

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



Dan B. Whitted - Coron
Debra Munson - Clerk of Cou
Treva Nelson - Clerk and Record
Joe Rapkoch - Justice of the Pea
Boyd Jackson - Treasurer/Assessc
Superintendent of Schoc

COMMISSIONERS' AGENDA

JANUARY 2, 2020

10:00 A.M.

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

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

Approval of December 19, 2019 Meeting Minutes. Mary Ann motioned to approve. Don seconded the motion and the motion carried.

1. Consider approval of RESOLUTION 1-2020 to Elect the Chair for the Board of Toole County Commissioners from January 2020 to December 2020. **Mary Ann motioned for Joe Pehan to be the commission chair. Don seconded the motion and the motion carried. Mary Ann motioned to approve Resolution 1-2020. Don seconded the motion and the motion carried.**
2. Consider approval of RESOLUTION 2-2020 setting commissioner meeting dates for the Calendar year January 1, 2020 through December 31, 2020. **Mary Ann motioned to approve Resolution 2-2020. Don seconded the motion and the motion carried.**
3. Consider approval of RESOLUTION 3-2020 to adopt Travel/Per Diem for Toole County For calendar year January 1, 2020 through December 31, 2020. **Mary Ann motioned to approve Resolution 3-2020. Don seconded the motion and the motion carried. Mileage is set at 57.5, with meals remaining the same at \$6 breakfast, \$9 lunch and \$15 supper.**
4. Consider approval of RESOLUTION 4-2020 to appoint the Toole County Commissioners to Boards, Committees and advisory assignments from January 1, 2020 to December 31, 2020. **Mary Ann motioned to approve Resolution 4-2020. Don seconded the motion and the motion carried.**

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

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

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RESOLUTION 4-2020

A RESOLUTION TO APPOINT THE TOOLE COUNTY COMMISSIONERS TO BOARD, COMMITTEE, AND ADVISORY ASSIGNMENTS FOR JANUARY 2020 THROUGH DECEMBER 2020

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

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

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

Joe Pehan

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

Mary Ann Harwood

North Central Area Agency on Aging

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Superintendent of School

Kevin/ Sunburst Senior Center Board
Opportunities, Inc.
Toole County Transit
Northern Transit Interlocal
Marias Medical Center
Regional Juvenile Detention Board
Center for Mental Health Governing Board
Sweetgrass Development
Marias Heritage Center Condo Board
Mental Health Advisory Board
NETA (alternate for Joe)

Don Hartwell

Museum Board
Safety Committee
Fair Board
Toole County Planning Board
Toole County Health Foundation Board
NTC Cemetery Board
Toole County Board of Health
Northern Transit Interlocal (alternate for Mary Ann)
Shelby Senior Center Board


BY THE BOARD OF THE TOOLE COUNTY COMMISSIONERS, dated January 2, 2020.



Chair

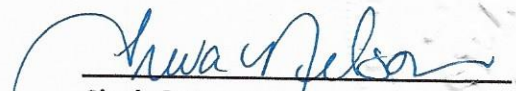


Commissioner



Commissioner

ATTEST:



Clerk & Recorder



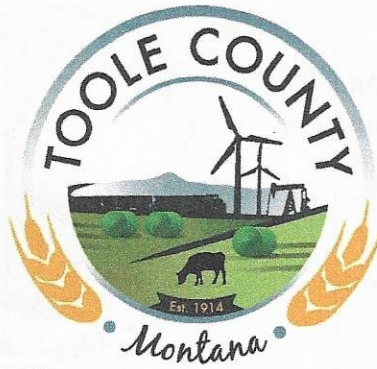
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RESOLUTION 3-2020

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

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

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

WHEREAS: Toole County follows the travel and lodging rates for the State of Montana and for out of state travel, the maximum standard federal rate per day; and

WHEREAS: Toole County Commissioners have set the meal reimbursement rate to be breakfast at \$6.00, lunch at \$9.00, and dinner at \$15.00, for a total of \$30.00 per day; and

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

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

NOW THEREFORE ALSO BE IT RESOLVED: That in state meal reimbursement will be the \$30.00 per day.

BY THE BOARD OF THE TOOLE COUNTY COMMISSIONER dated January 2, 2020.

Chair

Joe Pehan

Commissioner

Mary Ann Harwood

Commissioner

Don Hartwell

ATTEST:

Clerk & Recorder

Treva Nelson

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RESOLUTION 2-2020

A RESOLUTION SETTING COMMISSIONER MEETING DATES FOR THE CALENDAR YEAR JANUARY 1, 2020 THROUGH DECEMBER 31, 2020

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 2, 2020 was posted two working days prior to the meeting, notifying the public of Resolution 2-2020, an agenda item setting meetings of the Board of Toole County Commissioners for the year 2020; 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 2020 through December 2020; 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.

BY THE BOARD OF THE TOLLE COUNTY COMMISSIONERS, dated January 2, 2020.

Chair

Joe Pehan

Commissioner

Mary Ann Harwood

Commissioner

Don Hartwell

ATTEST:

Clerk & Recorder

Trevia Nelson

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RESOLUTION 1-2020

A RESOLUTION TO ELECT THE CHAIR FOR THE BOARD OF TOOLE COUNTY COMMISSIONERS FROM JANUARY 2020 THROUGH DECEMBER 2020

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

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

NOW THEREFORE BE IT RESOLVED: That the Chair of the Board of Toole County Commissioners is Joe Pehan, commencing on January 1, 2020 through December 31, 2020. Commissioner Mary Ann Harwood is designated as Vice-Chair, and she will preside over the meetings in case of the Chair's absence or inability to act.

BY THE BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 2, 2020.

