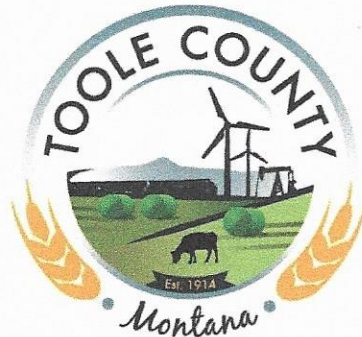


*Mary Ann Harwood* - Commission Chair  
*Terry Tomscheck* - Commissioner  
*Terry Kimmet* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
*Tyler Padilla* - Sheriff



*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  
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406-424-8300 [www.toolecountymt.gov](http://www.toolecountymt.gov)

## COMMISSIONERS' Minutes

January 2, 2025

10:00 A.M.

PRESENT: Commissioners Mary Ann Harwood, Terry Tomscheck, Terry Kimmet and Clerk & Recorder Treva Nelson.

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

**This meeting in accordance with Montana law is being video recorded.**

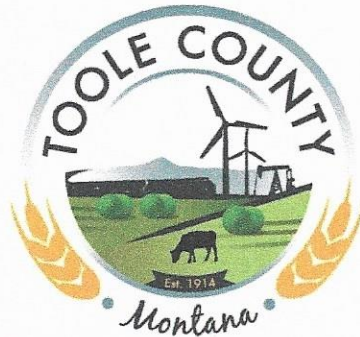
### PLEDGE OF ALLEGIANCE

**Approval of December 19, 2024, Meeting Minutes: Terry Kimmet motioned to approve. Terry Tomscheck seconded the motion, motion carried.**

1. Consider approval of Resolution 1-2025, a resolution to approve a Chair and Vice-Chair for the Toole County Commission for 2025. **Terry Kimmet motioned to approve. Terry Tomscheck seconded the motion, motion carried.**
2. Consider approval of Resolution 2-2025, a resolution to approve meeting dates for regular Commission meetings in 2025. **Terry Kimmet motioned to approve. Terry Tomscheck seconded the motion, motion carried.**
3. Consider adopting Rules of Procedure for Toole County establishing guidelines for public participation for meetings and hearings. Mary Ann said this was a recommendation from MACo. **Terry Kimmet motioned to approve. Terry Tomscheck seconded the motion, motion carried.**

4. Consider approval of Resolution 3-2025, a resolution to approve travel and per diem rates for Toole County employees for 2025. **Terry Kimmet motioned to approve. Terry Tomsheck seconded the motion, motion carried.**
  
5. Consider approval of Resolution 4-2025, a resolution appointing the Commissioners to represent Toole County on boards and committees for 2025. **Terry Kimmet motioned to approve. Terry Tomsheck seconded the motion, motion carried.**

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



Debra Munson - Clerk of Court  
Trevia Nelson - Clerk & Recorder/  
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## RESOLUTION 1-2025

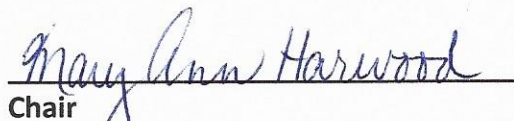
### A RESOLUTION TO ELECT THE CHAIR FOR THE BOARD OF TOOLE COUNTY COMMISSIONERS FROM JANUARY 2025 THROUGH DECEMBER 2025

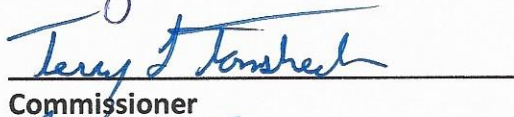
**WHEREAS:** The Board of County Commissioners must elect one of its members as the Chair at the beginning of each calendar year per 7-4-2109, Montana Code Annotated, and shall appoint commissioner liaisons to County Boards; and

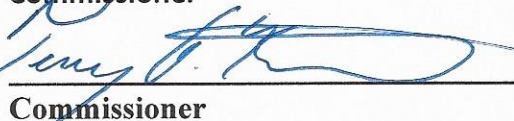
**WHEREAS:** The Chair must preside at all meetings of the Board and in case of his/her absence or inability to act, the members present must by an order, select one of their number to act temporarily as Chair; and

**NOW THEREFORE BE IT RESOLVED:** That the Chair of the Board of Toole County Commissioners is Terry Tomscheck, commencing on January 1, 2025, through December 31, 2025. Commissioner Mary Ann Harwood is designated as Vice-Chair, and she will preside over the meetings in case of the Chair's absence or inability to act.

