

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Dan B. Whitted - Coroner



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

COMMISSIONERS' AGENDA
Thursday, January 5, 2017
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 29, 2016 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of Resolution 1-2017, a resolution to approve a Chair and Vice-Chair for the Toole County Commission for 2017. **Mary Ann motioned to approve Resolution 1-2017. Joe seconded the motion and the motion carried.**
2. Consider approval of Resolution 2-2017, a resolution to approve meeting dates for regular Commission meetings in 2017. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried. Deb mentioned that meetings will be Mondays and Thursdays at 10 A.M.**
3. Consider approval of Resolution 3-2017, a resolution to approve travel and per diem rates for Toole County employees for 2017. **Discussion about meal rates was had by the commissioners. Mary Ann motioned to set the rates at \$6 for breakfast, \$9 for lunch and \$15 for dinner with a total daily rate of \$30. Joe seconded the motion and the motion carried.**
4. Consider approval of Resolution 4-2017, a resolution appointing the Commissioners to represent Toole County on boards and committees for 2017. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
5. Consider approval of Northern Transit Interlocal's Drug and Alcohol Policy. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**

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

Commissioners' Office Clerk & Recorder's Office
Phone: (406) 424-8310 Phone: (406) 424-8300
tccomm@toolecountymt.gov tnelson@toolecountymt.gov

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RESOLUTION 1-2017

A RESOLUTION TO ELECT THE CHAIR FOR THE BOARD OF TOOLE COUNTY COMMISSIONERS FROM JANUARY 2017 THROUGH DECEMBER 2017

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

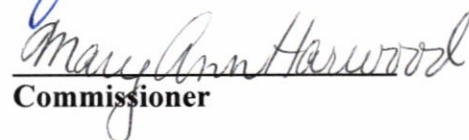
WHEREAS; the chair must preside at all meetings of the board and in case of his/her absence or inability to act, the members present must by an order select one of their number to act temporarily as chair,

NOW THEREFORE BE IT RESOLVED; that the Chair of the Board of Toole County Commissioners is Deb Brandon, commencing January, 2017 through December, 2017. 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 5, 2017.


Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder



Deb Brandon - Commission Chair
Joe Pehan - Commissioner
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RESOLUTION 2-2017

A RESOLUTION SETTING COMMISSIONER MEETING DATES FOR THE CALENDAR YEAR JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

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 5, 2017 was posted two days prior to the meeting, notifying the public of Resolution 2-2017, an agenda item setting meetings of the board of Toole County Commissioners for 2017; 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, 2017 through December, 2017; 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 5, 2017.

Deb Brandon
Chair

Joe Pehan
Commissioner

Mary Ann Harwood
Commissioner

ATTEST:

Treva Nelson
Clerk & Recorder



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RESOLUTION 3-2017

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

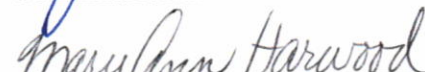
WHEREAS, Toole County Commissioners have decided to deviate from the state rates in meal reimbursement: breakfast at \$6, lunch at \$9, and dinner at \$15 for a total daily rate of \$30; and

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 5, 2017.

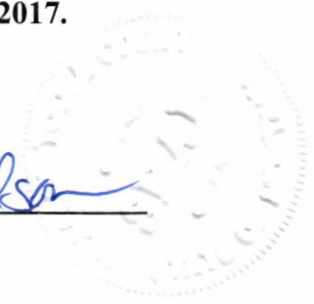

Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder



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RESOLUTION 4-2017

A RESOLUTION TO APPOINT THE TOOLE COUNTY COMMISSIONERS TO BOARD, COMMITTEE, AND ADVISORY ASSIGNMENTS FOR JANUARY 2017 THROUGH DECEMBER 2017

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

Joe Pehan

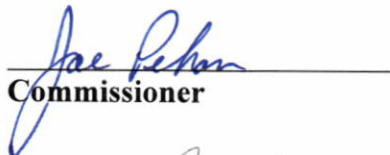
Airport Board
Road/Weed Board
Fair Board
STC Cemetery Board
Shelby Mosquito Board
Marias Medical Center Board
Northern Transit Interlocal
Toole County Transit
Local Emergency Planning Committee
Public Safety Commission
Northern Tier Interoperability Consortium

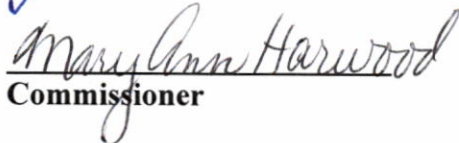
Deb Brandon

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 5, 2017.

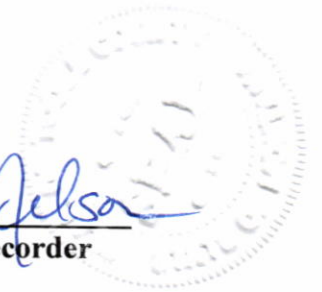

Chair


Commissioner


Commissioner

ATTEST:


Clerk & Recorder



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COMMISSIONER'S AGENDA
Thursday, January 12, 2017
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 January 5, 2017 Minutes: MaryAnn motioned to approve the minutes. Joe seconded the motion and the motion carried.

1. Consider the appointment of a Public Administrator for Toole County, necessary because of the death of Helen Schnee. **6 applicant applied for this position. The commissioners met with County Attorney Merle Raph on the details of this position. Mary Ann motioned to appoint Phyllis Robertson to the Public Administrator position. Joe seconded the motion and the motion carried.**
2. Consider setting the date for a public hearing to discuss closing the Toole County Courthouse on the following dates:
Monday, July 3 and November 24, 2017
November 23, December 24 and Dec. 31, 2018
July 5 and November 29, 2019
Mary Ann motioned to advertise the public hearing on the 8th and 15th of February, with the public hearing taking place on February 23, 2017. Joe seconded the motion and the motion carried.
3. Consider the sale of Toole County's Law Library books. The Law Library books were deemed surplus equipment during the November 17, 2016 Commission meeting. **An ad was placed on KSEN, in the Shelby Promoter, on eBay and on Craigslist. One offer was received. Mary Ann motioned to approve the offer of \$300 for the books and shelves. Joe seconded the motion and the motion carried.**
4. Consider approval of a proposal by All Season Heating and Air Conditioning, LLC for a 2016-2017 service agreement covering the Sheriff's Office, Shelby Senior Center and Sunburst Library in the amount of \$1,633.00. **Joe motioned to approve the proposal. Mary Ann seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA
Thursday, January 26, 2017
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 January 12, 2017 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

- 1. Consider the dissolution of the Toole County Council on Aging as recommended by the Kevin/Sunburst Senior Center Board during their 11/15/2016 meeting and by the Shelby Senior Center Board during their 1/23/2017 meeting. Joe asked about the Toole County Council on Aging. Deb said they haven't met in over 4 years. Joe motioned to approve the recommendation. Mary Ann seconded the motion and the motion carried.**
- 2. Consider approval of 2017 membership in the Highway 2 Association with corresponding dues of \$100. Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
- 3. Consider the appointment of Allan Underdal to the Toole County Health Foundation with a term to end 10/31/2018. Mary Ann motioned to appoint Allan Underdal to the Toole County Health Foundation board. Joe seconded the motion and the motion carried.**
- 4. Consider approval of the Toole County Health Foundation's "2-2-2" employee giving program. Deb tabled this agenda item**

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COMMISSIONERS' AGENDA
Thursday, February 23, 2017
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 January 26, 2017 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. **Public Hearing:** Consideration of Courthouse closure on the following dates:
July 3 and November 24, 2017
November 23, December 24, and December 31, 2018
July 5 and November 29, 2019

Deb opened the Public Hearing and asked for public comment. Being no public was present, Mary Ann commented that she felt this was a great idea. Treva said the employees would appreciate it. Deb closed the Public Hearing.