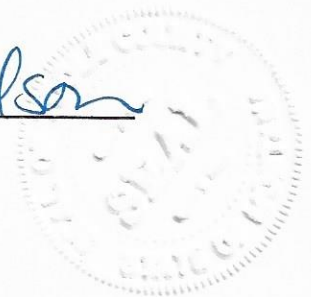
Joe Pehan
Chair

Mary Ann Harwood
Commissioner

Don Hartwell
Commissioner

ATTEST:

Treva Nelson
Clerk & Recorder



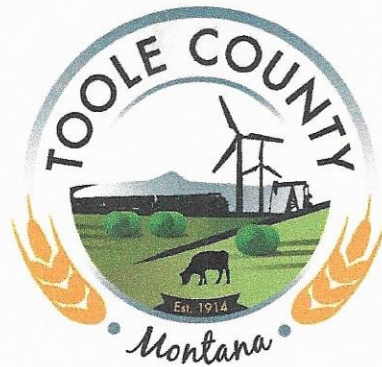
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Superintendent of Schools

**COMMISSIONERS' AGENDA
JANUARY 13, 2020
10:00 A.M.**

PLEDGE OF ALLEGIANCE

PRESENT: Joe Pehan, Mary Ann Harwood, Don Hartwell

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

Approval of January 2, 2020 Meeting minutes and resolutions. Mary Ann made motioned to approve, seconded by Don. Motion carried.

- 1. Consider approval of the reappointment of Joe Fretheim to the Neta Board for a term expiring 12/31/2024. Mary Ann motioned to approve with Don seconding and motion passed.**
- 2. Consider approval of the reappointment of Jay Lanius to the Neta Board for a term expiring 12/31/2024. Mary Ann motioned to approve with Don seconding and motion passed.**
- 3. Consider approval of the MOU agreement between Liberty County and Toole County on the Victim Advocate Program. Mary Ann made a motion to approve, seconded by Don and motion passed.**
- 4. Consider approval of RESOLUTION NO. 5-2020, A RESOLUTION FOR THE ADOPTION AND ENFORCEMENT OF THE State Building Code establishing procedures for practice and enforcement and providing for a Board of Appeals. Mary Ann made a motion to approve. Don seconded and motion passed.**

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COMMISSIONERS' AGENDA
JANUARY 16, 2020
10:00 A.M.

PRESENT: Mary Ann Harwood, Don Hartwell, Shane Clark and Tressa Keller from MMC. Treva Nelson Clerk & Recorder.

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

Approval of January 13, 2020 Meeting Minutes. **Don motioned to approve. Mary Ann seconded the motion and the motion carried.**

1. Consider approval of the RFP for the sale of the MMC, Heritage Center, Brittain House, and Nursing home. **Don motioned to approve. Mary Ann seconded the motion and the motion carried.**
2. Consider approval of Annette Freeland to the Senior Center Board for a term expiring 12/31/2022. **Don motioned to approve. Mary Ann seconded the motion and the motion carried.**

The RFP will be available on the Toole County website, Marias Medical Center website and the Clerk & Recorders office.

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Joe Rapkoch - Justice of the P
Boyd Jackson - Treasurer/Asse
Superintendent of Sch

COMMISSIONERS' AGENDA
JANUARY 27, 2020
10:00 A.M.

PRESENT: Joe Pehan, Don Hartwell and Mary Ann Harwood (by phone).

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

Pledge of allegiance.

Approval of January 16, 2020 Meeting Minutes: Mary Ann made the motion to approve. Don seconded it and it passed.

1. Consider approval of the appointment of Sue Kimmet to the Kevin/Sunburst Senior Center Board for term expiring 12-31-2022. **Mary Ann made the motion to approve with Don seconding it and motion passed.**
2. Consider approval of the appointment of Bonnie Harrison to the Kevin/Sunburst Senior Center Board for term expiring 12-31-2022. **Mary Ann made the motion to approve. Don seconded it and motion carried.**
3. Consider approval of the appointment of Tina Roark to the Kevin/Sunburst Senior Center Board for term expiring 12-31-2022. **Mary Ann made the motion to approve with Don seconding it and motion passed.**
4. Consider approval of the appointment of Sophie Gottfried to the Kevin/Sunburst Senior Center Board for term expiring 12-31-2022. **Mary Ann made the motion to approve. Don seconded it and motion carried.**
5. Consider approval of the Kevin/Sunburst Senior Center By-Laws as approved by the Board after the 2nd reading on 1-21-2020. **Mary Ann made the motion to approve. Don seconded it and motion carried.**

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COMMISSIONERS' AGENDA

February 20, 2020

10: 00 A.M

PRESENT: Joe Pehan, Don Hartwell and Treva Nelson

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

Approval of January 27, 2020 Meeting Minutes. Don motioned to approve and Joe seconded the motion. The motion carried.

1. Consider approval of Hyer McKechnie for re-appointment to the South Toole County Cemetery District Board for term expiring 12/31/2023. **Don motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider approval of Roger Smedsrud for re-appointment to the South Toole County Cemetery District Board for term expiring 12/31/2023. **Don motioned to approve. Joe seconded the motion and the motion carried.**
3. Consider the approval of the Toole County Ambulance Policy and Procedures and an updated Job description. **Don motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider approval of Blaine Suta for the re-appointment to the Marias Fair Board for a Term expiring 12/31/2022. **Don motioned to approve. Joe seconded the motion and the motion carried.**
5. Consider approval of Lynda Fretheim for re-appointment to the Marias fair Board for a term expiring 12/31/2022. **Don motioned to approve. Joe seconded the motion and the motion carried.**
6. Consider approval of the Contract and Service Agreement with ONSOLVE code red for the DES, an alert service for Toole County. **Don motioned to approve. Joe seconded the motion and the motion carried. Fund 1000-420600 DES will pay the yearly fee of \$1,800.**
7. Consider approval of Angela Lamb to the Board of Health for a term expiring 12/31/22 Taking the term of Karen Jensen. **Don motioned to approve. Joe seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA

February 27, 2020

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 February 20, 2020 Meeting Minutes. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

1. Consider approval of Chuck Kelleher to the Airport Board for a term expiring 12/31/2023. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider approval of MACO Health Care Trust Rates July 1, 2020 to June 30, 2021. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
3. Consider approval of Janet Hawks to the Marias Fair Board for a term expiring 12/31/2022. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
4. Consider approval of Sherry Cullen to the Shelby Senior Center board for a term expiring 12/31/2022. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA

MARCH 16, 2020

10:00 A.M.

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

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

Approval of February 27, 2020 Meeting Minutes. Mary Ann motioned to approve. Don seconded the motion and the motion carried.

