

*Mary Ann Harwood* - Commission Chair  
*Vacant* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
*Donna Whitt* - Sheriff



*Debra Munson* - Clerk of Court  
*Treva Nelson* - Clerk & Recorder/  
Election Administrator  
*Joe Rapkoch* - Justice of the Peace  
*Boyd Jackson* - Treasurer/Assessor/  
Superintendent of Schools  
*Phyllis Robertson* - Public Administrator

226 1<sup>ST</sup> Street South  
Toole County Courthouse, Shelby, MT 59474  
406-424-8300 [www.toolecountymt.gov](http://www.toolecountymt.gov)

## COMMISSIONERS' AGENDA

October 17, 2022

10:00 am

Present: Mary Ann Harwood, Terry Tomsheck, Treva Nelson Clerk & Recorder and Terry Kimmet, public.

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

### PLEDGE OF ALLEGIANCE

**Approval of October 11, 2022, Meeting Minutes: Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**

1. Consider MOU with Town of Sunburst for allocation of Sub-recipient Funds of the ARPA Funds in the amount of \$125,00.00. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**
2. Consider Resolution #17-2022, a Resolution requesting authority for Distribution of County Minimum Allocation Grants for Water and Sewer Infrastructure Projects for Sunburst. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**
3. Consider appointing Shiloh Neal to the Fair Board to fulfill the term of Mikayla Jordan-Garcia to expire on 12/31/2023. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**
4. Consider adopting the MOU between Toole County and the Montana Fish, Wildlife and Parks for the Lincoln Road. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**
5. Consider reaching out for member to be on the Board of Appeals for the Building Codes Program Reports. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**

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*vacant* - Commissioner  
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## COMMISSIONERS' AGENDA

October 11, 2022

10:00 am

Present: Mary Ann Harwood, Terry Tomsheck (via phone)

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

### PLEDGE OF ALLEGIANCE

**Approval of September 22, 2022 Meeting Minutes: Terry motioned to approve, seconded by Mary Ann. Motion passed.**

1. Consider approval of a Professional Services Agreement for Drug and Alcohol Program Administration for Fiscal Year 2023 between Mobile Testing with Integrity LLC and Toole County (specifically the Road Department). **Terry made the motion to approve. Mary Ann seconded it and motion carried.**
2. Consider re-appointing Allan Underdal to the Toole County Health Foundation Board for a three-year Term, expiring on 12/31/2025. **Terry motioned to approve, seconded by Mary Ann. Motion carried.**
3. Consider RESOLUTION 15-2022, a resolution amending Resolution 7-2022 for the Building Code requirement. The amendment is to add to it the Energy Code. **Terry made the motion to approve, seconded by Mary Ann. Motion passed.**
4. Consider RESOLUTION 16-2022, a resolution proclaiming the week of November 7<sup>th</sup> through November 13<sup>th</sup> Operation Green Light for Veterans. **Terry motioned to approve, and Mary Ann seconded it. Motion carried.**



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**COMMISSIONERS' MINUTES**  
**September 22, 2022**  
**10:00 am**

Present: Mary Ann Harwood, Terry Tomsheck

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

**PLEDGE OF ALLEGIANCE**

**Approval of September 1, 2022 Meeting Minutes: Terry made the motion to approved the minutes. Mary Ann seconded it and motion carried.**

1. Consider approval of a Professional Services Agreement between Stahly Engineering & Associates, inc. and Toole County for consulting services of general land use. **Terry made the motion to approve, seconded by Mary Ann. Motion carried.**
2. Consider appointing Marla Hasquet to serve out the term of Linda Lee on the Toole County Health Foundation Board. **Terry made the motion to approve the appointment, seconded by Mary Ann and motion passed.**

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## COMMISSIONERS' AGENDA

September 1, 2022

10:00 am

### PUBLIC HEARING ON APPROVAL OF THE FY22/23 BUDGETS

Present: Mary Ann Harwood, Terry Tomsheck, Treva Nelson, Clerk & Recorder. No public was present.