**BY THE BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 2, 2025.**

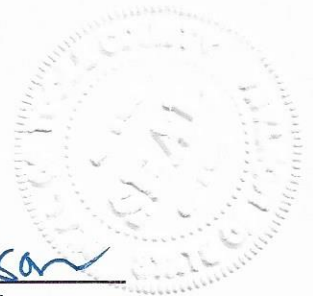
  
Chair

  
Commissioner

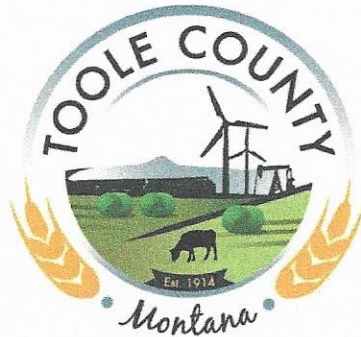
  
Commissioner

ATTEST:

  
Clerk & Recorder



*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  
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Superintendent of Schools  
*Phyllis Robertson* - Public Administrator

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## **RESOLUTION 2-2025**

### **A RESOLUTION SETTING COMMISSIONER MEETING DATES FOR THE CALENDAR YEAR JANUARY 1, 2025, THROUGH DECEMBER 31, 2025**

**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 shall be posted at the Courthouse on the bulletin board located next to the Commissioners' Office, the Toole County Sheriff's Office and in the Town of Sunburst at Sunburst City Hall; and

**WHEREAS:** The agenda for the regular Toole County Commissioners' meeting of January 2, 2025, was posted two working days prior to the meeting, notifying the public of Resolution 2-2025, an agenda item setting meetings of the Board of Toole County Commissioners for the year 2025; and

**WHEREAS:** The Commissioners may, by resolution and prior two days' post public notice, designate another meeting time and place; 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 1<sup>st</sup> Street South, Shelby, Montana, commencing January 2025 through December 2025; 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 following Board Guidelines, which is attached; and

**NOW THEREFORE ALSO BE IT RESOLVED:** That the meetings will be video recorded and be added to the website along with minutes of each meeting.

**BY THE BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 2, 2025.**

MaryAnn Harwood  
Chair

Terry J Tombsch  
Commissioner

[Signature]  
Commissioner

**ATTEST:**

[Signature]  
Clerk & Recorder



*Mary Ann Harwood* - Commission Chair  
*Terry Tomsheck* - Commissioner  
*Terry Kimmert* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
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## **PUBLIC PARTICIPATION GUIDELINES**

### **Toole County Rules of Procedure, Adopted January 2, 2025**

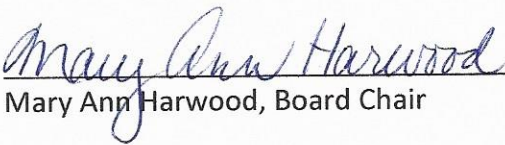
**Section 7.01 Guidelines for Public Participation.** The following guidelines shall serve to assure reasonable and fair public participation in the decisions of the Toole County Board of Commissioners.

1. The public shall be invited to speak on any item under consideration by the Board after and only recognition by the presiding officer.
2. The speaker should step to the front of the room, and for the record, give his or her name and, if applicable, the person, or organization he or she represents.
3. Written statements are welcomed and should be given to the presiding officer at least 1 hour prior to the meeting for distribution to the entire board. Written statements may be emailed to [tccomm@toolecountymt.gov](mailto:tccomm@toolecountymt.gov) or delivered to the Commissioners' office in the Toole County Courthouse. Submitted written comments will be noted in the minutes of the meeting. Notes may be used during the public comment period. However, previously submitted written statements that are also read aloud during public comment shall be deemed unduly repetitious. All prepared statements shall become a part of the permanent record.
4. While the Board is in session, members of the public must preserve order and decorum. No person shall delay or interrupt the proceedings or the peace of the Board nor disturb any member of the public or of the Board while speaking or refuse to obey the orders of the presiding officer of the Board.

