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Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Thursday, July 19, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan and Treva Nelson

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

Approval of July 5, 2018 Meeting Minutes: Joe motioned to approve. Deb seconded the motion and all were in favor.

1. Consider approval of a proposal by Russell Country Communications LLC for a base station/dispatch radio system and install as recommended by the Public Safety Commission on July 10, 2018. **Joe motioned to take \$112,905.71 out of Fund 2850-911 Emergency, noting that Sheriff Whitt had expressed concern about using the money from that fund. Deb seconded the motion and the motion carried.**
2. Consider a request by the Marjory Rickert Estate for approval of an Agricultural Exemption on 80 acres of property located in Toole County at SE¼ Section 19, Township 29N, Range 1E, P.M.M. Approval of the covenant was recommended by Toole County Planner, Dan Stahly. **Joe motioned to approve. Deb seconded the motion and the motion passed.**
3. Consider approval of **Resolution 12-2018**, a resolution requesting distribution of local government road construction and maintenance match program funds made possible by House Bill 473. **Resolution 12-2018 rescinds Resolution 10-2018. Joe motioned to approve. Deb seconded the motion and the motion carried.**

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

Commissioners' Office
Phone: (406) 424-8310
tccomm@toolecountymt.gov

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<http://www.toolecountymt.gov>

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



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Debra Munson - Clerk of Court
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Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

RESOLUTION 12-2018

A RESOLUTION REQUESTING DISTRIBUTION OF LOCAL GOVERNMENT ROAD CONSTRUCTION AND MAINTENANCE MATCH PROGRAM FUNDS

RESOLUTION 12-2018 RESCINDS RESOLUTION 10-2018

Whereas, the Bridge and Road Safety and Accountability Restricted Account created by HB 473 requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, and bridges; and

Whereas, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and

Whereas, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and

Whereas a description of the projects to be funded and the local match for the allocated funds are detailed in Appendix A; and

NOW, THEREFORE, BE IT RESOLVED; that Toole County requests its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified in Appendix A and that Toole County Commissioners are hereby empowered and authorized to execute such further documents as may be necessary to facilitate the reservation of said funds.

PASSED AND ADOPTED by the Toole County Board of County Commissioners on July 19, 2018.

Deb Brandon
Commission Chair

Joe Pehan
Commissioner

Mary Ann Harwood
Commissioner

ATTEST:
Treva Nelson, Clerk & Recorder

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

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Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

APPENDIX A

Description of Project to be funded with HB 473 Funding:

- Crushed gravel to be used for county road maintenance

Local Match for Allocated Funds:

- Road Fund 2110

(See attached Expenditure and Revenue Budget Reports.)

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Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Monday, July 30, 2018

10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of July 19, 2018 Meeting Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of Task Order/Contract #19-07-1-01-175-0 with the Department of Public Health and Human Services (DPHHS) awarding the Toole County Health Dept. \$10,000 to assist in the completion of a community health assessment. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider the re-appointment of Darold Tomscheck to the Oilmont County Water District as the Toole County Commissioner's representative with a term to end on 5/31/2022. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider the appointment of Diane Fauque to the Kevin/Sunburst Senior Center Board with a term to end on 12/31/18. **Mary Ann motioned to approve Diane Fauque to fill Luanne Wallewein's term ending 12/31/18. Joe seconded the motion and the motion carried.**

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Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Monday, August 6, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, and Mary Ann Harwood

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

Approval of July 30, 2018 Meeting Minutes: Joe made the motion to approve with Mary Ann seconding it. Motion carried.

Consider approval of a Certificate of Survey (COS) on a utility tract to be used for a public water system. A copy of the legal description and COS is attached. **Joe made the motion to approve with Mary Ann seconding it. Motion carried.**

1.

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

Commissioners' Office Clerk & Recorder's Office
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tccomm@toolecountymt.gov tnelson@toolecountymt.gov
Fax: (406) 424-8301
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REQUEST FOR EXEMPTION REVIEW

Please submit a completed application with Part Four items to the County Subdivision Administrator. For speed of review, electronic submittals can be submitted to: dstahly@seaeng.com and mhirschi@seaeng.com.