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 \$79,288.00 for Northern Transit Interlocal for FY17-18. **Deb and David Irvin went through the plan and grant application. Deb said David has done a great job. The anticipated revenue is \$5000 per City and County. Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
3. 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 \$78,861.00 for Toole County on behalf of Glacier County Transit, Pondera County Transit and Toole County Transit for FY 17-18. **Funds coming from the counties is as follows; Toole County \$20,000, Pondera County \$20,000 and Glacier County \$25,000. Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider support of Northern Transit Interlocal's Coordination Plan for FY 17-18 with a \$5,000.00 commitment. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
5. Consider approval of an application submittal to the Federal Aviation Administration for funding to construct a 100 ft. x 100 ft. hangar, taxiway/taxi lanes and relocation/installation of an airport beacon at the Shelby Airport. **This will be managed by Robert Peccia & Associates Inc. Mary Ann motioned to approve. Joe second the motion and the motion carried.**
6. Consider Resolution 5-2017, a resolution establishing an item as a capitalized fixed asset if its value is \$5,000.00 or greater. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**

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RESOLUTION 5-2017

RESOLUTION ESTABLISHING AN ITEM AS A CAPITALIZED FIXED ASSET

WHEREAS: The Toole County Commissioners authorize the purchase process; and


WHEREAS: The Commissioners recognize the importance of identifying and accounting for capital items purchased and donated, and

NOW THEREFORE BE IT RESOLVED the capitalization threshold of Toole County for fixed assets must be \$5,000 or more.

TOOLE COUNTY BOARD OF COMMISSIONERS DATED February 23, 2017


Deb Brandon
Commission Chair


Joe Pehan
Commissioner


Mary Ann Harwood
Commissioner

Attest: 
Treva Nelson, Clerk & Recorder

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COMMISSIONERS' AGENDA

Thursday, March 2, 2017

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 23, 2017 Minutes: Joe motioned to approve. Mary Ann 2nd the motion and the motion carried.

1. Consider approval of Resolution 6-2017, a resolution to close the Toole County Courthouse and other county offices, excluding essential services open 24 hours per day, for the following days through December 2019:

July 3 and November 24, 2017

November 23, December 24, and December 31, 2018

July 5 and November 29, 2019

Joe motioned to approve. Mary Ann 2nd the motion and the motion carried.

2. Consider a membership and annual dues of \$250.00 to the Northern Montana Oil and Gas Association. **Joe motioned to approve. Mary Ann 2nd the motion and the motion carried.**

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RESOLUTION 6-2017

RESOLUTION TO CLOSE THE COURTHOUSE AND OTHER COUNTY OFFICES, EXCLUDING ESSENTIAL SERVICES OPEN 24 HOURS PER DAY, FOR THE FOLLOWING DAYS THROUGH DECEMBER 31, 2019.

WHEREAS: 7-4-102 MCA 2015 provides for a Public Hearing and Resolution setting the office hours of County Offices; and

WHEREAS: Toole County would like to provide its employees an opportunity for a long week-end when certain holidays fall on a Tuesday or Thursday or there are other special circumstances; and

WHEREAS: A Public Hearing was set and notice published in the Shelby Promoter February 8 and 15, 2017 and a Public Hearing was held on Thursday, February 23, 2017 at 10:00 AM in the Commissioners' office of the Toole County Courthouse; and

WHEREAS: Employees will not be required to take time off during the days noted in this Resolution and are allowed to work a normal day if they so desire; and

WHEREAS: Those employees taking advantage of the following days off work will be utilizing their own accrued vacation time; and

WHEREAS: A contact person(s) will be available for each essential office for the public to reach in case there is necessary business to conduct on the days of closure and their phone numbers will be listed on the front and back doors of the Courthouse; and

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WHEREAS: The main office phone in each essential office will have a voice message advising the public of the number to call to reach an employee able to conduct business in a necessary or essential situation; and

NOW THEREFORE BE IT RESOLVED by the Board of Toole County Commissioners in a meeting held on March 2, 2017, that the Toole County Courthouse and other County Offices, excluding essential services open 24 hours per day, will be closed to the public except for necessary or essential business on the following days: Monday, July 3 and Friday, November 24, 2017; Friday, November 23, Monday, December 24 and Monday, December 31, 2018; and Friday, July 5 and Friday, November 29, 2019.

TOOLE COUNTY BOARD OF COMMISSIONERS DATED March 2, 2017



Deb Brandon
Commission Chair



Joe Pehan
Commissioner



Mary Ann Harwood
Commissioner

Attest:



Treva Nelson, Clerk & Recorder

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COMMISSIONERS' AGENDA
Monday, March 6, 2017
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 the following Board rules.

Approval of March 2, 2017 Minutes: Mary Ann motioned to approve the minutes. Joe seconded the motion and the motion carried.

1. Consider approval of the purchase of rodeo chutes (Fund 4024) for the Marias Fairgrounds. **Joe said these 8 new chutes would cost \$18,000 and would bring the rodeo chutes up to code with the PRCA. Joe motioned to approve the cost up to \$20,000. Mary Ann seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA
Thursday, March 9, 2017
10:00 A.M.

PRESENT: Deb Brandon by phone, 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 Monday, March 6, 2017 Minutes. Joe motioned to approve. Mary Ann seconded the motion. The motion carried.

1. Consider approval of Northern Transit Interlocal (Toole County, Lead Agency for NTI) Driver's Manual to be effective March 8, 2017. **Joe motioned to approve. Mary Ann seconded the motion. The motion carried.**

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COMMISSIONERS' AGENDA

Monday March 13, 2017
10:00 A.M.

PRESENT: 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 Monday, March 9, 2017 Minutes. Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

Consider approval of Resolution #7-2017, a Resolution Requesting a Mail Ballot Election for the 2017 Federal Special Election to Fill the Office of the United States Representative for Montana, Contingent Upon Passage of SB305. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

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RESOLUTION 7-2017

A Resolution Requesting a Mail Ballot Election for the 2017 Federal Special Election to Fill the Office of the United States Representative for Montana, Contingent upon Passage of SB305

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF TOOLE COUNTY, MONTANA, as follows:

WHEREAS, Governor Bullock of the State of Montana has called for a Federal Special Election to be held on May 25, 2017 to fill a vacancy in the Office of the United States Representative for Montana; and

WHEREAS, the Montana State Legislature is considering SB 305, An Act Generally Providing How the Special Election to Fill the 2017 Vacancy in the Office of the United States Representative for Montana May be Conducted; and Providing for an Immediate Effective Date; and

WHEREAS, passage of SB 305 would allow the May 25, 2017 Federal Special Election to be conducted by mail ballot; and

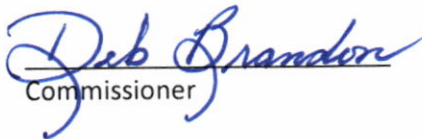
WHEREAS, §13-19-202, MCA allows a governing body to request that the election administrator conduct an election by use of mail ballots; and

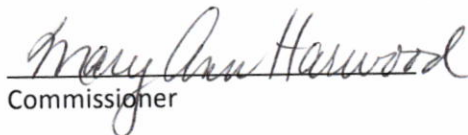
WHEREAS, it appears that a mail ballot election will be economically and administratively feasible to conduct; and

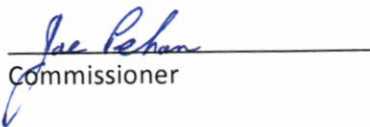
NOW THEREFORE, it is hereby resolved as follows:

The Board of County Commissioners of Toole County, Montana, hereby requests that if SB 305, An Act Generally Providing How the Special Election to Fill the 2017 Vacancy in the Office of the United States Representative for Montana May be Conducted; and Providing for an Immediate Effective Date, is approved and adopted, the Toole County Clerk and Recorder, as election administrator for Toole County, conduct the May 25, 2017 Federal Special Election to Fill the Office of the United States Representative for Montana by mail ballot.