1. Consider approval of Kimberly Bloch and Ron Gillund to Sunburst Mosquito Board for a term ending 12/31/2021. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
2. Consider approval of Holly Hovland, Shane Berthelote, Denise Wedel to Sunburst Mosquito Board for a term ending 12/31/2023. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
3. Consider approval of State of Montana Standard Lease Contract for Justice Department office. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
4. Consider approval of Resolution 6-2020, a Resolution requesting Distribution of Bridge and Road Safety and Accountability Program Funds. There is \$80,171.87 in allocations available. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

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RESOLUTION 6-2020

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS

WHEREAS, the Bridge and Road Safety and Accountability Account requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

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

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

WHEREAS, the project(s) to be funded is to crush gravel to put on and maintain all county roads.

WHEREAS, THE LOCAL MATCH FOR THE ALLOCATED FUNDS HAS BEEN BUDGETED FROM Road Fund in Account 2110; and

NOW, THEREFORE IT BE RESOLVED THAT;

1. Toole County requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified herein; and
2. That the Toole county Board of Commissioners hereby empowers and authorized a Commissioner or other staff to execute such further documents as may be necessary to facilitate the distribution of said funds.

Adopted this 16th day of March, 2020 by the Board of Toole County Commissioners.

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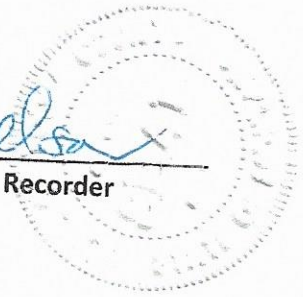
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ATTEST:
Treva Nelson
Toole County Clerk & Recorder



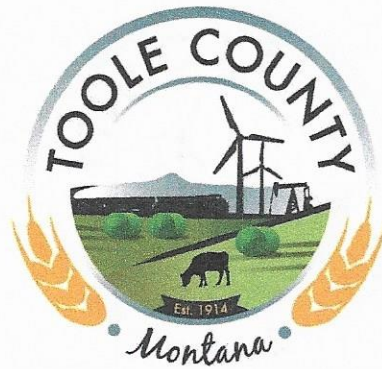
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Superintendent of Schools

COMMISSIONERS' AGENDA

MARCH 24, 2020

10: 00 A.M

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

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

Approval of March 16, 2020 Meeting Minutes. Mary Ann motioned to approve. Don seconded the motion and the motion carried.

1. Consider approval of Resolution 7-2020, a Resolution to Declare a Health Disaster Emergency In Response to COVID-19. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

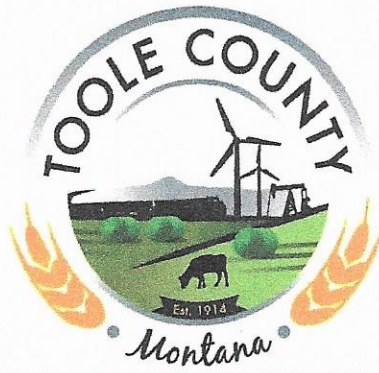
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Joe Rapkoch - Justice of the Peace
Boyd Jackson - Treasurer/Assessor/
Superintendent of Schools

RESOLUTION 7-2020

A RESOLUTION DECLARING A TOOLE COUNTY PUBLIC HEALTH EMERGENCY

WHEREAS, the World Health Organization has declared a pandemic from COVID-19; and

WHEREAS, an epidemic of the Coronavirus Disease (COVID-19) has occurred across the United States, including the State of Montana; and

WHEREAS, Governor Bullock declared an emergency within the State of Montana for COVID-19 by Executive Order on March 12, 2020; and

WHEREAS, the Toole County Commission has the authority to issue an emergency proclamation pursuant to Section 10-3-402, MCA; and

WHEREAS, the Toole County Commission has the authority to transfer funds for emergency relief pursuant to Section 7-31-2101 MCA; and

WHEREAS, the Toole County Commission has the authority to levy emergency tax pursuant to Section 10-3-405 MCA; and

WHEREAS, the preparation for an epidemic of COVID-19 by local health services began incurring costs in March 2020 that have continued to accumulate; and

WHEREAS, the need for medical services essential to ensure the health, safety and welfare of residents of the County will be provided by local medical facilities and the Toole County Public Health Department; and

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

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WHEREAS, the County will commit all available resources, and will take all possible action to combat and to alleviate the situation, local resources will not be adequate to cope with the situation.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners that a Declaration of a Public Health Emergency is hereby declared pursuant to Section 10-3-402, MCA, because expenditures for response to this pandemic may be beyond the financial capability of the County.

BE IT FURTHER RESOLVED, that an emergency exists in Toole County as described in Sections 10-3-103 and 10-3-402.

BE IT FURTHER RESOLVED, that the Toole County Commission has all rights and authority granted to it by the laws of the State of Montana and Section 10-3-406, MCA.

BE IT FURTHER RESOLVED, that there may be appropriated immediately an amount equivalent to two (2) mills on the taxable valuation of the County outside the incorporated municipalities, pursuant to Section 10-3-405 MCA.

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

BE IT FURTHER RESOLVED, that the Toole County Commission shall provide public notice of this Emergency Proclamation pursuant to Section 10-3-404 MCA.

PASSED AND ADOPTED by the TOOLE County Board of County Commissioners this 24th day of MARCH, 2020.

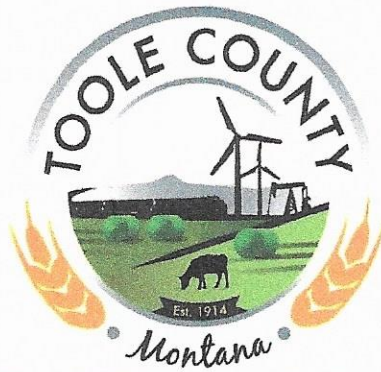
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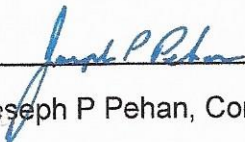
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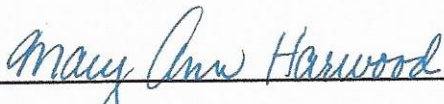
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Joseph P Pehan, Commission Chair

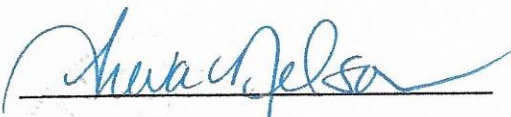


Mary Ann Harwood, Commissioner



Don Hartwell, Commissioner

ATTEST:



Treva Nelson, Clerk of the Board

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COMMISSIONERS' AGENDA

MARCH 30, 2020

10: 00 A.M

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, any Public would need to call in.