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

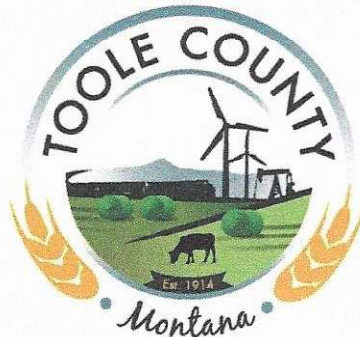
#### PLEDGE OF ALLEGIANCE

**Approval of August 29, 2022, Meeting Minutes: Terry motioned to approve. Mary Ann seconded the motion and the motion carried.**

1. Consider approving Resolution #12-2022, a Resolution to amending the 20-21 budget for the Marias Medical Center, Heritage Center, and the Brittain House. **Terry motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approving Resolution #13-2022, a Resolution to approve the FY22-23 Budget. **Terry motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider approving Resolution #14-2022, a Resolution for wage increases. **Terry motioned to approve them motion, per the Compensation Board Recommendation. Mary Ann seconded the motion and the motion carried.**



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## COMMISSIONERS' AGENDA

August 29, 2022

10:00 am

Present: Mary Ann (via phone), Terry Tomsheck

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

### PLEDGE OF ALLEGIANCE

**Approval of August 18, 2022 Meeting Minutes: Terry made the motion to approve, seconded by Mary Ann. Motion carried.**

1. Consider approving formally Resolution #11-2022, which was approved on August 19, 2022, to implement Fire Restrictions – Stage I for Toole County as recommended by the Toole County Fire Warden. **Terry made the motion to approve the Resolution, seconded by Mary Ann. Motion passed.**
2. Consider approval of FY23 Budget for the Shelby High School. **Terry made the motion to approve, seconded by Mary Ann and motion carried.**
3. Consider approval of FY23 Budget for the Shelby Elementary School. **Terry made the motion to approve. Mary Ann seconded it and motion carried.**
4. Consider approval of FY23 for the Sunburst K-12 Schools. **Terry made the motion to approve, seconded by Mary Ann. Motion carried.**
5. Consider approval of FY23 Budget for the Galata Elementary School. **Terry made the motion to approve. Mary Ann seconded it and motion carried.**

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*Terry Tomscheck* - Commissioner  
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*Dan B. Whitted* - Coroner  
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## COMMISSIONERS' MINUTES

August 18, 2022

10:00 am

Present: Mary Ann Harwood, Terry Tomscheck (via phone)

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

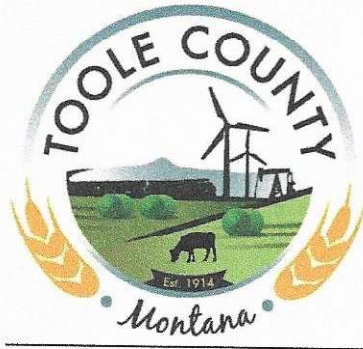
### PLEDGE OF ALLEGIANCE

**Approval of August 4, 2022 Meeting Minutes: Terry made the motion to approve, seconded by Mary Ann. Minutes were approved.**

1. Consider Gwen Heaton to replace Rane Manley on the Toole County Board of Health with the term ending 12/31/2022. **Terry made the motion to approve, seconded by Mary Ann and motion carried.**
2. Consider Jade Goroski to replace Mark Cole on the NETA Board with the term ending 12/31/2026. **Terry made the motion to approve, seconded by Mary Ann and motion carried.**
3. Consider replacing Don Hartwell on the signature card for the Shelby Senior Center account number 812971 at the First State Bank of Shelby with Terry Tomscheck. **Terry made the motion to approve, seconded by Mary Ann and motion carried.**



*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomscheck* - Commissioner  
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## COMMISSIONERS' AGENDA

August 4, 2022

10:00 am

Present: Mary Ann Harwood, Terry Tomscheck (by phone), Bob Longcake, public and Treva Nelson, Clerk & Recorder

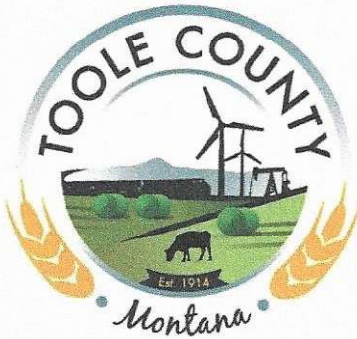
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### PLEDGE OF ALLEGIANCE