PASSED AND ADOPTED by the Board of County Commissioners of Toole County, Montana this 13th day of March 2017.


Commissioner


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

COMMISSIONERS' AGENDA

Monday, March 20, 2017
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 Monday, March 13, 2017 Minutes. Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of Request for FAA Approval of Agreement for Transfer of Entitlements between the Toole County/Shelby Airport and the Biggerstaff Field/Stanford Airport in the amount of \$150,000. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of appointment of Doug Hellinger to the Airport Board who was appointed by the Airport Board in a meeting held on March 14, 2017. **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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Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
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Trevia Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Thursday, March 23, 2017
10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan and Darrell Stafford

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

Approval of March 20, 2017 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 2017-18. The EMPG's project cost of \$43,604.00 requires a match of \$21,802.00 from Toole County. **Joe motioned to approve. Deb seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA

Thursday, April 6, 2017

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 March 20, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider Toole County's contribution toward health insurance costs for FY 2017-2018. **Joe 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. Mary Ann seconded the motion and the motion passed.**
2. 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 July 1, 2016 – June 30, 2017. **Mary Ann motioned to approve. Joe seconded the motion and the motion passed.**

COMMISSIONERS' AGENDA

Thursday, April 13, 2017

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 April 6, 2017 Minutes: Mary Ann motioned to accept the minutes. Joe seconded the motion and the motion carried.

1. Consider a funding request by Front Range Court Appointed Special Advocates (CASA) for operational assistance. **Mary Ann motioned to table this agenda item until more information could be furnished. Joe seconded the motion and the motion passed. Deb said she would contact the Executive Director of CASA.**
2. Consider 2017 membership in Montana Economic Developers Association (MEDA) in the amount of \$125.00. **Mary Ann motioned to not pay for this membership. Joe seconded the motion and all were in favor.**
3. Consider approval of an engineering agreement with Robert Peccia & Associates (RPA) for the Shelby Airport's hangar construction project, amending the previously estimated engineering fee of \$119,900.33 to \$129,915.00 (increase of \$10,014.67). **Joe motioned to approve the increased engineer fees on the condition that the increase is paid by Steve Williamson's lease payments. Mary Ann seconded the motion and the motion carried.**
4. Consider approval of Task Orders #4 -6 for the Shelby Airport's hangar construction project:
 - Task Order #4: Project Administration - \$27,740.00
 - Task Order #5: Design Engineering of Hangar - \$62,030.00
 - Task Order #6: Construction Management Services
 - Bidding and Construction Administration - \$23,915.00
 - Services During Construction - \$16,230.00**Mary Ann motioned to approve. Joe seconded the motion and the motion passed.**
5. Consider approval of access and lease agreement with DAMM, LLC for a term of 8 years. **Mary Ann motioned to approve. Joe seconded the motion and the motion passed.**

COMMISSIONERS' AGENDA

Monday, April 17, 2017

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 April 13, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion passed.

1. Consider approval of an agreement with the MT Dept. of Agriculture for a noxious weed trust fund project entitled, "Upper Marias Weed Control Grant" (#2017-046) in the amount of \$34,439. **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
Dan B. Whitted - Coroner



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

COMMISSIONERS' AGENDA

Monday, May 1, 2017

10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan, Mary Ann Harwood and guests Amy Mangiaruga and County Sanitarian Ron Anderson.

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

Approval of April 17, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion passed.

1. Discussion with Amy Mangiaruga regarding food truck licensing.
There was a lengthy discussion between the Commissioners, Amy and Ron Anderson as to what Amy needed to bring her truck up to code and food preparation so that she may sell to the public. Meeting concluded with instructions for Amy to submit to Ron an application along with a menu and how the food is to be prepared. The Commissioners told Amy that she needed to follow the rules of the County Sanitarian.
2. Consider approval of a request by the Toole County Treasurer to cancel delinquent personal property taxes for the years 2004-2012 in the amount of \$15,790.47.
Some discussion was covered on how to resolve these delinquents in the future. A plan will be worked out with the Treasurer on how to deal with delinquent taxes in the future. Mary Ann made a motion to cancel the \$15,790.47 delinquent taxes for this time and Joe seconded the motion. Motion carried.
3. Consider designating a State approved chemical dependency service provider to receive Toole County's earmarked alcohol tax monies.
There was some discussion on whether to give the two qualified organizations in our county all or split the monies. The two organizations are Youth Dynamics and Misfits. Mary Ann made a motion to give Misfits 100% of the earmarked alcohol tax.

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Joe seconded the motion. Motion passed.

4. Consider a funding request by Front Range Court Appointed Special Advocates (CASA) for operational assistance.

Joe made the motion for the fund request for this fiscal year since monies have been already budgeted for the funding. Mary Ann seconded and motion carried.

5. Consider the appointment of Linda Lee to the Tax Appeal Board with a term to end 12/31/2019.

Mary Ann made the motion to appoint Linda Lee to the Tax Appeal Board. Joe seconded the motion and it 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, May 11, 2017

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 May 1, 2017 Minutes: Mary Ann motioned to approve. Deb seconded the motion and the motion carried.

1. Consider approval of an intergovernmental transfer to the State in the amount of \$382,623.09. Marias Care Center will then receive \$511,068.96. **This agenda item was tabled.**
2. Consider approval of the removal of an agriculture covenant on the following tracts of land per a request by Brian Lee, attorney for Greg Kennedy. Mr. Kennedy is the trustee of Jerry and Esther Kennedy's estate.

A parcel of real property situated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 32 North, Range 2 West. 150 feet by 240 feet, more particularly described as follows: Beginning at the southwest corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, aforesaid, thence 195 feet east along the south boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 195 feet to the true point of beginning of the tract to be described, thence continuing east along the said south boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 240 feet. thence north at right angles a distance of 150 feet. thence west at right angles a distance of 240 feet, thence south at right angles a distance of 150 feet to the true point of beginning.

Parcel 2:

A tract of land in SE $\frac{1}{4}$ NE $\frac{1}{4}$ In Section 21 of Township 32 North, Range 2 West, M.P.M., as shown and described on Certificate of Survey filed August 24, 1983 at Document Number 298240, File Number 83-11.

EXCEPTING THEREFROM that certain tract of land in said SE $\frac{1}{4}$ NE $\frac{1}{4}$ described In Warranty Deed recorded October 24, 1989 in Book 92 of Deeds, Page 424.