Part One - Applicant Information:

Landowner(s):

Name: Toole County
Address: 226 1st ST South Shelby, MT 59474-120
Telephone #: 406-424-8300

Certification: I hereby certify that the purpose of this exemption request is NOT to evade the Montana Subdivision and Platting Act and the County Subdivision

Regulations. Signature(s) Required: M. J. King

Date: 8/2/18

Part Two - Legal Description:

Blk 95 Pl. 751 - portion of SW 1/4 SW 1/4 Sec 26, portion of SE 1/4 SW 1/4 Sec 27, portion of NE 1/4 Sec 34 & portion of NW 1/4 Sec 35, Twp 32N, Range 2 West, P.M. Montana, Toole County

Part Three - Basis for Exemption Request:

What Exemption is being claimed, and what is the basis for your exemption claim?

MCA 76-3-201(1)(b) - Utility Tract

Utility Tract to be used for public water system

Has a previous exemption been utilized?

Yes; COS# 2017 2 No

Does any lot/tract have an existing approved wastewater treatment system and well?

Yes No

Part Four – Required review submittal items:

Please provide the following with this application:

1. The proposed Certificate of Survey or Amended Subdivision Plat, as applicable and ✓
where required.
2. Current deeds of all subject tracts and any previous deeds that may be pertinent to the survey. If the current deed refers to any other recorded documents, please include copies of those as well.
3. Copies of previously filed surveys, if applicable. ✓
4. Mathematical closure report of the surveyed boundary or boundaries. ✓
5. \$200 review fee, paid to the County Clerk & Recorder's Office, delivered or mailed to the County Clerk & Recorder.

This is a survey for County Clerk of Shelby

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Thursday, August 9, 2018

9:00 A.M.

(Please note the change in time.)

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood

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

Approval of August 6, 2018 Meeting Minutes: Joe made the motion to approve with Mary Ann seconding it. Motion carried.

1. Consider approval of a proposal by Stahly Engineering to provide engineering, project bidding and construction administration for the replacement of culverts on the Suphellen Road and Jap Evans Road with the following costs:

- Suphellen Road Culvert Replacement: \$24,500
- Jap Evans Road Culvert Replacement: \$27,000

Joe made the motion to approve. Seconded by Mary Ann and motion carried.

2. Consider granting a 40 foot wide perpetual water system utility easement and a 75 foot wide temporary construction easement to North Central Water Authority on land located in Section 27, Township 32 North, Range 2 West P.M.M (Parcel 130 Easement). **Joe made the motion to approve. Seconded by Mary Ann and motion carried.**
3. Consider granting a 40 foot wide perpetual water system utility easement and a 75 foot wide temporary construction easement to North Central Water Authority on land located in Section 27, Township 32 North, Range 2 West P.M.M as contained on Certificate of Survey No. 2003-09 (Parcel 131 Easement). **Joe made the motion to approve. Seconded by Mary Ann and motion carried.**

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Thursday, August 23, 2018

10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan and Treva Nelson

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

Approval of August 9, 2018 Meeting Minutes: Joe motioned to approve. Deb seconded the motion and the motion carried.

1. Public Hearing: 2018-2019 Budget. **Deb opened the Public Hearing. Being no public and no public comment the Public Hearing was closed.**
2. Consider approval of **Resolution 13-2018**, a resolution to create Fund 2301. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
3. Consider approval of the Compensation Board's recommended cost-of-living salary adjustments for elected officials. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
4. Consider approval of cost-of-living salary adjustments for most county employees not including MMC employees who are covered separately. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
5. Consider approval of **Resolution 14-2018**, a resolution to authorize cost-of-living salary adjustments. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
6. Consider approval of **Resolution 15-2018**, a resolution to adopt the FY2018-19 budget. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
7. Consider approval of the renewal contract (8/1/2018-7/31/2019) for website maintenance with Hi Line Web Design. **No increase for this year. The cost will remain at \$1,308. Joe motioned to approve. Deb seconded the motion and the motion carried.**
8. Consider participation in a class action lawsuit to recover additional Payment in Lieu of Taxes (PILT) entitlements for fiscal years 2015, 2016, and 2017. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
9. Consider approval of FY 2019 Budget for Shelby Elementary School. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
10. Consider approval of FY 2019 Budget for Shelby High School. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
11. Consider approval of FY 2019 Budget for Sunburst K-12 Schools. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
12. Consider approval of FY 2019 Budget for Galata Elementary School. **Joe motioned to approve. Deb seconded the motion and the motion carried.**