**Approval of July 18, 2022, Meeting Minutes: Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**

1. Consider **Resolution #10-2022**, a resolution to request BARSA funding. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**
2. Consider approving an Agricultural Covenant for Wiegand Family Wheat Farms Inc. and M & A Henke Grain Co. located in T33N, R3W, Section 28: W/2SW/4. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**
3. Consider approving an Agricultural Covenant for M & A Henke Grain Co. and Wiegand Family Wheat Farms Inc. located in T33N, R3W, Section 27: S/2SW/4. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**

*Mary Ann Harwood* - Commission Chair  
*Jon Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
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## COMMISSIONERS' MINUTES

July 18, 2022

10:00 am

Present: Mary Ann Harwood (via phone), Terry Tomsheck

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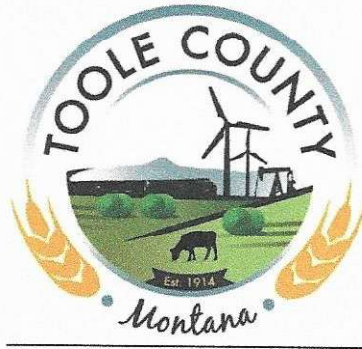
PLEDGE OF ALLEGIANCE

**Approval of July 11, 2022 Meeting Minutes: Terry made the motion to approve, seconded by Mary Ann. Motion passed.**

1. Consider **Resolution #9-2022**, a resolution to amend budget for FY21-22. **Terry made the motion to approve, seconded by Mary Ann. Motion passed.**



*Mary Ann Harwood* - Commission Chair  
*Jon Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
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## COMMISSIONERS' AGENDA

July 11, 2022

10:00 am

Present: Mary Ann Harwood, Don Hartwell and Treva Nelson, Clerk & Recorder

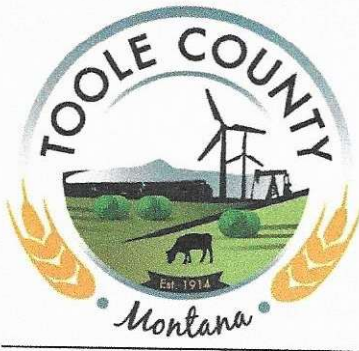
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### PLEDGE OF ALLEGIANCE

**Approval of June 23, 2022, Meeting Minutes: Don motioned to approve, Mary Ann seconded the motion, the motion carried.**

1. Consider **Resolution #8-2022**, a resolution requesting authority for distribution of County Minimum Allocation Grants for Water and Sewer Infrastructure Projects between Toole County and the City of Shelby. **Don motioned to approve, Mary Ann seconded, the motion carried.**
2. Consider a Memorandum of Agreement Between Pass-Through Subrecipient and Third-Party Subrecipient. **Don motioned to approve, Mary Ann seconded, the motion carried.**

*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
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## COMMISSIONERS' AGENDA

June 23, 2022

10:00 am

Present: Mary Ann Harwood, Don Hartwell, Terry Tomsheck and Clerk & Recorder Treva Nelson

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

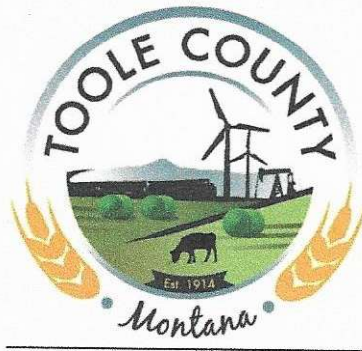
PLEDGE OF ALLEGIANCE

**Approval of June 20, 2022 Meeting Minutes:**

1. Consider changing banks from Wells Fargo to Independence Bank of Shelby. Wells Fargo is no longer in Shelby. Boyd Jackson, Jason Kline, Nancy Potter, and Shelley Frank would be on the signature card. **Don made the motion to approve, seconded by Terry and motion passed.**
2. Consider **RESOLUTION #7-2022**, a resolution to adopt building codes as amended by ARM 24.301.131, and ARM 24.301.171. **Don made the motion to approve Resolution #7-2022. Terry seconded the motion. Motion carried.**
3. Consider appointing Dusty Ahrens to the Road Board to complete the term of T.J. Wanken, which expires December 31, 2023. **Don made the motion to approve the appointment of Dusty Ahrens, seconded by Terry and motion carried.**



Mary Ann Harwood - Commission Chair  
Don Hartwell - Commissioner  
Terry Tomsheck - Commissioner  
Merle Raph - County Attorney  
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## COMMISSIONERS' AGENDA

June 20, 2022

10:00 am

### BUDGET HEARING

PRESENT: Don Hartwell, Terry Tomsheck, and Treva Nelson, Clerk & Recorder

PUBLIC COMMENTS: Don opened the public hearing. No public was in attendance. Treva presented the budget amendments to date. Don closed the Public Hearing.