Commonly known as: Rural Tracts, Shelby, MT 59474

This agenda item was tabled.

3. Consider approval of Resolution 8-2017, a resolution renewing open burning regulations for Toole County. **Mary Ann motioned to approve. Deb seconded the motion and the motion carried.**
4. Consider approval of a Memorandum of Agreement between the Toole County Health Dept., Marias Medical Center and Marias Healthcare Services defining mutual services, referrals and healthcare related goals. **Mary Ann motioned to approve. Deb seconded the motion and the motion carried.**
5. Consider approval of a Memorandum of Understanding between the Toole County Health Dept. and Marias Healthcare Services, Inc. identifying services, personnel, equipment and facilities that can be made available to the Health Dept. in response to a critical incident. **Mary Ann motioned to approve. Deb seconded the motion and 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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Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools*

RESOLUTION 8-2017

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**

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.

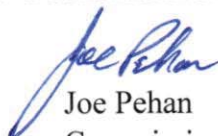
WHEREAS, persons living in towns and cities should check with local fire departments before burning as it may not be allowed; and


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 May 11, 2017


Deb Brandon
Commission Chair


Joe Pehan
Commissioner


Mary Ann Harwood
Commissioner

ATTEST: 
Treva Nelson, Toole County Clerk and Recorder

COMMISSIONERS' AGENDA

Tuesday, May 23, 2017

9:00 A.M.

(Please note the date and time of this special meeting.)

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

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

Approval of May 11, 2017 Minutes: Mary Ann motioned to approve. Deb seconded the motion and the motion carried.

1. Consider approval of First Amendment of Skilled Nursing Facility Lease between EmpRes of Shelby dba Marias Care Center and Toole County to address the intergovernmental transfer. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider approval of an intergovernmental transfer to the State in the amount of \$382,623.09. Marias Care Center will then receive \$511,068.96. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider approval of a one year IT Support Contract with Preferred IT Systems. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider approval of an updated Memorandum of Understanding with the Shelby School District to use the Shelby High School facilities for a Mass Inoculation Center or Disaster Shelter in case of a large-scale disaster occurrence. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
5. Consider approval of an updated Memorandum of Understanding with the NTC School District to use the NTC Elementary School facilities for a Mass Inoculation Center or Disaster Shelter in case of a large-scale disaster occurrence. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
6. Consider approval of an updated Memorandum of Understanding with the City of Shelby to use the Shelby Civic Center facilities for a Mass Inoculation Center or Disaster Shelter in case of a large-scale disaster occurrence. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
7. Consider approval of DUI Task Force Plan for SFY2018. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
8. Consider approval of Task Order #18-07-6-11-053-0 (CFDA #93.074) between the MT Dept. of Public Health and Human Services and Toole County to provide Public Health Emergency Preparedness services with a term beginning 7/1/2017 and ending 6/30/2018. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

Discussion on the possibility of a new phone system was held.

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Dan B. Whitted - Coroner



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

COMMISSIONERS' AGENDA

Tuesday, May 30, 2017

10:00 A.M.

(Please note the date of this special meeting)

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 May 23, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion passed.

1. Consider acceptance of the Shelby Airport Hangar Base Bid in the amount of \$775,327.00 and Alternate #1 in the amount of \$213,236.58 for a total project cost of \$998,563.58. **Joe made the motion to accept the bid from Clausen and Mary Ann seconded. Motion carried.**

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COMMISSIONERS' AGENDA

Thursday, June 15, 2017

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 May 30, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of Task Order 18-07-5-01-051-0 between DPHHS and Toole County for Maternal and Child Health (MCH) services for the period of 7/1/2017 - 6/30/2018. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider approval of lease #8155-F in the amount of \$575.27/month between the State of Montana, Department of Revenue, and Toole County for office space in the courthouse, with a lease term of 7/1/2017 through 6/30/2019. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
3. Consider the appointment of Chad Scarborough to the Mental Health Advisory Board with a term to end on 12/31/2017. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

Informational

The Commissioners attended the District 4 & 5 meetings held at the Comfort Inn in Shelby on June 8, 2017 from 10 A.M. to 4 P.M.

Due to high winds the fairgrounds suffered extensive damage on June 8, 2017. The Commissioners are seeking proposals for the repair.

COMMISSIONERS' AGENDA
Monday, June 26, 2017
10:00 A.M.

PRESENT: 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 June 15, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of the execution of the Shelby Airport's FAA grant offer. **Tabled**
2. Consider approval of the hiring of a contractor to repair the Marias Fairground's Grandstand roof. **Mary Ann motioned to have Weaver Construction do the repairs. Joe seconded the motion and the motion carried.**
3. Consider the approval of the Support Agreement for Supplemental Nutrition Assistance Program – Education (SNAP-ED) for the fiscal year 2018 (10/1/2017 – 9/30/2018). The program, provided by Montana State University Extension, is requesting that Toole County donate \$100 of copying service and space to prepare for lessons. **Mary Ann motioned to approve the agreement. Joe seconded the motion and the motion carried.**
4. Consider the re-appointment of the following persons to the City/County Planning Board:
 - Jason Kline with a term to end 12/31/2019
 - Mallory Riphenburg with a term to end 12/31/2019**Mary Ann motioned to re-appoint. Joe seconded the motion and the motion carried.**

Informational

The commissioners attended the District 4 & 5 meetings together on June 8, 2018 and will be reimbursed \$10.00 for meals.

The commissioners traveled together to attend budget meetings in Great Falls on June 23, 2017.

COMMISSIONERS' AGENDA
Thursday, June 29, 2017
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 26, 2017 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the carried.

- 1. Public Hearing to consider budget amendments for the fiscal year 2016-2017. Deb opened the public hearing. No public attended. Treva explained the budget amendments for the year. Deb closed the hearing.**
- 2. Consider Resolution 9-2017, a resolution to amend the FY 2016-2017 budget. Mary Ann motioned to approve Resolution 9-2017. Joe seconded the motion and the motion carried.**
- 3. Consider approval of the execution of the Shelby Airport's FAA grant offer. Mary Ann motioned to approve the execution of the Shelby Airport's FAA grant. Joe seconded the motion and the motion carried.**

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RESOLUTION 9-2017
A RESOLUTION AMENDING BUDGETS

WHEREAS: a budget amendment for NTC Rural Fire Capital Improvements Fund 4022 was done to increase expenditures by \$2400, this reflected the increase in revenue from DNRC. The overall budget changed, and

WHEREAS: a budget amendment for the General Fund, Coroner Services, account 420800, object code 920. This object code had not been budgeted. \$12,000 from object code 940 was transferred to code 920. This amendment did not change the overall budget, and

WHEREAS: a budget amendment for Marias Medical Center Fund 5420, account 521000, object code 820 was increased by \$27,039. Account 440200, object code 920 was decreased by \$27,039. Fund 5498, Marias Medical Center Bond Project revenue account 383000 was increased by \$27,039 to provide for this transfer. This amendment did not change the overall expenditure budgets, and

WHEREAS: a budget amendment for STC Fire Capital Improvement Fund 4023 was completed to increase the expenditure budget by \$6000. The increase came from available cash. The increase in the budget contributed to the purchase of a Crew Cab Pickup. The overall budget changed, and

WHEREAS: a budget amendment for the General Fund, account 410100, object code 350. \$3200 was moved from object code 100 to create a Professional Service line item. This amendment did not affect the overall budget, and

WHEREAS: a budget amendment for Soil Conservation, account 480100m object 390. An increase of \$222 was made from available cash. This increased the budget for Soil Conservation. The overall budget changed, and


WHEREAS: short term loans were given to Funds with negative cash amounts at the end of FY 16-17. The Funds included in the short-term loans are Fund 2971 WIC in the amount of \$605.22. Fund 2973 M.C.H in the amount of \$287.98 and Fund 5420 Marias Medical Center in the amount of \$670,215.57.