5. Any person who while testifying shall not use indecorous or abusive language, or who become boisterous or disruptive shall be barred from further presentation to the Board by the presiding officer, unless permission to continue be granted by a majority vote of the Board.
6. Public comment is limited to 3 minutes per person per topic. Repetitive or off-topic comments are not allowed and will be interrupted by the presiding officer.

**DATED THIS 2<sup>ND</sup> DAY OF JANUARY, 2025**

**BOARD OF TOOLE COUNTY COMMISSIONERS**

  
Mary Ann Harwood, Board Chair

  
Terry Tomscheck, Commissioner

  
Terry Kimmet, Commissioner

ATTEST:

  
Treva Nelson, Clerk & Recorder



*Mary Ann Harwood* - Commission Chair  
*Terry Tomsheck* - Commissioner  
*Terry Kimmet* - Commissioner  
*Merle Raph* - County Attorney  
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## RESOLUTION 3-2025

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

**WHEREAS:** Travel/per diem rates are set by the State of Montana, 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 Commissioners follows the travel and lodging rates for the State of Montana and for out of state travel, the maximum standard federal rate per day; and

**WHEREAS:** Toole County Commissioners have set the in state meal reimbursement rate to be breakfast at \$12.00, lunch at \$14.00, and dinner at \$20.00, for a total of \$46.00 per day; and

**WHEREAS:** Meal reimbursement is only allowed if a meal is not supplied; and

**NOW THEREFORE BE IT RESOLVED:** That the Board of Toole County Commissioners have elected to use the travel and lodging rates allowable by the State of Montana and to follow the federal standard travel/per diem rates for out of state travel; and

**NOW THEREFORE ALSO BE IT RESOLVED:** That in state meal reimbursement will be \$46.00 per day.

DATED THIS 2<sup>ND</sup> DAY OF JANUARY, 2025

BOARD OF TOOLE COUNTY COMMISSIONERS

Mary Ann Harwood  
Mary Ann Harwood, Board Chair

Terry J Tomscheck  
Terry Tomscheck, Commissioner

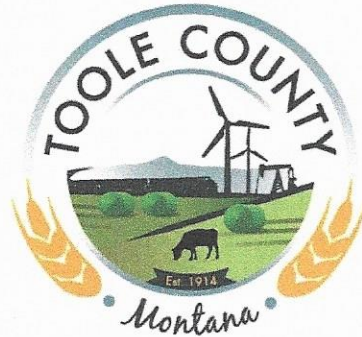
Terry Kimmet  
Terry Kimmet, Commissioner

ATTEST:

Treva Nelson  
Treva Nelson, Clerk & Recorder



*Mary Ann Harwood* - Commission Chair  
*Terry Tomsheck* - Commissioner  
*Terry Kimmet* - Commissioner  
*Merle Raph* - County Attorney  
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## **RESOLUTION 4-2025**

### **A RESOLUTION TO APPOINT THE TOOLE COUNTY COMMISSIONERS TO BOARD, COMMITTEE, AND ADVISORY ASSIGNMENTS FOR JANUARY, 2025 THROUGH DECEMBER, 2025**

**WHEREAS:** The Toole County Commissioners have many obligations and responsibilities to represent Toole County to difference, boards, committee, and in other advisory capacities; and

**WHEREAS:** To properly represent Toole County on these boards. The duties need to be distributed between 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:

**Terry Tomsheck**  
Safety Committee  
Ambulance Committee  
Transportation & DUI Task Force  
Public Safety Commission  
Toole County Transit Board  
Northern Transit Interlocal Board  
NETA Board (alternative for Mary Ann)  
LEPC Board  
Airport Board

**Mary Ann Harwood**

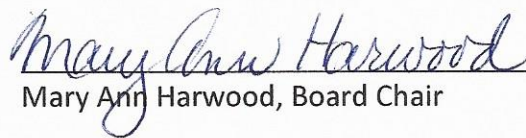
STC Cemetery Board  
Shelby Mosquito Board  
Logan Health- Shelby  
Toole County Transit Board (alternate for Terry Tomsheck)  
Northern Transit Interlocal Board (alternate for Terry Tomsheck)  
Opportunities, Inc. Board  
Regional Juvenile Detention Board  
Many Rivers Whole Health Board  
Sweetgrass Development Board  
NETA Board  
Court Security Committee  
Fair Board