### COMMISSIONERS' MEETING

Present: Mary Ann Harwood, Don Hartwell, Terry Tomsheck, and Treva Nelson, Clerk & Recorder

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

### PLEDGE OF ALLEGIANCE

Approval of June 6, 2022, Meeting Minutes: Don motioned to approve. Terry seconded the motion, and all were in favor.

1. Consider removing Fund 5420 and 5498 from our regular budget and creating line items in the Pilt Fund #2900 for hospital revenue and expenses still acquired by Marias Medical Center prior to sale of the hospital, Heritage Center, and Brittain House. Discussion was held on the auditor's recommendations for these funds. Don motioned that Fund 5498 be closed and the cash be moved to Fund 5420. Don continued the motion with the transfer of cash from Fund 5420 to Fund 2900 when the auditor has provided more detail. Terry seconded the motion, and all were in favor.

The topic of Fund 5420 will be addressed again with the approval of the 2022-2023 budget. Meeting adjourned.

The commissioner's proceeded to canvas the June 6, 2022, Federal Primary Election. Certification of the election was signed by all 3 commissioners.

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*Don Hartwell* - Commissioner  
*Terry Tomscheck* - Commissioner  
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## COMMISSIONERS' AGENDA

June 6, 2022

10:00 am

PRESENT: Mary Ann Harwood, Don Hartwell, Terry Tomscheck

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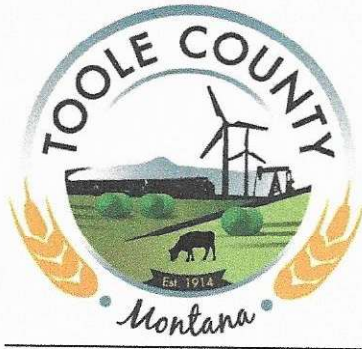
PLEDGE OF ALLEGIANCE

**Approval of May 19, 2022 Meeting Minutes: Don made the motion to approve, seconded by Terry. Motion passed.**

1. Consider the renewal of the MACo Property & Casualty Trust for FY 2023. **Don motioned to approve. Terry seconded it. Motion carried.**
2. Consider appointing Billiette Coolidge for a three-year term to expire on December 31, 2024 to the Compensation Board to replace Donna Grant whose term expired on December 31, 2021. **Don made the motion to approve, seconded by Terry and motion passed.**
3. Consider appointing Gary Kiefer for a three-year term to expire on December 31, 2024 to the Compensation Board to replace Linnet Doane whose term expired on December 31, 2021. **Don motioned to approve. Terry seconded the motion and it carried.**



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## COMMISSIONERS' AGENDA

May 19, 2022

10:00 am

PRESENT: Mary Ann (by phone), Don Hartwell and Terry Tomscheck

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

PLEDGE OF ALLEGIANCE

**Approval of May 2, 2022, Meeting Minutes: Don motioned to approve. Terry seconded the motion and the motion carried.**

1. Consider approving Joe Rapkoch, David Irvin, and Shelly Frank for as the Post-Election Auditors for 2022. **Don motioned to approve. Terry seconded the motion and the motion carried.**
2. Consider approval of the contract with Johnson Control for the next three years. **Don motioned to approve. Terry seconded the motion and the motion carried.**
3. Consider approving a request for a road crossing from Big Rose Colony to construct and trench in a 6-inch waterline on the Hjartarson Road in the NE1/4 of Section 8 and the SW1/4 of Section 29, both in Township 32 North, Range 2 West; also on the Heath Road in the NW1/4 of Section 30 ad the W1/2SW1/4 of Section 19, both in Township 32 North, Range 2 West. **Don motioned to approve. Terry seconded the motion and the motion carried.**

*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
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## COMMISSIONERS' AGENDA

May 2, 2022

10:00 am

PRESENT: Don Hartwell, Terry Tomsheck

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

PLEDGE OF ALLEGIANCE

**Approval of April 21, 2022 Meeting Minutes: Motion made by Terry to approve the minutes, seconded by Don. Motion carried.**