Approval of March 24, 2020 Meeting Minutes. Mary Ann motioned to approve. Don seconded the motion, and all were in favor.

1. Consider approval for holding the June 2020 Primary Election via mail ballot as requested from the Clerk & Recorder/Election Administrator. **Mary Ann motioned that per the Governor's Directive, dated March 25, 2020 and the risk to public health and human safety due to COVID-19, she would vote for a one-time Federal Primary Mail Ballot Election. Don seconded, and all were in favor.**

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COMMISSIONERS' AGENDA
April 2, 2020
10: 00 A.M

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, any Public would need to call in.

Approval of March 30, 2020 Meeting Minutes. Mary Ann motioned to approve. Don seconded the motion, the motion passed.

1. Consider approval of the Stahly Engineering Contract for a five-year period, after bidding it out and they were the only one to apply. **Mary Ann motioned to approve. Don seconded the motion, the motion passed.**
2. Consider approval of the Department of Health Nurse Blair Tomscheck for a 90-day temporary contract, to take the place of the recently resigned Toole County Health Nurse. **Mary Ann motioned to approve but stated this is not a contract. It is just a temporary position. Don seconded the motion, the motion passed.**
3. Consider approval of Randy Fauque to the Planning Board for the term expiring 12/31/22. **Mary Ann motioned to approve. Don seconded the motion, the motion passed.**
4. Consider approval of the Toole County Policy Enacted per FFCRA due to Covid-19. **Mary Ann motioned to approve. Don seconded the motion, the motion passed.**
5. Consider approval of Tim Buckley to the North Toole County Cemetery Board for a term expiring 12/31/2023. **Mary Ann motioned to approve. Don seconded the motion, the motion passed.**
6. Consider approval of John Simmes to the North Toole County Cemetery Board for a term expiring 12/31/2024. **Mary Ann motioned to approve. Don seconded the motion, the motion passed.**
7. Consider approval of Ken Berthelote to the North Toole County Cemetery Board for a term expiring 12/31/2025. **Mary Ann motioned to approve. Don seconded the motion, the motion passed.**

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COMMISSIONERS' AGENDA

April 9, 2020

10:00 A.M.

Present: Joe Pehan, Mary Ann Harwood, Don Hartwell
Pledge of Allegiance

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

Due to COVID-19, any Public would need to call in.

Approval of April 2, 2020 Meeting Minutes: Mary Ann made the motion to approve and Don seconded the motion, with it passing.

1. Consider approval of the FFCRA through Marias Medical Center, which has been approved by MACo, for the hospital employees only. **Mary Ann made the motion to pass to pass. Don seconded the motion and it was passed.**
2. Consider approval of the Health Department County Unified Government Master Contract from July 2019 through June 2026. **Mary Ann made a motion to pass, seconded by Don. Motion carried.**

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COMMISSIONERS' AGENDA

April 16, 2020

10: 00 A.M

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, any Public would need to call in.

Approval of April 9, 2020 Meeting Minutes. Mary Ann motioned to approve. Don seconded the motion and the motion carried.

1. Consider approval of the Election Judges for the June 2, 2020 Primary Election. Certified judges Are as follows: Marigail Sveum, Jacki Habets, Sammie Hurtig, Eve Jacobson, Jayleen Nelson. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

2. Consider approval of the Election Audit Committee for 2020. Committee members are: Joe Rapkoch, Boyd Jackson, David Irvin. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

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Boyd Jackson - Treasurer/Assessor
Superintendent of School

COMMISSIONERS' AGENDA

May 11, 2020

10:00 AM

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, any Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of April 29, 2020 Minutes. Mary Ann motioned to approve. Don seconded the motion and the motion carried.

- 1. Consider approval for the Commissioners to meet with Benefis and Kalispell Regional Medical Center throughout the month of May to discuss, ask questions, visit their facilities and anything else pertinent to exploring and finding the right facility to buy Marias Medical Center, Marias Heritage Center, and The Brittian House. Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA

MAY 18, 2020

10:00 A.M

PRESENT: **Joe Pehan, Mary Ann Harwood, Don Hartwell**
Pledge of Allegiance

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, any Public would need to call in.

Approval of May 11, 2020 Meeting Minutes. Mary Ann made a motion to approve the minutes. Don Seconded the motion. Motion carried.

1. Consider approval of an INTERLOCAL AGREEMENT between Montana Highway Patrol And Toole County on a statewide radio infrastructure for law enforcement. In 2019 Legislature passed SB 352, which appropriated \$3.73 million per year for ten years to Support this upgrading and maintaining the system at no cost to the county, other then Supply the building to put equipment in, which we already have on Mt. Royal. **Mary Ann made the motion to approve, seconded by Don. Motion passed.**
2. Consider approval of Commissioner Joe Pehan and RPA Engineering to handle the Paperwork for the MT_SBX CARES ACT APPLICATION, in the amount of \$30,000.00 to be used for payroll, general maintenance on buildings, pavement, lights. We have 4 years to expend the funds. **Mary Ann made the motion to approve, seconded by Don. Motion passed.**

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COMMISSIONERS' AGENDA

MAY 28, 2020

10: 00 A.M

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

Pledge of Allegiance

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, any Public would need to call in.

Approval of May 21, 2020 Meeting Minutes. Mary Ann motioned to approve. Don seconded the motion and the motion carried.

1. Consider approval of Matt Enneberg to the Toole County Road Board for a term Expiring 12/31/2023, taking the place of Burt Baldwin. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
2. Consider approval of Resolution 9-2020 to adopt the following: 2018 International Building, 2018 International Residential, 2018 International Exiting Building Code, and 2018 International Swimming Pool and Spa Code, to Replace Resolution 5-2020. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
3. Consider picking a partner from the two RFP's to begin negotiations with for the purchase of Toole County property, MMC, MHC, and Brittain House. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA

June 11, 2020

10:00 AM

PRESENT: Joe Pehan by proxy, Mary Ann Harwood, Don Hartwell, Treva Nelson, Clerk & Recorder.
Public attendance signatures are attached to the minutes.

