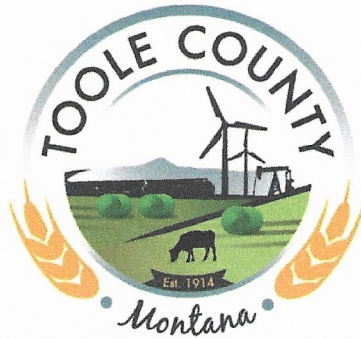


*Mary Ann Harwood* - Commission Chair  
*Terry Tomsheck* - Commissioner  
*Terry Kimmet* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
*Tyler Padilla* - Sheriff



*Debra Munson* - Clerk of Court  
*Treva Nelson* - Clerk & Recorder/  
Election Administrator  
*Donna Whitt* - 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

February 8, 2024  
10:00 A.M.

PRESENT: Mary Ann Harwood, Terry Tomsheck, Terry Kimmet

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

PLEDGE OF ALLEGIANCE

**Approval of January 18, 2024 Meeting Minutes:** Terry Tomsheck made the motion to approve, seconded by Terry Kimmet and motion carried.

1. Consider Resolution 8-2024, a resolution establishing certain boards as advisor boards and rescinding administrative board powers. Terry Tomsheck made the motion to approve, seconded by Terry Kimmet and motion carried.

*Mary Ann Harwood* - Commission Chair  
*Terry Tomsheck* - Commissioner  
*Terry Kimmet* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
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## **RESOLUTION 8-2024**

### **A Resolution establishing certain boards as Advisor Boards and rescinding Administrative Board powers**

**WHEREAS:** in 1995, the Montana legislature enacted a procedure by resolution to establish certain boards, districts, and commissions that were required either by statutory scheme to report to the State of Montana or determined necessary to the administration of necessary service; and

**WHEREAS:** in 1996, the Toole County Board of Commissioners established resolutions establishing the following administrative boards:

- 21(a) 1996, the Toole County Hospital and Nursing Home Board
- 21(b) 1996 Toole County Weed and Road Administrative Board
- 21© 1996 Toole County Shelby Senior Center Administrative Board
- 21(d) 1996 Toole County Kevin Senior Center Administrative Board

**WHEREAS:** in 1956, the Toole County Board of Commissioners approved a resolution establishing the North Toole County Cemetery District and the South Toole County Cemetery District and their respective boards; and

**WHEREAS:** on December 20, 2021, the Toole County Board of Commissioners approved a resolution terminating the requirement that the North Toole County Cemetery District and the South Toole County Cemetery District report directly to the state since the statutory scheme governing these districts as set forth in Montana Code Annotated 7-35-101 through 7-35-2125 was repealed in 2009; and

**WHEREAS:** the Toole County Fair Board was established in 2009 and the Montana legislature repealed the statutory scheme governing this board as set forth in Montana Code Annotated 7-21-3401 through 7-21-3410 and 7-21-3412 through 7-21-3458; and

**WHEREAS:** in 1996, the Toole County and Kevin Senior Center Boards were established as administrative boards; and

**WHEREAS:** in 1996, the Toole County Road/Weed Board was established as an administrative board; and

**WHEREAS:** in July, 1972, the Sunburst Mosquito Board was established as an administrative board; and

**WHEREAS:** in July 1967, the Shelby Mosquito Board was established as an administrative board

**WHEREAS:** in 2009, the Montana Legislature repealed the statutory scheme regarding mosquito district and boards as set forth in Montana Code Annotated 7-22-2401 through 7-22-2420 and 7-22-2431. Through 7-22-2434 and 7-22-2441 through 7-22-2448; and

**NOW THEREFORE BE IT RESOLVED** that the following boards are advisory board to the Toole County of Commissioners and any administrative powers previously granted are repealed.

1. Shelby Mosquito Board
2. Toole County Road/Weed Board
3. Sunburst Mosquito Board
4. North Toole County Cemetery Board
5. South Toole County Cemetery Board
6. Fair Board
7. Shelby Senior Center Board
8. Kevin and Sunburst Senior Center Board

**BE IT FURTHER RESOLVED** that the existing board members are hereby appointed to the advisory boards with like-terms; and

**BE IT FURTHER RESOLVED** that each advisory board should adopt by-laws setting forth the advisory board powers and submit those by-laws for approval to the Toole County Board of Commissioners by June 30, 2024.

**DATED THIS 8<sup>TH</sup> DAY OF FEBRUARY, 2024.**

**TOOLE COUNTY COMMISSIONERS**

  
Mary Ann Harwood, Commission Chair

  
Terry Tomscheck, Commissioner

  
Terry Kimmet, Commissioner

**ATTEST**

  
Teri L. Mon, Deputy  
Clerk & Recorder