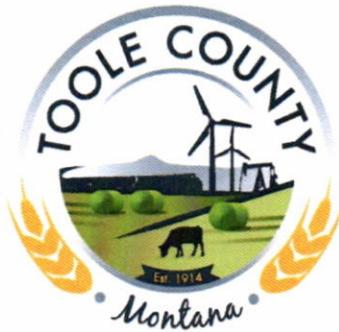
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Superintendent of Schools

RESOLUTION #13-2018

A RESOLUTION TO ADD FUND 2301 TO THE TOOLE COUNTY BUDGET

WHEREAS, the Public Safety account has been in the Toole County General Fund;
and

WHEREAS, tracking of the Public Safety account will be better served by moving the account out of the General Fund and into a separate fund; and

WHEREAS, Fund 2301 will be designated the Public Safety Fund with funding for its operations to be derived from Public Safety revenue and levied mills; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Toole County Commissioners, in a meeting held August 23, 2018 has approved the addition of Fund 2301, the Public Safety Fund, to the regular Toole County Budget for FY 2018-2019.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated August 23, 2018

Deb Brandon
Commission Chair

Joe Pehan
Commissioner

Mary Ann Harwood
Commissioner

Attest:

Treva Nelson
Clerk & Recorder

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RESOLUTION #14-2018

A RESOLUTION TO AUTHORIZE COST-OF-LIVING SALARY ADJUSTMENTS FOR MOST COUNTY EMPLOYEES NOT INCLUDING MMC EMPLOYEES COVERED SEPARATELY

WHEREAS, the 2001 Legislature provided that county governing bodies create a county compensation board that shall prepare a compensation schedule for county elected officials for the succeeding fiscal year. The recommended compensation schedule shall be approved by a majority of the board including at least two Commissioners; and

WHEREAS, the Commissioners appointed the County Compensation Board and the Board met during two public hearings called by the Commissioners on June 13 & 27, 2018 and discussed several suggested compensation schedules for the elected officials for FY2018-19; and

WHEREAS, the County Compensation Board recommended that compensation for elected officials in Toole County for FY 2018-19 be increased by a 3.00% cost-of-living adjustment and the recommendation was approved by the members of the Compensation Board; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Toole County Commissioners, that elected officials will receive a \$.695 per hour cost-of-living adjustment retroactive to July 1, 2018, which is approximately 3% of the base salary of the Clerk & Recorder. This will translate to the following elected officials' salaries in FY 2018-19:

Clerk of Court: Base Salary of \$49,670.55

Clerk & Recorder: Base Salary of \$49,670.55

\$2,000 additional compensation allowed under Statute for being Election Administrator

Commissioners: Base Salary of \$51,670.55

Coroner: Base Salary of \$11,424.23

County Attorney: Base Salary of \$49,670.55

Justice of the Peace/City Judge: Base Salary of \$49,670.55

Sheriff/Public Safety Director: Base Salary of \$51,670.55

\$2,000 required by Statute for Sheriff & compensation for being the Public Safety Director

Treasurer/Assessor/Supt. of Schools: Base Salary of \$49,670.55

Additional \$3,000 approved by Commissioners for County Supt. of Schools duties

BE IT FURTHER RESOLVED that the Commissioners set the cost-of-living increase adjustment at \$.30/hr. for most other county employees who are employed on September 1, 2018 retroactive to July 1, 2018.