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, any Public would need to call in.

PLEDGE OF ALLEGIANCE

Mary Ann asked if there was any public comment on the agenda item.

Dr. Stewart said that he would like Kalispell because they have already been involved with the hospital and helped the hospital. He also said that with Benefis he worries that patients would just be shipped down the road.

Saza Lee said as a citizen he feels Kalispell has shown they care because of all the help we have already received from them before, during and after the COVID-19 episode.

Dr. Hooker said he feels actions speak louder than words. Kalispell has sent help during our time of need and has been willing to help manage things for a while. He also thought Benefis has shut down other facilities they have bought or at least limited the business they do by sending the patients down the road to Benefis in Great Falls. Dr. Hooker also mentioned that Med Staff agrees with accepting Kalispell.

Approval of May 28, 2020 Minutes. Don Hartwell motioned to approve. Mary Ann Harwood seconded the motion and the motion carried.

1. Consider the selection of one of the two RFPs between Benefis and Kalispell Regional Medical Center. **Don Hartwell motioned to accept Kalispell Regional Medical Center's proposal. Mary Ann Harwood seconded the motion and the motion passed. Mary Ann opened a signed proxy from Joe Pehan and his vote was also for Kalispell Reginal Medical Center.**

Mary Ann said her reason in choosing Kalispell would be the help they have given Marias Medical Center for years and feels that we work well with them.

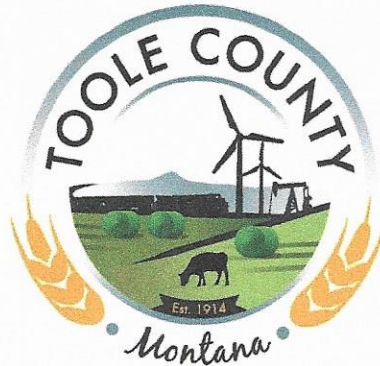
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COMMISSIONERS' AGENDA
June 15, 2020
10:00 AM

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, any Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of June 11, 2020 Minutes. Don motioned to approve. Mary Ann seconded the motion, and all were in favor.

- 1. Consider RESOLUTION #10-2020, a resolution on the selection of RFP regarding the hospital. Don motioned to approve. Mary Ann seconded the motion. The motion carried. Mary Ann mentioned that Crowley Fleck Attorneys will negotiate and prepare the execution documents for the Commissioners.**
- 2. Consider approval of the DUI Task Force Program Plan for FY21. Don motioned to approve. Mary Ann seconded the motion and the motion carried.**
- 3. Consider approval of Big Rose Colony opening a school through OPI. Don motioned to approve. Mary Ann seconded the motion and the motion carried.**
- 4. Consider whether to hold the Marias Fair this year. The commissioners tabled the agenda item.**

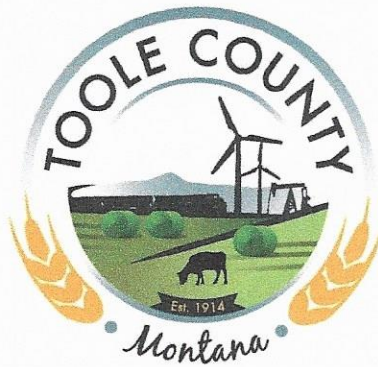
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Superintendent of School

**COMMISSIONERS' AGENDA
JUNE 18, 2020
10 A.M.**

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of June 15, 2020 Meeting Minutes: Don motioned to approve the minutes. Mary Ann seconded the motion and the motion carried.

1. Consider a bid on a road grader as recommended by the Road Board at their meeting on June 17, 2020. **Don motioned to approve the recommendation from the Road Board to accept the bid from CAT. The grader will cost \$361,000 and the buy back is \$110,000. Mary Ann seconded the motion and the motion carried.**
2. Consider approving Crowley Fleck Attorneys to negotiate and execute documents in the sale of the hospital to KRMC. This was noted in the minutes on June 15, 2020. **Don motioned to approve. Mary Ann seconded the motion and the motion carried.**
3. Consider the contract of William Kiefer that came from the recommendation of the Marias Medical Center Board in their meeting on June 15, 2020. **Don motioned to approve the recommendation of the Marias Medical Center Board to terminate the contract. Mary Ann seconded the motion and the motion carried.**

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COMMISSIONERS' AGENDA
JUNE 29, 2020
10:00 A.M.

PRESENT: Joe Pehan, Don Hartwell and Treva Nelson, Clerk & Recorder

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of June 18, 2020 Meeting Minutes: Don motioned to approve. Joe seconded and the motion carried.

Joe opened the public hearing. No public was present. Joe closed the public hearing.

Public Hearing for a year end budget review .

- 1. Consider approval of the budget amendments for the Fiscal year ending 2020. Don motioned to approve. Joe seconded and the motion carried.**
- 2. Consider not to have the fair this summer due to the COVID-19 outbreak. Don motioned that per the Fair Board recommendation and since the state is still in Phase 2 of Covid-19, the Marias Fair be cancelled. Joe seconded the motion and the motion carried.**

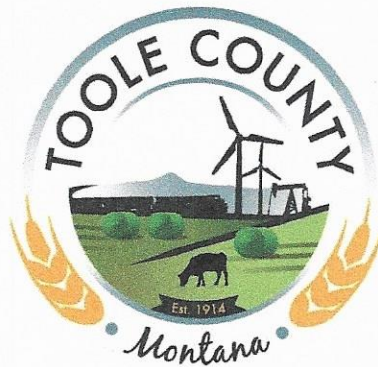
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COMMISSIONERS' AGENDA
JULY 23, 2020
10:00 A.M.

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would have the option to call in.

PLEDGE OF ALLEGIANCE

Approval of June 29, 2020 Meeting Minutes: Mary Ann motioned to approve the minutes. Don seconded the motion and the motion carried.