1. Consider approving the Second Amended MOU on the Opioid Settlement Funds from Attorney General Austin Knudsen, as there were several errors in the original MOU. **Motion made by Terry and seconded by Don. Motion passed.**
2. Consider re-appointing Darold Tomsheck to the Oilmont County Water District for a term ending May 31, 2026. **Motion was made by Terry and Don seconded the motion. Motion carried.**
3. Consider closing out Fund 7196, the Cafeteria/Flex Plan in the amount of \$9,718.73 and moving it to the General Fund per auditor's recommendation. This has been inactive for several years. **Terry made a motion to approve. Don seconded the motion and it passed.**
4. Consider closing out Fund 7010, the Camp Collie Fund in the amount of \$18,601.13 and moving it to the General Fund per auditor's recommendation. The fund has been



inactive for several years. **A motion was made by Terry. Don seconded and motion carried.**

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## COMMISSIONERS' AGENDA

April 21, 2022

10:00 am

PRESENT: Mary Ann Harwood, Terry Tomscheck, Treva Nelson, Clerk & Recorder and Boyd Jackson, Treasurer.

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### PLEDGE OF ALLEGIANCE

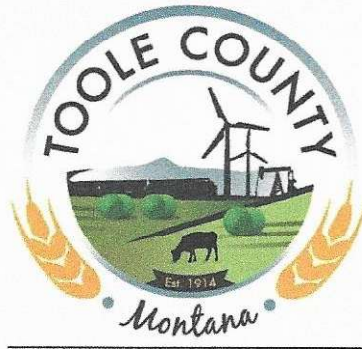
**Approval of April 14, 2022, Meeting Minutes: Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**

1. Consider approval of pre-ordering a Freightliner Chassis for a Pumper Truck for the South Toole County Fire Department through Sourcewell in the amount of \$126,964.00 when delivered in approximately 12 months. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**
2. Consider approval of an Agricultural Covenant for Karag, Inc. by the President Herbert S. Karst for property described as S/2N/2SE/4 and N/2SW/4 of Section 13 in T37N, R1W, being 120 acres (Tract A), and N/2N/2SE/4 of Section 13 in T37N, R1W, being 40 acres (Tract B). The purpose of this exemption is to create Tract A for agricultural purposes, with Tract B to be sold. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**



3. Consider designating polling places and certifying the election judges for the upcoming Primary Election on June 7, 2022, and for all further elections held prior to the 2024 Primary Election. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**
4. Consider keeping or adjusting the benefit of \$745.00 contribution to County employees' health insurance through MACo Healthcare Trust. This is for employees that work 87 hours or more a month consistently. **Terry motioned to approve. Mary Ann seconded the motion, the motion carried.**

*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
*Donna Whitt* - Sheriff



*Debra Munson* - Clerk of Court  
*Treva Nelson* - Clerk & Recorder/  
Election Administrator  
*Joe Rapkoch* - Justice of the Peace  
*Boyd Jackson* - Treasurer/Assessor/  
Superintendent of Schools  
*Phyllis Robertson* - Public Administrator

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## COMMISSIONERS' AGENDA

April 14, 2022

10:00 am

PRESENT: Mary Ann Harwood, Don Hartwell and Treva Nelson, Clerk & Recorder

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

PLEDGE OF ALLEGIANCE

**Approval of April 7, 2022, Meeting Minutes: Don motioned to approve. Mary Ann seconded the motion and the motion carried.**

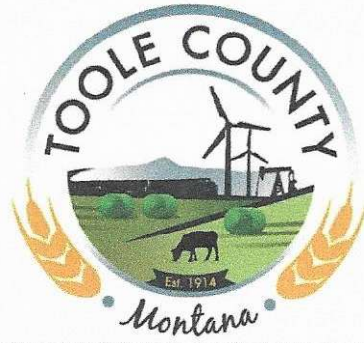
1. Consider accepting the beer bid from the Shelby Elks Club in the amount of \$3500.00 for the upcoming 4-County Marias Fair. **Don motioned to approve. Mary Ann seconded; the motion carried.**
2. Consider purchasing a 2022 John Deere 624P Loader for the Road Department with a purchase price of 256,450.00 to be borrowed from the Pilt Fund. The Road budget would make an annual payment of \$51,290.00 for 5 years beginning in July 2022 through July 2026. **Don motioned to approve, with the purchase price coming out of the General Fund and no annual payment from the Road Department. Mary Ann seconded; the motion carried.**
3. Consider an MOU with Myron Frydenlund to check our boilers for the Courthouse, Library, Law Enforcement, and Museum for \$600.00 per month. **Don motioned to**



approve the MOU with the funds coming out of Facility Professional Services. Mary Ann seconded; the motion carried.