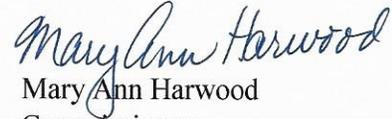
BOARD OF TOOLE COUNTY COMMISSIONERS, dated August 23, 2018



Deb Brandon
Commission Chair



Joe Pehan
Commissioner



Mary Ann Harwood
Commissioner

Attest:



Treva Nelson
Clerk & Recorder

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RESOLUTION #15-2018

A RESOLUTION TO ADOPT FISCAL YEAR 2018-19 BUDGET

WHEREAS, PURSUANT TO Sections 7-6-4021,4024, MCA, THE BOARD OF COUNTY COMMISSIONERS OF TOOLE COUNTY, MONTANA HAS HELD A PUBLIC HEARING AND PASSED RESOLUTIONS AS APPLICABLE ON THE PROPOSED BUDGET OF TOOLE COUNTY FOR FISCAL YEAR 2018-2019 AS REQUIRED BY LAW, AND

WHEREAS, SECTIONS 7-6-4036, MCA, PROVIDE FOR THE FIXING OF VARIOUS TAX LEVIES TO RAISE FUNDS SUFFICIENT TO MEET SAID EXPENDITURES AUTHORIZED IN THE BUDGET; AND

WHEREAS, AMENDMENTS TO THE FINAL BUDGET MAY BE MADE THROUGHOUT THE FISCAL YEAR AS PROVIDED IN 7-6-4031, MCA; AND

WHEREAS, THE MONTANA DEPARTMENT OF REVENUE IS REQUIRED TO CERTIFY TO THE COUNTY COMMISSIONERS THAT THE FINAL COUNTY BUDGET AS ATTACHED BE APPROVED AND ADOPTED AS THE FINAL BUDGET FOR FISCAL YEAR 2018-2019, AND THAT WARRANTS BE ISSUED IN ACCORDANCE WITH LAWS APPERTAINING THERETO.

WHEREAS, THE ABOVE RESOLUTION ADOPTING THE BUDGET WAS PASSED BY THE BOARD OF COUNTY COMMISSIONERS; AND

WHEREAS, THE MONTANA DEPARTMENT OF REVENUE'S CERTIFIED VALUE OF A COUNTYWIDE MILL IS \$22,688.521 AND OF SPECIALIZED MILLS IS THE FOLLOWING: ROAD-\$18,897.328, SOIL-\$16,041.015, STC CEMETERY-\$13,106.882, NTC CEMETERY-\$9,581.639, SUNBURST MOSQUITO-\$524.361, SHELBY MOSQUITO-\$3,157.581, PORT AUTHORITY-\$22,688.521; AND

NOW, THEREFORE BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS THE "LEVIES AS DETAILED AND ADOPTED" FOR FISCAL YEAR 2018-2019, BASED ON THE VALUE OF THE MILL OF \$22,688.521 COUNTYWIDE, AND THE ABOVE VALUE FOR SPECIALIZED MILLS.

BE IT FURTHER RESOLVED THAT THE FINAL BUDGET MAY BE AMENDED THROUGHOUT THE FISCAL YEAR AS PROVIDED IN 7-6-4031, MCA.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated August 23, 2018


Deb Brandon
Commission Chair


Joe Pehan
Commissioner


Mary Ann Harwood
Commissioner

Attest:


Treva Nelson, Clerk & Recorder

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



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Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Monday, September 10, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of August 23, 2018 Meeting Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of Contract No. 2018-0204, a license and a services agreement with Tyler Technologies to provide Document Pro software in the amount of \$42,810 for year one. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA
Thursday, September 27, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan and Mary Ann Harwood

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

Approval of September 10, 2018 Meeting Minutes: Joe motioned to approve the minutes; Mary Ann seconded the motion, and the motion carried.

1. Consider the approval of an Interlocal Agreement with the Town of Kevin to allow the Justice of the Peace and Justice Court of Toole County to act as the Town Judge and Town Court for the Town of Kevin. The City of Shelby has agreed to allow Kevin to utilize Shelby's FullCourt account for management of all cases pending before the Kevin City Court including the payment of levied fines. **Joe motioned to approve; Mary Ann seconded the motion, and the motion carried.**
2. Consider the approval of an expenditure of \$44,882 (Moberly Trust #8928943452 of the Toole County Health Foundation) to be used toward a patient monitoring system for Marias Medical Center as recommended by the Health Foundation Board during a meeting held on September 25, 2018. **Joe motioned to approve; Mary Ann seconded the motion, and the motion carried.**
3. Consider the appointment of Tina Roark to the Kevin Senior Center Board with a term to end 12/31/2018. **Joe motioned to approve; Mary Ann seconded the motion, and the motion carried.**