THEREFORE, BE IT RESOLVED that a public hearing was held on June 29, 2017 to amend the FY 16-17 budgets as stated about.

ADOPTED THIS 29th DAY OF JUNE 2017, BY THE TOOLE COUNTY COMMISSIONERS.




Commission Chairman



Commissioner

ATTEST:



Commissioner



Clerk & Recorder

COMMISSIONERS' AGENDA
Monday, July 10, 2017
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 June 29, 2017 Minutes: Mary Ann motioned to approve. Deb seconded the motion and the motion carried.

1. Consider approval of an amended amortization schedule for NETA's loan, effective 7/1/2017, from fund 2399. **Mary Ann motioned to approve. Deb seconded the motion and the motion carried.**
2. Consider approval of the purchase of a 2018 Ram Tradesmen Crew Cab for Search and Rescue in the amount of \$38,900. Funding for the truck will come from fund 2900 and will be paid back at \$9,726.99/year. **Mary Ann motioned to approve with the stipulation that the old equipment be sold and the revenue is deposited with the county. Deb seconded the motion and the motion carried.**
3. Consider solicitation for bids for a used 2008 or newer 14M (or equal) motor grader with 5,000 hours or less. **Mary Ann motioned to approve. Deb seconded the motion and the motion carried.**

Informational

The commissioners will travel together to Kalispell on July 12th to meet with Kalispell Regional Medical Center.

COMMISSIONERS' AGENDA

Thursday, July 27, 2017

10:00 A.M.

PRESENT: Deb Brandon, Joe Pehan called in, Mary Ann Harwood, Shane Clark and Treva Nelson

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

Approval of July 10, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Public Hearing: 2017-2018 Preliminary Budget: **Deb opened the Public Hearing. She asked for public comment. Being none the Public Hearing was closed.**
2. Consider approval of Toole County's Assignment Order of Preference Policy. **Joe motioned to approve. Mary Ann would like it noted that this is Property Assignments. Mary Ann seconded the motion and the motion carried.**
3. Consider acceptance of a bid for a used 2008 or newer 14M (or equal) motor grader. **1 bid was received from Tractor & Equipment in the amount of \$304,000. Joe motioned to approve. Mary Ann seconded the motion and the motion carried. This expenditure will come out of the Road Fund.**
4. Consider approval of a Nault Plumbing and Heating estimate for replacement of the following boilers:
 - 3 boilers for the Public Safety Building: \$37,291.00
 - 1 boiler for the Shelby Library: \$12,609.00
 - 1 boiler for the Marias Museum: \$8,974.00

Joe motioned to approve the 3 boilers for the Public Safety Building and 1 boiler for the Marias Museum. Mary Ann seconded the motion and the motion carried.

The boiler for the Shelby Library was tabled. It may be possible to move the boiler from the Public Safety Building and move it to the Library.

Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
Donna Whitt - Sheriff
Dan B. Whitted - Coroner



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

COMMISSIONERS' AGENDA
Monday, August 7, 2017
10:00 A.M.

PRESENT: Mary Ann Harwood, Joe Pehan and Deb Brandon

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

Approval of July 27, 2017 Minutes: Mary Ann motioned to postpone approval until minutes are available. Joe seconded the motion and the motion carried.

1. Consider approval of Memorandum of Understanding (MOU) between Toole County and the MT Stock Growers Association for predator control services for cattle between 7/1/17 and 6/30/18. 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: 15,406 (Cattle License Fee/Head: \$1.00)

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

2. Consider approval of Memorandum of Understanding (MOU) between Toole County and the MT Wool Growers Association for predator control services for sheep between 7/1/17 and 6/30/18. 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: 1,481 (Sheep License Fee/Head: \$1.00)

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

3. Consider approval of a Nault Plumbing and Heating estimate for the removal of an existing boiler from the Public Safety building and installation of the boiler, a new diaphragm and tank in the Shelby Library for \$2,940. **Mary Ann made a motion to approve and the funds to be taken out of the facilities budget in the General Fund. Joe seconded and motioned carried.**

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

Commissioners' Office Clerk & Recorder's Office
Phone: (406) 424-8310 Phone: (406) 424-8300
tccomm@toolecountymt.gov tnelson@toolecountymt.gov

Fax: (406) 424-8301
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Deb Brandon - Commission Chair
Joe Pehan - Commissioner
Mary Ann Harwood - Commissioner
Merle Raph - County Attorney
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Vacant - Public Administrator
Treva Nelson - Clerk and Recorder
Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

COMMISSIONERS' AGENDA
Monday, August 28, 2017
10:00 A.M.

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

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

Approval of August 7, 2017 and July 27, 2017 Minutes: Mary Ann motioned to correct the minutes from the July 27, 2017 meeting. The motion on item 3 of the July 27, 2017 minutes was corrected to read: Joe motioned to approve the 3 boilers for the Public Safety Building, with the money coming out of Fund 4021. The boiler for the Marias Museum will be paid for by Fund 2969. Joe seconded the motion to accept the minutes as corrected. The motion carried.

Mary Ann motioned to approve the August 7, 2017 minutes. Joe second the motion and the motion carried.

1. Consider Task Order 18-07-1-01-170-0 To Toole Unified Government Master Contract that covers the period of July 1, 2012 to June 30, 2019 Office of Public Health System Improvement for the purpose of committing the Contractor to provide health related services required by this Task Order. **Mary Ann motioned to approve the Task Order. Joe seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA
Thursday, September 7, 2017
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.

1. Continuation of Public Hearing: 2017-2018 Budget. **Deb continued the hearing and asked for any comment. There was no comment and the Public Hearing was closed.**
2. Consider approval of Resolution 10-2017, a resolution to create Fund 2917. **Joe motioned to approve Resolution 10-2017. Deb seconded the motion and the motion carried.**
3. Consider approval of Resolution 11-2017, a resolution to create Fund 4026. **Joe motioned to approve Resolution 11-2017. Deb seconded the motion and the motion carried.**
4. Consider approval of the Compensation Board's recommended cost-of-living salary adjustments for elected officials. **Joe commented that the budget would not support a 3% raise as recommended. Joe motioned for a .35 cent salary increase for elected officials. Deb seconded the motion and the motion carried.**
5. Consider approval of cost-of-living salary adjustments for most county employees not including MMC employees who are covered separately. **Joe motioned to approve a salary increase of .25 cents for most county employees and to increase the Library Aide position to a grade 0. Deb seconded the motion and the motion carried.**
6. Consider approval of Resolution 12-2017, a resolution to authorize cost-of-living salary adjustments. **Joe motioned to approve Resolution 12-2017. Deb seconded the motion and the motion carried.**
7. Consider approval of Resolution 13-2017, a resolution to adopt FY2017-18 budget. **Joe motioned to approve Resolution 13-2017. Deb seconded the motion and the motion carried.**
8. Consider approval of FY 2017-18 Budget for Shelby Elementary School. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
9. Consider approval of FY 2017-18 Budget for Shelby High School. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
10. Consider approval of FY 2017-18 Budget for Sunburst K-12 Schools. **Joe motioned to approve. Deb seconded the motion and the motion carried.**
11. Consider approval of FY 2017-18 Budget for Galata Elementary School. **Joe motioned to approve. Deb 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 #10-2017