1. Consider approval of a reimbursement request for costs incurred from March 1 through June 30, 2020 through the CARES ACT for law enforcement, ambulance, sanitarian, and custodial services. **Mary Ann motioned to approve the minutes. Don seconded the motion and the motion carried.**
2. Consider approval breakdown of the Property & Casualty Insurance with MACo for the law enforcement, Marais Medical Center, and the rest of the County. **Per the Maco representatives break down of actual costs, payments per entity will be, Public Safety \$90,750.28, MMC \$120,750.27 and County \$211,500.55. Mary Ann motioned to approve the minutes. Don seconded the motion and the motion carried.**
3. Consider approval of giving Lloyd Omdahl, Bob Postma, and Don Hartwell permission to sell and purchase equipment on the State and Federal Public Surplus website. **Mary Ann motioned to approve the minutes. Don seconded the motion and the motion carried.**
4. Consider approval of Resolution #11-2020, a resolution amending the budgets for fiscal year 2019/2020 after holding a public hearing on June 29, 2020. **Mary Ann motioned to approve the minutes. Don seconded the motion and the motion carried.**

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RESOLUTION 11-2020
A RESOLUTION AMENDING BUDGETS

WHEREAS: short-term loans were provided to Funds with negative cash balances at year end FY19-20. This money was loaned from the General Fund to, Fund 2388- Law Enforcement Grants, for \$8,425.48. Fund 2917- Crime Victims Advocacy, for \$13,666.12. Fund 2973- M.C.H., for \$452.36. Fund 2862- Northern Transit, for \$5,228.76. These are all grant Funds who will receive the money after the 4th quarter. Fund 2958-Disaster was provided with a short-term loan from Fund 2399-Impact fees, for \$86,220.14. The negative cash in this fund is due to payments not received yet from FEMA, and

WHEREAS: a budget amendment in the amount of \$7,563.69 for Junk Vehicle Fund 2830-460452-100-230-531 was decreased and the transfer account 521000-820 was increased to transfer leftover budget and cash to Junk Capital Improvements Fund 4040. This did not change the overall budget amount, and

WHEREAS: a budget increase was made in the Weed Control Fund 2140-431100-940. The increase was to purchase equipment for \$22,986. This was an unforeseen expenditure. Cash for this expenditure was available in the Fund. A budget increase was made in the Weed Control Fund 2140-431100-221 for the added cost of Herbicides. Cash for this expenditure was available in the Fund. This did change the overall expenditure budget, and

WHEREAS: a budget increase was made in Building Code Enforcement 2394-420530-350. The budget was increased \$18,000 because of late billing. This increased the overall budget but there was cash to cover this increase, and

WHEREAS: a budget adjustment was done for Impact Fees Fund 2399-430700-950 was decreased by \$120,000 and account 521000-820 was increased by \$120,000. This is the county portion of the Disaster Fund 2958 FEMA project. The overall budget for Fund 2399 did not change, and

WHEREAS: a budget adjustment for Disaster Fund 2958, accounts 430211, 430212, 430213, 430214, 430215, 430216, 430217, 430218, 430219, 430220 was done to account for the county portion of expenditures for the FEMA grant. The revenue side of the budget was already adjusted as stated. This changed the overall budget for the fund, and

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



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


WHEREAS: a budget adjustment for Glacier County Transit Fund 2864 was necessary to increase object code 100 and decrease object codes 350 and 940. This did not change the overall budget. This change was due to grant funding, and

WHEREAS: a budget adjustment for Pondera County Transit Fund 2866 was necessary to increase object code 100 and decrease object code 940. This did not change the overall budget. This change was due to grant funding, and

THEREFORE, BE IT RESOLVED that a public hearing was held on June 29, 2020 to amend the FY19-20 budgets as stated above.

ADOPTED THIS 27TH DAY OF JUNE 2020 BY THE TOOLE COUNTY COMMISSIONERS.


Joe Pehan, Chairman


Mary Ann Harwood, Commissioner


Don Hartwell, Commissioner

ATTEST:


Treva Nelson, Clerk & Recorder

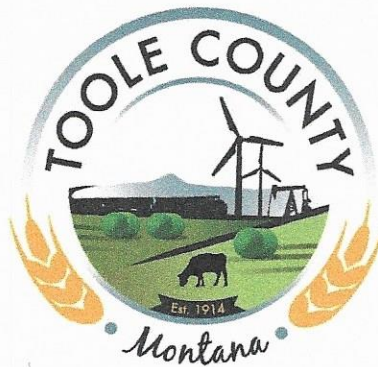
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Superintendent of School

**COMMISSIONERS' AGENDA
AUGUST 13, 2020
10:00 A.M.**

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of July 23, 2020 Meeting Minutes: Mary Ann motioned to approve. Don seconded the motion and the motion carried.

1. Consider approval for holding the November 3, 2020 General Election via mail ballot as requested from the Clerk & Recorder/Election Administrator Treva Nelson, pursuant to 13-19-203, MCA and the Governor's Directive Implementing Executive Orders 2-2020 and 3-2020. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
2. Consider entering into a paid-up Oil and Gas Lease for three years between Toole County and A.B. Energy, LLC situated in T30N, R2E: Section 2: Lot 1, 2, S2NE, SE (E2); T31N, R2E: Section 35: All; T31N, R3E: Section 5: SWNE, SENW, SW, W2SE, Section 6: Lot 1, 2, 3, 4, 5, 6 7, SENE, E2SW, SE, Section 18: S2, E2SW, SE, consisting of 2167.18 mineral acres. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
3. Consider Resolution #12-2020, a resolution to authorize cost-of-living adjustments for county Elected Officials and some county employees. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

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RESOLUTION #12-2020

A RESOLUTION TO AUTHORIZE COST-OF-LIVING SALARY ADJUSTMENTS FOR TOOLE COUNTY ELECTED OFFICIALS AND SOME COUNTY EMPLOYEES

WHEREAS: the 2001 Legislature determined that county government governing bodies create a County Compensation Board to determine if a cost-of-living salary be given to elected officials and if so, an amount approved by the majority of the Compensation Board would be recommended to the Board of County Commissioners; and,

WHEREAS: the Commissioners and the County Compensation Board met during two public hearings called by the Commissioners held on June 17th and June 30th, 2020 to discuss several compensation schedules; and,

WHEREAS: the Toole County Compensation Board recommended that compensation for elected officials in Toole County for FY 2020-2021 be a 2.5% increase to current wages, and

WHEREAS: in a regular Commissioner meeting held on August 13th, 2020, the Toole County Commissioners voted to accept the recommendation of the Toole County Compensation Board for the cost-of-living allowance at the rate of 2.5%, and

NOW, THEREFORE BE IT RESOLVED: by the Board of the Toole County Commissioners that elected officials will receive the 2.5% cost-of-living adjustment on certain base salaries retroactive to July 1, 2020, and

FURTHER BE IT RESOLVED: that the Toole County Commissioners set the cost-of-living increase adjustment at \$.40 per hour for most other county employees who are employed on September 1, 2020, retroactive to July 1, 2020.