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Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA

Monday, October 15, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of September 27, 2018 Meeting Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

Mary Ann motioned to amend agenda item 4. Joe seconded the motion and the motion carried

4. Consider approval of 3 utility tract C.O.S. within Toole County. The tracts of land are to be sold to North Central Montana Regional Water Authority. The specific tracts of land are as follows:

- ***0.19-acre parcel in Tract 1 of C.O.S. 79-7, in the NW1/4 SW1/4 OF Section 23, T. 32 N., R. 2 W.***
- ***0.52-acre parcel of SW1/4 of Section 11, T. 35 N., R.2 W***
- ***1.72-acre parcel in S1/2 of Section 22, T. 36 N., R. 1W.***

1. Consider the appointment of Bonnie Wiegand to the Shelby Senior Center Board with a term to end 12/31/2018. **Mary Ann motioned to approve the Senior Center Boards request to appoint. Joe seconded the motion and the motion carried.**
2. Consider the re-appointment of the following persons to the Public Safety Commission:
 - George Nickol with a term to end 12/31/2022.
 - Steve Osgood with a term to end 12/31/2022.

Joe motioned to appoint George Nickol and Steve Osgood as recommended by the Public Safety Commission. Mary Ann seconded the motion and the motion carried.

3. Consider the purchase of a copier for the courthouse. **Joe motioned to accept the lease with Fisher's Technology for 2 copy machines at \$452.40 a month for 60 months. Mary Ann seconded the motion and the motion carried.**
4. Consider approval of the subdivision of four (4) utility tracts within Toole County. The tracts of land, owned by the City of Shelby, are to be sold to North Central Montana Regional Water Authority. The specific tracts of land are as follows:
 - 0.19 acre parcel In Tract 1 of C.O.S. 79-7, in the NW1/4SW1/4 of Section 23, T. 32 N., R. 2 W. (Shelby Pump Station) **Mary Ann motioned to approve as amended above. Joe seconded the motion and the motion carried.**
 - 0.52 acre parcel in SW1/4 of Section 11, T. 35 N., R. 2 W. (Standpipe) **Mary Ann motioned to approve as amended above. Joe seconded the motion and the motion carried.**
 - 0.34 acre parcel in Parcel 1, C.O.S. 291368 in the N1/2 Section 15, T. 36 N., R. 2 W. (Pump parcel) **Item no longer included on amended agenda**
 - 1.72 acre parcel in S1/2 of Section 22, T. 36 N., R. 1 W. (Storage Tank) **Mary Ann motioned to approve as amended above. Joe seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA
Thursday, October 18, 2018
10:00 A.M.

PRESENT: Deb Brandon and Joe Pehan

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

Approval of October 15, 2018 Meeting Minutes:

1. Consider approval of the Certificate of Survey for the following utility tract within Toole County:
 - 0.34-acre parcel in Parcel 1, C.O.S. 291368 in the N1/2 Section 15, T. 36 N., R. 2 W.
Joe motioned to approve. Deb seconded the motion and the motion carried.

*Deb Brandon - Commission Chair
Joe Pehan - Commissioner
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Superintendent of Schools*

COMMISSIONERS' AGENDA
Monday, October 29, 2018
10:00 A.M.

PRESENT: **Deb Brandon, Joe Pehan and Mary Ann Harwood**

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

Approval of October 18, 2018 Meeting Minutes: Mary Ann made a motion to approve the minutes with correction of adding who was present. Joe seconded the amended minutes and motion passed.

1. Consider approval of a lease agreement between Toole County and Jerry Larson for approximately 20 acres of land located in the School Addition: Block 21, Lot 1 and all of Blocks 21-23 for a period of 5 years at \$100 per year beginning November 1, 2018.
Mary Ann made the motion to approve and Joe seconded the motion. Motion passed.
2. Consider approval of the Inmate Excess Medical Insurance Agreement with coverage from 11/1/2018 through 10/31/2019. In addition to inmate excess medical insurance, optional coverage will include treatment of mental or nervous disorders, pregnancy and AIDS, ARC or HIV as recommended by Sheriff Whitt.
Joe motioned to approve with Mary Ann seconding the motion. Passed.
3. Consider approval of modifications to the Nationwide plan agreement with Toole County. **Mary Ann made the motion to accept Option #1 agreement to the plan. Joe seconded the motion and it was passed.**