A RESOLUTION TO ADD FUND 2917 TO THE TOOLE COUNTY BUDGET

WHEREAS, on November 8, 2016, the Montana Crime Victims Rights Initiative CI-116 was passed by Montana voters; and

WHEREAS, the revenues generated and the expenditures require a fund to be deposited in and spent out of; and

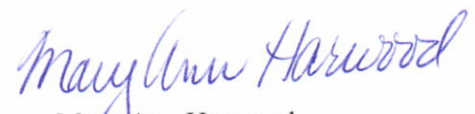
WHEREAS, Fund 2917 will be designated the Crime Victims Assistance Fund; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Toole County Commissioners, in a meeting held September 7, 2017, has approved the addition of Fund 2917, the Crime Victims Assistance Fund, to the regular Toole County Budget for FY 2017-2018.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated September 7, 2017


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

RESOLUTION #11-2017

A RESOLUTION TO ADD FUND 4026 TO THE TOOLE COUNTY BUDGET

WHEREAS, on February 23, 2016 Fund 2230, Ambulance Fund, was created through Resolution 15-2016; and

WHEREAS, a capital account is crucial to the sustainability of the ambulance service; and

WHEREAS, Fund 4026 will be designated the Ambulance Capital Improvement Fund; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Toole County Commissioners, in a meeting held September 7, 2017, has approved the addition of Fund 4026, Ambulance Capital Improvement Fund, to the regular Toole County Budget for FY 2017-2018.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated September 7, 2017

Deb Brandon
Commission Chair

Joe Pehan
Commissioner

Mary Ann Harwood
Commissioner

Attest:

Treva Nelson
Clerk & Recorder

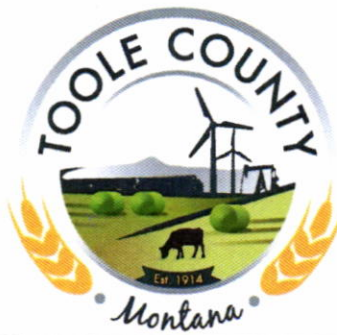
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Superintendent of Schools

RESOLUTION #12-2017

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 22 & 29, 2017 and discussed several suggested compensation schedules for the elected officials for FY2017-18; and

WHEREAS, the County Compensation Board recommended that compensation for elected officials in Toole County for FY 2017-18 be increased by a 3.00% cost-of-living adjustment and the recommendation was approved by the members of the Compensation Board; however, on September 7, 2017, the Commissioners approved a \$.35/hr. increase, which is approximately a 1.50% increase; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Toole County Commissioners, that elected officials will receive a \$.35 per hour cost-of-living adjustment retroactive to July 1, 2017, which is approximately 1.50% of the base salary of the Clerk & Recorder. This will translate to the following elected officials' salaries in FY 2017-18:

Clerk of Court: Base Salary of \$48,224.95

Clerk & Recorder: Base Salary of \$48,224.95

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

Commissioners: Base Salary of \$50,224.95

Coroner: Base Salary of \$11,091.74

County Attorney: Base Salary of \$48,224.95

Justice of the Peace/City Judge: Base Salary of \$48,224.95

Sheriff/Public Safety Director: Base Salary of \$50,224.95


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

Treasurer/Assessor/Supt. of Schools: Base Salary of \$48,224.95

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 \$.25/hr. for most other county employees who are employed on September 1, 2017 retroactive to July 1, 2017.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated September 7, 2017



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

RESOLUTION #13-2017

A RESOLUTION TO ADOPT FISCAL YEAR 2017-18 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 2017-2018 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 2017-2018, 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 \$23,604.949 AND OF SPECIALIZED MILLS IS THE FOLLOWING: ROAD-\$19,845.530, SOIL-\$16,327.134, STC CEMETERY-\$14,101.368, NTC CEMETERY-\$9,503.581, SUNBURST MOSQUITO-\$513.245, SHELBY MOSQUITO-\$3,133.703, PORT AUTHORITY-\$23,604.949; AND


NOW, THEREFORE BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS THE "LEVIES AS DETAILED AND ADOPTED" FOR FISCAL YEAR 2017-2018, BASED ON THE VALUE OF THE MILL OF \$23,604.949 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 September 7, 2017


Deb Brandon
Commission Chair


Joe Pehan
Commissioner


Mary Ann Harwood
Commissioner

Attest:


Treva Nelson, Clerk & Recorder

COMMISSIONERS' AGENDA
Thursday, September 28, 2017
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 7, 2017 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of Contract Number 109581 between Toole County, on behalf of the DUI Task Force, and the MT Department of Transportation for grant funding in the amount of \$4,000. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of Contract Number 15-V88-92153 between Toole County and the State of MT Board of Crime Control for grant funding in the amount of \$175,163.00. Federal funds in the amount of \$140,129.00 and an in-kind local match of \$35,034.00 will be used to fund the City of Shelby/Toole County Victim Advocate Program through 6/30/2019. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
3. Consider the appointment of Peggy Taylor to the Toole County Health Foundation with a term to end on 10/31/2019. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider the re-appointment of Luke Casey to the Toole County Health Foundation with a term to end 10/31/2021. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

COMMISSIONERS' AGENDA
Monday, October 16, 2017
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 September 28, 2017 Minutes: Joe motioned to approve. Deb seconded the motion and the motion carried.

- 1. Public Hearing: Petition by Gerald M. Smith to abandon the right-of-way for the “Old U.S. Highway 2”. Deb opened the public hearing and asked for comments. Being no comments the hearing was closed.**
- 2. Consider approval of a contract between Toole County DUI Task Force and Brandon Bair, Life of an Athlete, Human Performance Project. Joe motioned to approve. Deb seconded the motion and stated the funding is coming from MDT in the amount of \$4,000. The motion carried.**
- 3. Consider board re-appointments of the following persons:**
 - Linnet Doane (Fair Board) with a term to end 12/31/2017
 - Robert Delacey (Airport Board) with a term to end 6/30/2022
 - Heidi Alford (Marias Heritage Center Condo. Board) with a term to end 12/31/2020

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

- 4. Consider the appointment of Jordan Rider to the City/County Airport Board with a term to end 6/30/2019. Joe motioned to approve the appointment. Deb seconded the motion and the motion carried.**

COMMISSIONERS' AGENDA
Monday, October 23, 2017
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 October 16, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of Resolution 14-2017, a resolution to abandon the right-of-way for the “old U.S. Highway 2”, commencing at the west boundary of the northeast corner of Section 11, Township 31 North, Range 2 East in Toole County following FAP62A through to the SW¼SW¼ of Section 2, Township 31 North, Range 3 East. **A public hearing was held on October 16, 2017. No one appeared in opposition. A notice for the public hearing was published in the Shelby Promoter October 4th and 11th. Joe motioned to approve Resolution 14-2017. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of Change Order #1, an increase of \$900.00 for revision of electrical connections, for the City/County Airport water project. **Joe motioned to approve Change Order #1. Mary Ann seconded the motion and the motion carried.**
3. Consider approval of a FY2018 agreement between Montana State University Extension and Toole County. **A correction was made on the agreement to 1 part-time Administrative Assistant until 12/31/17. No Administrative Assistant starting January 2018. Mary Ann motioned to approve the agreement with the corrections. 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*