4. Consider re-appointing Ken Morrison to the Galata Water District for a 5-year term ending May 31, 2026. **Don motioned to approve with a correction to a 4-year term. Mary Ann seconded; the motion carried.**
5. Consider pre-approving the County Subdivision Regulation Template with Stahly Engineering. **Don motioned to approve. Mary Ann seconded; the motion carried.**
6. Consider approving transfer of entitlements through the FAA of \$121,875.00 to the Jordan Airport in Garfield County with Garfield County transferring the same amount back to Toole County for the Shelby Airport. **Don motioned to approve. Mary Ann seconded; the motion carried.**

*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomscheck* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
*Donna Whitt* - Sheriff



*Debra Munson* - Clerk of Court  
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## COMMISSIONERS' AGENDA

April 7, 2022

10:00 am

**PRESENT: Mary Ann Harwood, Don Hartwell, Terry Tomscheck**

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

### PLEDGE OF ALLEGIANCE

**Approval of March 10, 2022, Meeting Minutes: Don motioned to approve the minutes, seconded by Terry. Motion carried.**

1, Consider submitting a Purchase Order through the State of Montana for an ambulance for Sunburst. It wouldn't be available for about one year. **Don motioned to approve submitting the purchase order for an Ambulance for Toole County. Terry seconded the motion and motion passed.**

2. Consider pre-ordering a grader through the Competitive Purchase Agreement through Sourcewell. **Don motioned to pre-order the grader which would be delivered and paid in next year's budget. The funds would either be taken out of the Pilt Fund or the Road/Bridge Depreciation Fund. Terry seconded the motion and it passed.**



*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
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## COMMISSIONERS' AGENDA

### March 10, 2022

### 10:00 am

PRESENT: Mary Ann Harwood, Don Hartwell, Terry Tomsheck and Treva Nelson, Clerk & Recorder.

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

#### PLEDGE OF ALLEGIANCE

**Approval of February 24, 2022, Meeting Minutes: Don motioned to approve. Terry seconded the motion, the motion carried.**

1. Consider supporting Northern Transit Interlocal (NTI) for Fiscal Year 2023 with a \$5,000 commitment. **Don motioned to approve. Terry seconded the motion, the motion carried.**
2. Consider approving the Renewal Rates for Toole County through the MACo's Health Care Trust. **Don motioned to approve. Terry seconded the motion, the motion carried.**
3. Consider approval of the MOU with the City of Shelby for the use of the ARPA funds. **Don motioned to approve. Terry seconded the motion, the motion carried.**
4. Consider an Election Contract between Galata School District 21 and Toole County to loan to the school one ExpressVote for school elections held between May of 2022 through May of 2025. **Don motioned to approve. Terry seconded the motion, the motion carried.**
5. Consider an Election Contract between Sunburst School District 2 and Toole County to loan to the school one ExpressVote for school elections held between May of 2022 through May of 2025. **Don motioned to approve. Terry seconded the motion, the motion carried.**
6. Consider an Election Contract between Shelby School District 14 and Toole County to loan to the school one ExpressVote for school elections held between May of 2022 through May of 2025. **Don motioned to approve. Terry seconded the motion, the motion carried.**

*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
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*Donna Whitt* - Sheriff



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## COMMISSIONERS' AGENDA

### February 24, 2022

### 10:00 am

PRESENT: Mary Ann Harwood, Don Hartwell and Treva Nelson, Clerk & Recorder  
**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

#### PLEDGE OF ALLEGIANCE

**Approval of February 7, 2022, Meeting Minutes: Don motioned to approve. Mary Ann seconded the motion and the motion carried.**