Joseph P. Pehan - Commission Chair
Mary Ann Harwood - Commissioner
Don Hartwell - Commissioner
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Superintendent of Schools

COMMISSIONERS' AGENDA
Thursday, November 15, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood, Treva Nelson and Don Hartwell

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

Approval of October 29, 2018 Meeting Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of Amendment # 1 to Contract #19-07-6-11-053-0 between the MT Dept. of Public Health and Human Services and Toole County to provide Public Health Emergency Preparedness services with supplemental funding of \$3,521.00. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider approval of a FY2019 agreement between Montana State University Extension and Toole County. The cost to Toole County for two extension agents and related operational expenses will be \$91,600.00. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider approval of a FY2019 Third Party Administrator (TPA) contract with Mobile Testing with Integrity LLC for a Controlled Substance and Alcohol Testing program for the Road Department. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
4. Consider approval of a FY2019 TPA contract with Mobile Testing with Integrity LLC for a Controlled Substance and Alcohol Testing program 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. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
5. Consider approval of a \$50 safety incentive award for all part-time and full time County employees with no lost time accidents who have been employed from December 1, 2017 through November 30, 2018 as recommended by the Toole County Safety Committee. **Joe motioned to approve. Mary Ann asked about the part time employee's receiving the same amount as the full-time employee's. Deb said that was a Safety Committee decision. Mary Ann seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA
Thursday, December 6, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of November 15, 2018 Meeting Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of an amendment to the bylaws of the Toole County Public Safety Commission regarding the meeting dates of the Commission. The proposed amendment will change wording from "Regular meetings shall be held monthly at a time and place established by the Commission. The Commission, in its discretion may waive any regular monthly meeting. However, the Commission shall hold no less than nine (9) regular meetings in any given year" to the following:

Regular meetings shall be held every other month, at a time and place established by the Commission. The Commission, in its discretion may waive any regular monthly meeting. However, the Commission shall hold no less than four (4) regular meetings in any given year.

Joe motioned to amend the bylaws. Mary Ann seconded the motion and the motion carried.

2. Consider approval of board re-appointment of the following persons:
 - Jurgen Wigen (Road/Weed) with a term to end 12/31/2022
 - Dave Sandon (Road/Weed) with a term to end 12/31/2022
 - Vickie Sulenes (Heritage Center Condo) with a term to end 12/31/2021
 - Page Nagy (Northern Transit – Alternate) with a term to end 12/31/2019

Joe motioned to re-appointment the board members. Mary Ann seconded the motion and the motion carried.

3. Consider approval of the appointment of Myron Frydenlund to the South Toole County Cemetery District Board with a term to end 12/31/2021. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
4. Consider approval of the issuance of credit cards for the Toole County Health, Transit and Commission offices. **Joe motioned to approve with the understanding all conditions are followed. Mary Ann seconded the motion with the understanding all conditions are followed. The motion carried.**
5. Consider approval of a Memorandum of Understanding (MOU) between Toole County and the Town of Sunburst for maintenance on a section of the Kevin Road within Sunburst City limits. **Joe motioned to not accept the MOU as presented. Mary Ann seconded the motion to not accept. The motion carried.**

Joseph P. Pehan - Commission Chair
Mary Ann Harwood - Commissioner
Don Hartwell - Commissioner
Merle Raph - County Attorney
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COMMISSIONERS' AGENDA
Thursday, December 20, 2018
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and Treva Nelson

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

Approval of December 6, 2018 Meeting Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of a transfer of cash in the amount of \$94.38 from Fund 2940 (CDGB Sewer) to Fund 2320 (Economic Development). There has been no activity in Fund 2940 since 2006. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of the proposed cost of \$9,220.00 to remove and replace the heat pump in the Justice Court office area. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider approval of NorthWestern Energy's pipeline easement request of the following area:
 - Township 32 North, Range 02 West, Section 16: W, X Parcel N/A N2N2**Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider approval of Toole County's Noxious Weed Management Plan, effective 1/1/2019. **The Noxious Weed Management Plan was approved by the Road/Weed Board. Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
5. Consider approval of an interlocal agreement between the MT Dept. of Justice, Motor Vehicle Division and Toole County, pursuant to the Interlocal Cooperation Act, Montana Code Annotated 7-11-101. **Per the Toole County Treasurers recommendation Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**

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Superintendent of Schools

COMMISSIONERS' AGENDA

January 3, 2019

10:00 A.M.