RESOLUTION #14-2017

A RESOLUTION TO ABANDON ‘OLD HIGHWAY 2’ RIGHT-OF-WAY

WHEREAS, Gerald M. Smith has petitioned the Toole County Board of Commissioners to abandon the right-of-way for the “old U.S. Highway 2” crossing his land; and

WHEREAS, the State Highway Commission of Montana, on August 30, 1961 formally took action and abandoned, “...that portion of old Project FAP 61-A between Survey Stations 1034+95 and 1310+20, a distance of 5.172 miles. The right-of-way affected lies in portions of Sections 11, 12, and 1, Township 31 North, Range 2 East and in portions of Sections 6, 5, 4, and 3, Township 31 North, Range 3 East”; and

WHEREAS, State Highway Commission of Montana, Administrative Memorandum No. 69, dated September 15, 1961, included the procedure for the State of Montana to abandon its right-of-way which included a letter of notice of abandonment to the Toole County Board of County Commissioners; and

WHEREAS, a letter from the State Highway Commission, dated September 15, 1961, to the Toole County Board of Commissioners, notified Toole County that it was abandoning the State of Montana right-of-way crossing land now owned by Gerald M. Smith; and

WHEREAS, the records held by the Toole County Clerk and Recorder, indicate that a portion of the real property estate held by the State of Montana was right-of-way, see Book of Deeds 33, p.23, while the records indicate that another portion held by the State of Montana may be held in fee, see Book of Deeds 33, p.164 and therefore the nature of any interest, right-of-way, easement or fee held by Toole County is unknown; and

WHEREAS, notice was given pursuant to Montana Code Annotated §7-1-2121(2015) by publishing it in the Shelby Promoter on October 4, 2017 and October 11, 2017; and

WHEREAS, a public hearing was held the 16th day of October, 2017 at 10:00 o'clock a.m. at the Toole County Courthouse, Board of Commissioners Office, and no one appeared in opposition of the Petition; and

WHEREAS, any interest held by Toole County is not a road or right-of-way used to provide existing legal access to public lands or waters, or for public recreation; and

NOW, THEREFORE BE IT RESOLVED by the Toole County Board of Commissioners pursuant to Montana Code Annotated §7-14-2615(1)(a)(2015) that Toole County hereby abandons any interest it may hold regarding the abandoned old U.S. Highway 2, commencing at the west boundary of the northeast corner of Section 11, Township 31 North, Range 2 East in Toole County following FAP62A through to the SW¹/₄SW¹/₄ of Section 2, Township 31 North, Range 3 East.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated October 23, 2017



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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COMMISSIONERS' AGENDA
Thursday, October 26, 2017
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 October 23, 2017 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of the Inmate Excess Medical Insurance Agreement with coverage from 11/1/2017 through 10/31/2018. In addition to inmate excess medical insurance, optional coverage to include treatment of mental or nervous disorders, pregnancy and AIDS, ARC or HIV was recommended by Sheriff Whitt. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of an agreement with NCI Engineering Company to provide environmental engineering services for remedial cleanup activities at the Toole County Road Shop as requested by DEQ. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider the designation of NCI Engineering Company as Toole County's representative for reimbursement from the Montana Petroleum Tank Release Compensation Board for remedial cleanup activities at the Toole County Road Shop. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**

COMMISSIONERS' AGENDA
Monday, November 6, 2017
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 October 26, 2017 Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider approval of Amendment #1 to contract #17-07-04-31-147-0 between the MT Dept. of Public Health and Human Services and Toole County to extend the Women, Infants and Children Program (WIC) contract from December 31, 2017 to June 30, 2018 and amend the original compensation of \$4,455.00 to \$6,682.00. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider the appointment of the following persons to the Board of Health:
 - a. Lisa Clark with a term to end 12/31/2020;
 - b. Karen Jensen with a term to end 12/31/2020.**Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
3. Consider the re-appointment of the following persons to the Library Board:
 - a. Peggy Tobin with a term to end 12/31/2019;
 - b. Eve Jacobson with a term to end 12/31/2022.**Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

COMMISSIONERS' AGENDA
Thursday, November 16, 2017
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 November 6, 2017 Minutes: Mary Ann motioned to approve. Joe 2nd the motion and the motion carried.

1. Consider approval of a FY2018 Third Party Administrator (TPA) contract with Mobile Testing with Integrity LLC for a Controlled Substance and Alcohol Testing program for the Road Department. **Mary Ann motioned to approve. Joe 2nd the motion and the motion carried.**

2. Consider approval of a FY2018 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. **Mary Ann motioned to approve. Joe 2nd the motion and the motion carried.**

3. Consider approval of a Memorandum of Understanding (MOU) between the State of Montana, Fish Wildlife and Parks Department, and Toole County for the blading of the following road annually:

Furnell Road from its origin at the Strawberry Road in a westerly direction crossing Township 36 North, Range 3 East, Section 24 and Section 23 terminating at the west section line.

Toole County will be paid \$500.00 per year. Mary Ann motioned to approve this since Toole County will receive the \$500.00 per year. Joe 2nd 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
Monday, November 20, 2017
10:00 A.M.

PRESENT: Joe Pehan, Guy Dubois, Jim Yeagley, Treva Nelson, Deb Brandon and Mary Ann Harwood both by phone.

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

Approval of November 16, 2017 Minutes: Joe motioned to approve. Mary Ann 2nd the motion and the motion carried.

1. Consider approval of a final amended subdivision plat of Lot 2 Jergens Minor Subdivison #2011-08 located in the SE ¼ NE ¼, Section 22, and the SW¼ NW¼, Section 23, Township 32 North, Range 2 West. **Joe motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of a User Agreement with eConnectDirect, an investment service, at no cost to Toole County. This was recommended by Boyd. **Mary Ann motioned to approve. Joe seconded the motion. The motion carried.**

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

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

COMMISSIONERS' AGENDA
Thursday, December 28, 2017
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 20, 2017 Minutes: Joe motioned to approve. Mary Ann seconded the motion and the motion carried.

1. Consider approval of an oil and gas lease with Farleigh Oil Properties on land located in Township 36 North, Range 2 West, MPM; Section 07: Lots 3,4 (106.34 acres). **The lease was reviewed and sent back with revisions.**
2. Consider the adoption of an indigent burial policy for Toole County. **Tabled**
3. Consider approval of the designation of Courthouse Room #103 as an exclusive Driver's Exam Station, effective February 6, 2018. **Mary Ann motioned. Joe seconded the motion and the motion carried.**
4. Consider the board re-appointment of the following persons:
 - Vicky Warila – Mental Health Advisory with a term to end 12/31/2020
 - Chad Scarborough – Mental Health Advisory with a term to end 12/31/2020
 - Richard Hambley – Mental Health Advisory with a term to end 12/31/2020
 - Pat Simons – NETA with a term to end 12/31/2022
 - Joe Pehan – Building Code Board of Appeals with a term to end 12/31/2018
 - Allan Underdal – Building Code Board of Appeals with a term to end 12/31/2018
 - Rob Tasker – Building Code Board of Appeals with a term to end 12/31/2019
 - Bill Brandon – Building Code Board of Appeals with a term to end 12/31/2019
 - Bill Halver – Building Code Board of Appeals with a term to end 12/31/2020.**Joe motioned to approve the list of re-appointments. Mary Ann seconded the motion and the motion carried.**
5. Consider the adoption of the guidelines and requirements for "Years of Service" awards for full time employees and elected officials. **Mary Ann motioned to adopt the guidelines. Joe seconded the motion and the motion carried. The cost of the service awards will come from Facilities 1000-411200-253. This is for elected officials and full time employees excluding MMC employees and will begin with those receiving awards starting January 2017. Awards will be given out in the anniversary month. Part time employees will continue to receive certificates. Attached are the guidelines.**
6. Consider approval of Resolution 15-2017, a resolution authorizing Toole County Treasurer, Boyd Jackson, to open an account with Multi-Bank Securities, Inc. **This resolution allows the Treasurer to use eConnect. Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**