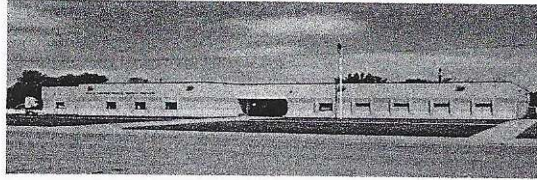
1. Re-appoint Hank Coolidge to the Airport Board for a term ending 12/31/2026. **Don motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider appointment of Lori Postma to the Kevin/Sunburst Senior Board to replace Sue Kimmet whose term ends 12/31/2022. **Don motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider adopting a Special Events Policy for Toole County as recommended by MACo. **Don motioned to approve. Mary Ann seconded the motion and the motion carried.**
4. Consider a special request from the Sheriff Donna Whitt to extend the allotted carryover vacation hours identified in the Toole County Policy Manual through December 2022. **The request dated January 8, 2022, was just received for this agenda. Don motioned to do a one-time exception and extend the time limit. These hours are to be used by June 30, 2022. This exception is only for Dispatcher A who has 73.75 hours to use, Dispatcher B who has 20.78 hours to use and Detention Officer A who has 2 hours to use. Any of this overage not used by June 30, 2022, will be lost to the employee, per MCA 2-18-617.**



# TOOLE COUNTY

**Donna Whitt**  
\* Sheriff \*

**Ryan Larson**  
\* Undersheriff \*



**Tiffany Uylaki**  
\* Administrative Assistant \*

**Tyler Padilla**  
\* Chief Deputy \*

## OFFICE OF THE SHERIFF

235 Deer Lodge Ave/ P.O. Box 550

Shelby, Montana 59474

Phone (406) 434-5585

Fax: (406) 434-7265

January 8, 2022

Re: Dispatcher/Detention Vacation  
Accrued Vacation Overage 2020

To Whom It May Concern:

It has been brought to my attention that two dispatchers and one detention officer have exceed the allotted amount of carryover vacation hours that are allowed by County Policy. We have had unforeseen staffing issues within our dispatch center, which include an unpredicted ability to fill an open dispatch position for several months, various issues due to employee surgery and Covid related illness. It has been impossible to allow requested vacation time and cover our dispatch center 24/7. Our detention officer has been on sick leave since January 1<sup>st</sup>, 2022 and has been unable to use the vacation time accrued. It is unknown when he will return to full duty.

I would request that any overage hours be extended through December 2022. Our goal is to provide our employees the opportunity to use their vacation hours well before this time. I feel it is important that they receive their earned time off as the overage has occurred for the reason(s) of staffing and illness, not because they elected to not take their earned time off.

Respectfully,

Donna Whitt, Sheriff

*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
*Donna Whitt* - Sheriff



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## COMMISSIONERS' AGENDA

### February 7, 2022

### 10:00 am

PRESENT: Mary Ann Harwood, Don Hartwell, terry Tomsheck and guest Ryan Larson

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

#### PLEDGE OF ALLEGIANCE

**Approval of January 27, 2022, Meeting Minutes: Don made the motion to approve, seconded by Terry. Motion passed.**

1. Consider appointment of Kaillie Nolan to the Library Board for a five-year term to expire on 12/31/2026. This is to replace Lola Skryja whose term ended 12/31/2021. **Don motioned to approve and seconded by Terry. Motion carried.**
2. Consider re-appointment of Tim Buckley, John Simmes, and Ken Berthelote for a three-year term on the North Toole County Cemetery Board. Tim's term will expire on 12/31/2023; John's term to expire on 12/31/2024; Ken's term to expire on 12/31/2022. **Don made the motion to pass the re-appointments and Terry seconded it. Motion carried.**
3. Consider Certificate of Survey for Tomshx, Inc. in T32N, R3W, Section 7; the SW1/4NE1/4, SE1/4NW1/4. **Don made the motion to approve. Terry seconded it and motion passed.**



4. Consider a Facility Use Agreement between the City of Shelby for the use of the Civic Center for the 1<sup>st</sup> Monday, 1<sup>st</sup> Tuesday, and the following Wednesday of June and November for the use of State poll elections. **Don made the motion, seconded by Terry. Motion carried.**
5. Consider an Ag Covenant for the split of Tomshx, Inc. **Don made the motion to pass the Agricultural Tract in the SW1/4NE1/4 in Section 7 in T32N, R3W containing 3.64 acres, more or less. Terry seconded it and motion passed.**

*Gary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomscheck* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
*Donna Whitt* - Sheriff