**Terry Kimmet**

Toole County Board of Health  
Toole County Mental Health Board  
City/County Planning Board  
NTC Cemetery Board  
Museum Board  
Shelby Senior Center Board  
Kevin/Sunburst Senior Center Board  
North Central Area on Aging Board  
Road Board

**DATED THIS 2<sup>ND</sup> DAY OF JANUARY, 2025**

**BOARD OF TOOLE COUNTY COMMISSIONERS**

  
Mary Ann Harwood, Board Chair

  
Terry Tomsheck, Commissioner

  
Terry Kimmet, Commissioner

ATTEST:

  
Treva Nelson, Clerk & Recorder



# TOOLE COUNTY MEETINGS

Commissioner's Office Hours 9-4 Monday through Thursday, Friday by appointment only.

Monday and Thursday are regularly scheduled meetings as necessary.

Other meetings include the following:

**Airport Board** – 7 p.m. - 2<sup>nd</sup> Tuesday of every month – Shelby Airport Office

**Ambulance Board** – 6 p.m. - 1<sup>st</sup> Thursday of every month - Ambulance Barn Conference Room

**Board of Health** – 9 a.m. - Quarterly (Feb,May,Aug,Nov) 2<sup>nd</sup> Tuesday of the month - Board of Health Conf. Room

**Chamber Meetings** – Noon - at specified locations - 2<sup>nd</sup>, 3<sup>rd</sup>,4<sup>th</sup> Tuesday of Every Month

**Fair Board Meeting** – 6:00 p.m. - 2<sup>nd</sup> Monday of every month, Place TBA (Ambulance conf rm or Fair Office generally)

**Kevin/Sunburst Senior Board** – 1:30 p.m. - 3<sup>rd</sup> Tuesday of every month alternating between Kevin and Sunburst Senior Centers

**LEPC** – 9:45 a.m. - 3<sup>rd</sup> Tuesday of every other month – Ambulance Barn Conference Room

**Library Board** – Noon at the Library – 4<sup>th</sup> Friday of every month

**Logan Health Board** – 2 p.m. – 3<sup>rd</sup> Wednesday of every month – Hospital Conference Room

**Museum** – 5:00 p.m. – 1<sup>st</sup> Tuesday of every other month (Jan,Mar,May,July,Sep,Nov) – Museum Annex

**NETA** – 7:00 a.m. – 1<sup>st</sup> Thursday of every month – Griddle conference room basement

**NTC Cemetery Board** - Annually (April) Sunburst Cemetery building

**Opportunities Inc. Board** – 1:30 p.m. – 4<sup>th</sup> Wednesday of every month – Great Falls Opp. Inc. Office

**Public Safety Commission** – 7:00 p.m. – 1<sup>st</sup> Tuesday of every other month – Search & Rescue Conference Room

**Road/Weed Board** – 8:00 a.m. – 3<sup>rd</sup> Tuesday of every month - Griddle conference room basement

**Safety Committee** – On-Line Training – Quarterly (Mar,June,Sept,Dec) Dates & Time TBA

**Shelby Senior Board** – 9:00 a.m. – 3<sup>rd</sup> Monday of every month – Shelby Senior Center

**STC Cemetery Board** – 9:00 a.m. – 3<sup>rd</sup> Monday of every month - Ambulance Barn Conference Room

City of Shelby/TC Transportation & DUI Safety Committee – Quarterly – 10 a.m. – 3<sup>rd</sup> Thursdays (Jan,Apr,Jul,Oct)

Core Civic Advisory Committee – Quarterly

North Central Area on Aging – Quarterly

Northern Transit Interlocal – Quarterly

Toole County Transit – Quarterly

Sweetgrass Development – Quarterly

City/County Planning Board – Monthly if Necessary

Compensation Board – Twice Annually

Regional Juvenile Detention Board – As Needed

Toole County Planning Board – As Needed at least Annually

## **Montana Association of Counties (MACO)**

Commissioner District 4 and 5 meetings – Spring and Fall

Mid-Winter and Fall Conventions

Montana Association of Road Supervisors (MACRS) Convention – Annually (March)

Participation in Legislative Hearings