I. IDENTIFICATION OF QUALIFIED INTERMEDIARY / WITHHOLDING ENTITY

LEGAL NAME OF ORGANIZATION: County of Toole

TYPE OF ORGANIZATION: GOVERNMENT

ACCOUNT NUMBER: RMB464900

Be it resolved that each of the following has been duly elected or appointed and is now legally holding the title set opposite his/her name.

Boyd Jackson (Name of Authorized Person) Toole Co. Treasurer (Title)

(Name of Authorized Person) (Title)

(Name of Authorized Person) (Title)

II. CERTIFICATION

I, Deb Brandon, Toole County Commission Chair of (Name and Title of Officer or Partner signing this Non-Corporate Resolution)

Toole County (Name of Organization) hereby certify that said organization is duly and legally

organized and existing and that a quorum of the Commission (Name of Governing Body of Organization)

of said Organization attended a meeting duly held on the 28th day of December, 20 17

at which the following resolutions were duly adopted, and that such resolutions are in full force and effect on this date and

do not conflict with the Toole County Investment Policy (Name of Governing Rules) of said organization.

I further certify that I have the authority to execute this Non-Corporate Resolution on behalf of said Organization, and that the Toole County Commissioners (Name of Governing Body of Organization) of the Organization which took the action called for by the resolutions annexed hereto has the power to take such action.

*SIGNATURE: Boyd Jackson Deb Brandon DATE: 12/28/2017
TITLE: Toole County Treasurer Commission Chair

*The signer should be someone other than one of the authorized person(s) named above. However, if signed by an authorized person named above, the Fed Wire Letter of Authorization and/or ACH Authorization Agreement must be signed by an authorized person other than the signer of this document.

III. RESOLUTIONS

Certified Copy Of Certain Resolutions by the Governing Body of Said Organization Whereby the Establishment and Maintenance of Accounts Have Been Authorized.

RESOLVED –

FIRST: That the named Authorized Persons of this organization or County Government or _____ be and they hereby are, and each of them is, authorized and empowered, for and on behalf of this organization (herein called the “Organization”), to establish and maintain one or more accounts with Multi-Bank Securities, Inc. (herein called the “Brokers”) and Pershing LLC, its successors or assigns, and for the purpose of purchasing, investing in, or otherwise acquiring, selling, possessing, transferring, exchanging, pledging, or otherwise disposing of or realizing upon, and generally dealing in and with;

(a) THIS PARAGRAPH PERMITS CASH TRANSACTIONS IN SECURITIES

any and all forms of securities including, but not by way of limitation, shares, stocks, options, stock options, stock index options, foreign currency options and debt instrument options, bonds, debentures, notes, scrip, participation certificates, rights to subscribe, warrants, certificates of deposit, mortgages, choses in action, evidence of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise;

(b) THIS PARAGRAPH PERMITS CASH AND MARGIN TRANSACTIONS IN SECURITIES

any and all forms of securities including, but not by way of limitation, shares, stocks, options, stock options, stock index options, foreign currency options and debt instrument options, bonds, debentures, notes, scrip, participation certificates, rights to subscribe, warrants, certificates of deposit, mortgages, choses in action, evidence of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise; and margin transactions, including short sales;

The fullest authority at all times with respect to any such commitment or with respect to any transaction deemed by any of the said Authorized Persons and/or agents to be proper in connection therewith is hereby conferred, including authority (without limiting the generality of the foregoing) to give written or oral instructions to the Brokers with respect to said transactions; to bind and obligate the Organization to and for the carrying out of any contract, arrangement, or transaction, which shall be entered into by any such Authorized Persons and/or drafts drawn upon the funds of the Organization such sums as may be necessary in connection with any of the said accounts to deposit funds with the Brokers; to deliver securities and/or contracts to the Brokers; to order the transfer or delivery thereof to any other person whatsoever, and/or to order the transfer record of any securities, or contracts, or titles, to any name selected by any of the said Authorized Persons or agents; to affix the Organization’s seal to any documents or agreements, or otherwise; to endorse any securities and/or contracts in order to pass title thereto; to direct the sale or exercise of any rights with respect to any securities; to sign for the Organization all releases, powers of attorney and/or other documents in connection with any such account, and to agree to any terms or conditions to control any such account; to direct the Brokers to surrender any securities to the proper agent or party for the purpose of effecting any exchange or conversion, or for the purpose of deposit with any protective or similar committee, or otherwise; to accept delivery of any securities, to borrow money and securities, if applicable, and to secure repayment thereof with the property of the Organization; to appoint any other person or persons to do any and all things which any and all things which any of the said Authorized Persons and/or agents is hereby empowered to do, and generally to do and take all action necessary in connection with the account, or considered desirable by such Authorized Persons and/or agents with respect thereto.

SECOND: That the Brokers may deal with any and all of the persons directly or indirectly by the foregoing resolution empowered, as though they were dealing with the Organization directly.

THIRD: That the person signing this Non-corporate Resolution on behalf of the Organization be and hereby is authorized, empowered and directed to certify to the Brokers:

- (a) a true copy of these resolutions;
- (b) specimen signatures of each and every person by these resolutions empowered;
- (c) a certificate (which, if required by brokers, shall be supported by an opinion of the general counsel of the Organization, or other counsel satisfactory to the Brokers) that the Organization is duly organized and existing, that its governing rules empower it to transact the business by these resolutions defined, and that no limitation has been imposed upon such powers by the governing rules of the Organization or otherwise.

FOURTH: That the Brokers may rely upon the certified copy of the resolutions, specimen signatures, and certificate, as continuing fully effective unless and until the Brokers shall receive due written notice of change or rescission, and the dispatch or receipt of any other form of notice shall not constitute a waiver of this provision. nor shall the fact that any person hereby empowered ceases to be an Authorized Person of the Organization or becomes an Authorized Person under some title, in any way affect the powers hereby conferred, but the failure to supply any specimen signature shall not invalidate any transaction where the party authorizing the same has been actually empowered thereto by or in conformity with these resolutions.

FIFTH: That in the event of any change in the office of powers of persons hereby empowered, an Authorized Person shall certify such changes to the Brokers in writing in the manner herein above provided, which notification, when received, shall be adequate both to terminate the powers of the persons therefore authorized, and to empower the persons thereby substituted.

SIXTH: That the Authorized Persons of the Organization be, and hereby is, authorized and empowered to countersign items as aforesaid.

SEVENTH: That the foregoing resolutions and the certificates actually furnished to the Brokers by the Authorized Person of pursuant thereto, be and they hereby are made irrevocable until written notice of the revocation thereof shall have been received by the Brokers.