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Superintendent of School

BOARD OF TOOLE COUNTY COMMISSIONERS dated this 13th day of August, 2020.

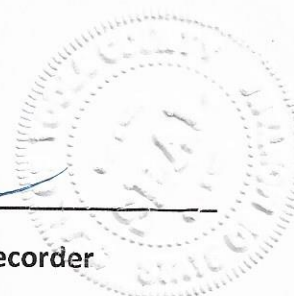
Joe Pehan, Commission Chair

Mary Ann Harwood, Commissioner

Don Hartwell, Commissioner

ATTEST:

Treva Nelson, Clerk & Recorder



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Superintendent of School

COMMISSIONERS' AGENDA
Thursday, August 27th, 2020
10:00 AM

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

Pledge of Allegiance

Comment is allowed on all agenda items in person, in writing, by phone or e-mail at the direction of the Chairman and following Board approval.

PUBLIC HEARING FOR THE PROPOSED FISCAL YEAR 2020-2021 BUDGET FOR TOOLE COUNTY. Joe opened the Public Hearing. No public was present. Joe closed the public hearing.

Approval of the August 13, 2020 Minutes. Mary Ann motioned to approve. Don seconded the motion and the motion carried.

1. Consider approval of Resolution #13-2020, a resolution to adopt the FY2020-2021 Toole County Budget after a public hearing was held prior. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
2. Consider approval of the Galata Elementary School Budget for FY 2020-2021 as presented to the County Commissioners. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
3. Consider approval of the Shelby Elementary School Budget for FY 2020-2021 as presented to the County Commissioners. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
4. Consider approval of the Shelby High School Budget for the FY 2020-2021 as presented to the County Commissioners. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

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-
5. Consider approval of the Sunburst K-12 Schools Budget for FY 2020-2021 as presented to the County Commissioners. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
 6. Consider approval of the renewal of the Master Contract between the Toole County Health Department and the Department of Public Health and Human Services that covers July 1, 2019 through June 30, 2026. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

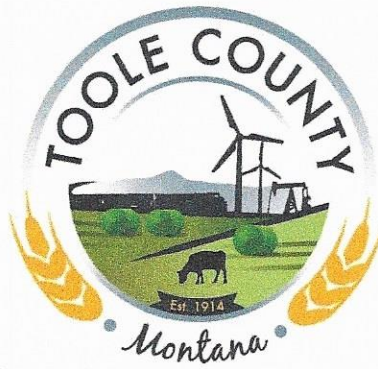
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RESOLUTION # 13-2020

A RESOLUTION FOR ADOPTING A BUDGET FOR TOOLE COUNTY FISCAL YEAR 2020-2021

WHEREAS; pursuant to Sections 7-6-4021 and 4024, MCA, the Toole County Board of Commissioners, Montana has held a public hearing and passed a resolution as applicable on the proposed budget for Toole County for fiscal year 2020-2021 as required by law, and

WHEREAS; the Montana Department of Revenue is required to certify to the County Commissioners the value of the mill in each taxing jurisdiction in the County, and

WHEREAS; Section 7-6-4036, MCA, provide for the fixing of various tax levies sufficiently enough to raise funds 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, and

WHEREAS; Resolution #13-2020 adopting the budget in a regular meeting on August 27th, 2020, after holding a public hearing prior to the meeting, and

NOW THEREFORE BE IT RESOLVED by this Board of Toole County Commissioners that the county budget be approved and adopted as the final budget for fiscal year 2020-2021, and that warrants be issued in accordance with the laws appertaining thereto, and

ALSO, NOW THEREFORE BE IT RESOLVED that the Montana Department of Revenue's certified value of a county mill is \$23,139.33 and of specialized mills are the following:

Road	\$ 19,320.722
Shelby Mosquito District	\$ 3,191.486
Sunburst Mosquito District	\$ 514.191, plus a voted mill for up to 20 mills
NTC Cemetery	\$ 10,061.691
STC Cemetery	\$ 13,077.638
Soil Conservation District	\$ 16,608.520
Port Authority	\$ 23,139.33 – a voted two mills

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Boyd Jackson - Treasurer/Assessor
Superintendent of School

DATED THIS 27TH DAY OF AUGUST, 2020

BOARD OF TOOLE COUNTY COMMISSIONERS



Joe Pehan, Board Chair



Mary Ann Harwood, Commissioner

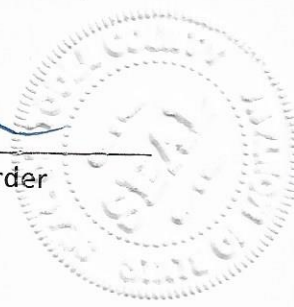


Don Hartwell, Commissioner

ATTEST:



Treva Nelson, Clerk & Recorder



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**COMMISSIONERS' AGENDA
SEPTEMBER 24, 2020
10:00 A.M.**

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

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of August 27, 2020 Meeting Minutes: Mary Ann motioned to approve. Don seconded the motion and the motion carried.