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## COMMISSIONERS' AGENDA

January 27, 2022

10:00 am

PRESENT: Don Hartwell, Terry Tomscheck and Clerk & Recorder, Treva Nelson

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

### PLEDGE OF ALLEGIANCE

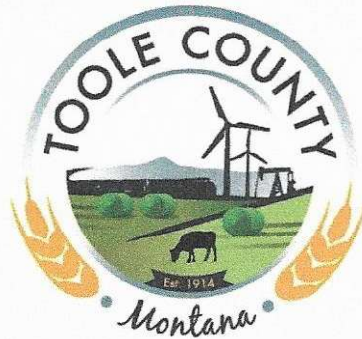
**Approval of January 3, 2022, Meeting Minutes: Terry motioned to approve, Don seconded, the motion carried.**

1. Consider MOU between Liberty County and Toole County to provide a consolidated Crime Victim Advocate Program with Liberty County being the lead. **Terry motioned to approve, Don seconded, the motion carried.**
2. Consider sharing funding for the Victim Advocate Program in the amount of \$4200.00. **Terry motioned to approve, Don seconded, the motion carried.**
3. Consider Resolution #6-2022, a resolution to create Fund 7359 for the Soil Conservation District, in which a Public Hearing was held on January 3<sup>rd</sup>, 2022. It was approved unanimously for the fund to be created. **Terry motioned to approve, Don seconded, the motion carried.**
4. Consider accepting a grant from the Montana Department of Transportation in the amount of \$32,400 to be used to install weather reporting equipment (AWOS) at the Airport. **Terry motioned to approve, Don seconded, the motion carried.**

5. Consider re-appointment of Matt Clark and Roger Smedsrud to the Road/Weed Board for a four-year term to expire on 12/31/2025. **Terry motioned to approve, Don seconded, the motion carried.**
6. Consider re-appointment of Sophie Gottfried, Billiette Coolidge and Lenora McEwen for a three-year term, expiring on 12/31/2024 for the Kevin/Sunburst Senior Center. **Terry motioned to approve, Don seconded, the motion carried.**
7. Consider re-appointment of Andy Van Haur, Janet Hawks, and Cody Rohlf for a three-year term on the Fair Board, expiring on 12/31/2024. **Terry motioned to approve, Don seconded, the motion carried.**
8. Consider re-appointment of Myron Frydenlund to a three-year on the South Toole County Cemetery Board, expiring on 12/31/2024. **Terry motioned to approve, Don seconded, the motion carried.**
9. Consider re-appointment of Byron Kluth and Mark Cole to the NETA Board for a five-year term, ending on 12/31/2026. **Terry motioned to approve, Don seconded, the motion carried.**



*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
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**COMMISSIONERS' AGENDA**  
**January 3, 2022**  
**10:00 am**

PRESENT: Mary Ann Harwood, Don Hartwell, Terry Tomsheck

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

PLEDGE OF ALLEGIANCE

**Approval of December 20, 2021, Meeting Minutes:**

**PUBLIC HEARING FOR THE CREATION OF FUND 7359 FOR THE SOIL CONSERVATION DISTRICT**

Present: Mary Ann Harwood, Don Hartwell, Terry Tomsheck. No public was in attendance.

1. **Consider creating Fund 7359 for the Soil Conservation District. Don made the motion to approve, seconded by Terry and motion carried. A Resolution will be forthcoming.**
2. **Consider RESOLUTION #1-2022, a resolution to elect the Chair for the Board of Toole County Commissioners from January 2022 through December 2022. Don made the motion to approve, seconded by Terry and motion carried.**
3. **Consider RESOLUTION #2-2022, a resolution to set Commissioner meeting dates for the calendar year January 1, 2022 through December 31, 2022. Don made the motion to approve, seconded by Terry and motion carried.**

4. Consider RESOLUTION #3-2022, a resolution establishing public postings. **Don made the motion to approve, seconded by Terry and motion carried.**
5. Consider RESOLUTION #4-2022, a resolution to appoint the Toole County Commissioners to Boards, Committees and Advisory Assignments for January 2022 through December 2022. **Don made the motion to approve, seconded by Terry and motion carried.**
6. Consider RESOLUTION #5-2022, a resolution to adopt travel/per diem rates for Toole County. **Don made the motion to approve, seconded by Terry and motion carried.**