PRESENT: Joe Pehan, Mary Ann Harwood, Don Hartwell

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

Approval of December 20, 2018 Meeting Minutes: Mary Ann motioned, seconded by Don Hartwell. All voted in favor.

1. Consider approval of Resolution 1-2019, a resolution to approve a Chair and Vice-Chair for the Toole County Commission for 2019. **Mary Ann made the motion to approve. Don seconded and motion passed.**
2. Consider approval of Resolution 2-2019, a resolution to approve meeting dates for regular Commission meetings in 2019. **Mary Ann made the motion to approve. Don seconded and motion passed.**
3. Consider approval of Resolution 3-2019, a resolution to approve travel and per diem rates Toole County employees for 2019. **Mary Ann made the motion to approve. Don seconded and motion passed.**
4. Consider approval of Resolution 4-2019, a resolution appointing the Commissioners to represent Toole County on boards and committees for 2019. **Mary Ann made the motion to approve. Don**

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RESOLUTION 1-2019

A RESOLUTION TO ELECT THE CHAIR FOR THE BOARD OF TOOLE COUNTY COMMISSIONERS FROM JANUARY 2019 THROUGH DECEMBER 2019

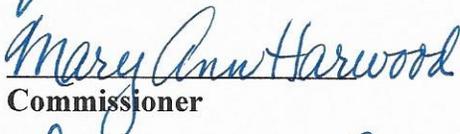
WHEREAS; the board of county commissioners must elect one of its members as the chair at the beginning of each calendar year per 7-4-2109, Montana Code Annotated and also appoint commissioner liaisons to county boards, and

WHEREAS; the chair must preside at all meetings of the board and in case of his/her absence or inability to act, the members present must by an order select one of their number to act temporarily as chair,

W THEREFORE BE IT RESOLVED; that the Chair of the Board of Toole County Commissioners is Joe Pehan, commencing January, 2019 through December, 2019. Commissioner MaryAnn Harwood is designated as Vice-Chair, and will preside over the meetings in case of the Chair's absence or inability to act.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 3, 2019.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

Commissioners' Office
Phone: (406) 424-8310
tccomm@toolecountymt.gov

Clerk & Recorder's Office
Phone: (406) 424-8300
tnelson@toolecountymt.gov

<http://www.toolecountymt.gov>

Joseph P. Pehan - Commission Chair
Mary Ann Harwood - Commissioner
Don Hartwell - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Phyllis Robertson- Public Admin.



Dan B. Whitted - Coroner
Debra Munson - Clerk of Court
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

RESOLUTION 2-2019

A RESOLUTION SETTING COMMISSIONER MEETING DATES FOR THE CALENDAR YEAR JANUARY 1, 2019 THROUGH DECEMBER 31, 2019

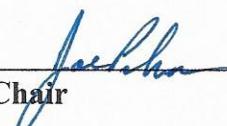
WHEREAS; the governing body of the county shall establish by resolution a regular meeting date and notify the public of that date, per 7-5-2122 of the Montana Code Annotated; and

WHEREAS; the agenda for the regular Toole County Commissioners' meeting of January 3, 2019 was posted two days prior to the meeting, notifying the public of Resolution 2-2019, an agenda item setting meetings of the board of Toole County Commissioners for 2019; and

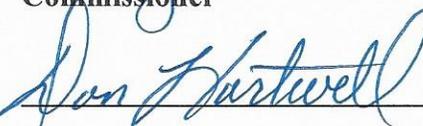
NOW THEREFORE BE IT RESOLVED; that the Toole County Commissioners will hold their regular Board Meetings at 10 AM on Monday and Thursday of each week in which they have an agenda of business posted. These meetings shall be conducted in the office of the Toole County Commissioners in the Toole County Courthouse at 226 1st Street South, Shelby, Montana, commencing January 2019 through December, 2019; and

NOW THEREFORE ALSO BE IT RESOLVED; that the meeting agenda will be posted two days prior with the place, time and date in which public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 3, 2019.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder

Toole County Courthouse - 226 1st Street South - Shelby, MT 59474

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RESOLUTION 3-2019

A RESOLUTION TO ADOPT TRAVEL/PER DIEM RATES FOR TOOLE COUNTY

WHEREAS, travel/per diem rates are set by the State of Montana, per 2-18-501 and 2-18-502, Montana Code Annotated; and

WHEREAS, the State may at any time during the year change these rates and the counties are notified; and

WHEREAS, Toole County has usually followed the travel/per diem rates of the State of Montana and for out of state travel, the maximum standard federal rate per day; and

WHEREAS, Toole County Commissioners have decided to deviate from the state rates in meal reimbursement: breakfast at \$6, lunch at \$9, and dinner at \$15 for a total daily rate of \$30; and

NOW THEREFORE BE IT RESOLVED; that the Board of Toole County Commissioners have elected to use the travel/per diem rates allowable by the State of Montana with the exception of meal reimbursement changed to \$30 per day and to follow the federal standard travel/per diem rates for out of state travel/per diem, except when specifically amended by the Commissioners.

BOARD OF TOOLE COUNTY COMMISSIONERS dated January 4, 2019.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder



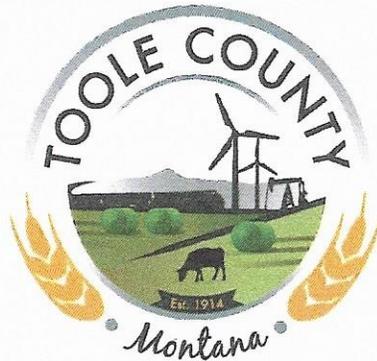
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Center of Mental Health Governing Board
Sweetgrass Development
Marias Heritage Center Condo Board
Mental Health Advisory Board

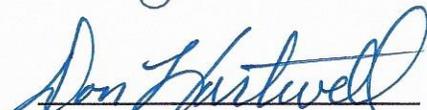
Don Hartwell

Museum Board
Safety Committee
Fair Board
Planning Board
Toole County Health Foundation Board
Marias Medical Center Board
Toole County Transit
NETA/Port of Northern Montana
NTC Cemetery Board
Toole County Board of Health
Northern Transit (alternate for Mary Ann)

BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 3, 2019.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder



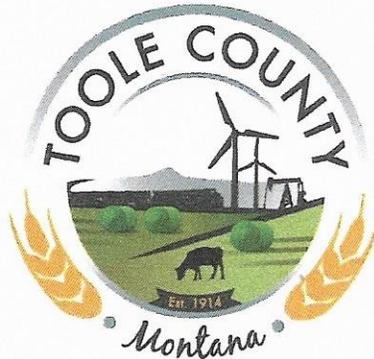
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RESOLUTION 4-2019

A RESOLUTION TO APPOINT THE TOOLE COUNTY COMMISSIONERS TO BOARD, COMMITTEE, AND ADVISORY ASSIGNMENTS FOR JANUARY 2019 THROUGH DECEMBER 2019

WHEREAS; the Toole County Commissioners have many obligations and responsibilities to represent Toole County on different boards, committees, and in other advisory capacities; and

WHEREAS; to properly represent Toole County on these boards, the duties need to be distributed out to the three commissioners, as the meeting times and dates sometimes conflict; and

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TOOLE COUNTY COMMISSIONERS; that the board, committee, and other appointments are assigned to the three Toole County Commissioners as follows:

Joe Pehan

Airport Board
Road/Weed Board
STC Cemetery Board
Shelby Mosquito Board
Marias Medical Center Board
Northern Transit Interlocal
Toole County Transit
Local Emergency Planning Committee
Public Safety Commission
Shelby/Toole County Transportation & DUI Task Force
Neta

Mary Ann Harwood

North Central Area Agency on Aging
Shelby Senior Center Board
Kevin/Sunburst Senior Center Board
Opportunities Inc.
Toole County Transit
Northern Transit Interlocal
Marias Medical Center Board
Regional Juvenile Detention Board

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