1. Consider RESOLUTION #14-2020, a resolution for prosecutorial assistance in the investigation and prosecution of Department of Corrections prison cases. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**
2. Consider RESOLUTION #15-2020, a resolution to adopt the Toole County Roads. **Mary Ann motioned to approve. Don seconded the motion and the motion carried.**

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RESOLUTION #15-2020

A RESOLUTION ESTABLISHING THE TOOLE COUNTY ROADS

WHEREAS, the Board of County Commissioners is vested with the authority and responsibility regarding roads and bridges pursuant to Montana Code Annotated §7-14-2101, et. seq., and

WHEREAS, Toole County has spent the last few years researching what is a Toole County road and what is not, and

WHEREAS, information was compiled from the records in the Clerk & Recorder's Office, the Commissioners' minutes, and the County Road Shop files since 1914, and

WHEREAS, a map was completed with all the county roads marked and presented to the Toole County Road Board for approval, and

WHEREAS, the Toole County Road Board, after a public meeting, adopted the map and recommended approval by the Board of County Commissioners, and

WHEREAS, if anyone believes that any road on the map that is not marked is a county road, this resolution does not preclude the presentation of evidence that it is a county road to the Board of County Commissioners, and

NOW THEREFORE BE IT RESOLVED, that in a public Toole County Commissioner meeting held on September 24, 2020, the Board of County Commissioners adopted the map as the Toole County Official County Road Map, and

FURTHER BE IT RESOLVED, that the Official County Road Map shall be in the Commissioners' Office, the Clerk & Recorder's Office and the County Road Shop for viewing.

Dated this 24th day of September, 2020.

BOARD OF TOOLE COUNTY COMMISSIONERS

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Superintendent of Schools

Joe Pehan, Board Chair

Mary Ann Harwood, Commissioner

Don Hartwell, Commissioner

ATTEST:

Treva Nelson, Clerk & Recorder

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BOARD OF COUNTY COMMISSIONERS
TOOLE COUNTY, MONTANA

RESOLUTION No. 14

Whereas, the Toole County Attorney has requested prosecutorial assistance in the investigation and prosecution of Department of Corrections prison cases, and

Whereas, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the prosecution of the aforementioned case, and

Whereas, Mont. Code Ann. § 44-4-111 authorizes and contemplates that the training coordinator for county attorneys and the bureau chief of Prosecution Services Bureau (together with the deputies within said bureau) act as special counsel on request of the county attorney and upon the approval of the board of county commissioners, and

Whereas, Mont. Code Ann. § 2-15-501(6) authorizes the Attorney General to provide assistance to county attorneys in the discharge of his or her duties.

It Is Hereby Resolved:

That the attorneys assigned to the Prosecution Services Bureau of the Department of Justice are hereby appointed as special deputy county attorneys for Toole County for the purpose of assisting in the prosecution of the aforementioned cases and that any of said deputies can fulfill the functions set out in Mont. Code Ann. § 44-4-103. This appointment begins the date of this resolution and expires on June 30, 2021.

It is Further Resolved:

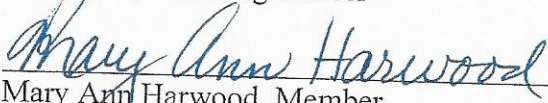
That under the terms of this agreement, no fee will be charged for attorney time provided by the Bureau based upon the fact that pursuant to the internal operational policies adopted by the Attorney General September 1, 1999, assistance in such cases is provided without an hourly fee. Witness fees and expenses, jury costs, and other normal costs associated with trial will be the County's responsibility as with all other prosecutions.

Dated this 24th day of September, 2020.

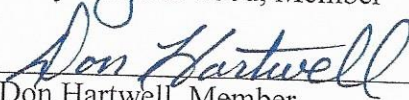
BOARD OF TOOLE COUNTY COMMISSIONERS



Joe Pehan, Presiding Officer



Mary Ann Harwood, Member



Don Hartwell, Member

ATTEST:



Treva Nelson, Clerk and Recorder

Toole County Attorney

153 Main Street
P.O. Box 730
Shelby, Montana 59474

Merle Raph, County Attorney

Telephone (406) 434-5417

Facsimile: (406) 434-5522

tooleca@3rivers.net

Autumn Running, Paralegal

August 28, 2020

Toole County Board of Commissioners
Toole County Courthouse
Shelby, MT 59474

Re: Prosecutor Service Bureau

Dear Commissioners:

The Prosecutor Services Bureau has been awarded a grant to create a position to assist county attorneys with prosecution of cases arising out of regional prisons. Patrick Moody has been hired to fill this position. I have worked with Patrick who was a Deputy Powell County Attorney assigned to prosecute cases arising from conduct at the Montana State Prison. He has developed a particular expertise in this area of criminal law.

Toole County currently has ten felony prison cases filed and ten more are in the investigative phase or need to be filed. We recently resolved five other prison cases. Patrick will assist in some cases and be the lead attorney on others. He will also assist in intake and evaluation of cases. This office will provide all non-attorney services such as word processing, filing and discovery compliance.

In the resolution I have provided for your review you may note that it expires on June 30, 2021. That coincides with the grant. Hopefully, the successful candidate for Attorney General will understand the value of this position and continue with the grant.

Please contact me if you have any questions or comments.

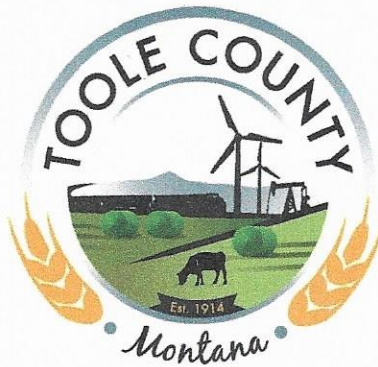
Sincerely,



Merle Raph
Toole County Attorney

MR:ar

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



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**COMMISSIONERS' AGENDA
OCTOBER 19, 2020
10:00 A.M.**

PRESENT: Mary Ann Harwood, Don Hartwell

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of October 8, 2020 Meeting Minutes:

1. Consider a Resolution to assist the Conrad police officers with our off-duty deputies while their city police officers are quarantined due to COVID-19. **TABLED**
2. Consider an equipment lease agreement with the City of Conrad to utilize Toole County's vehicles as part of the considered Resolution. **Don made a motion to approve. Mary Ann seconded and motion passed.**

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**COMMISSIONERS' AGENDA
OCTOBER 29, 2020
10:00 A.M.**

PRESENT: Joe Pehan, Mary Ann Harwood, Don Hartwell

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of October 19, 2020 Meeting Minutes:

1. Consider a Petition to Vacate Plat of the Townsite of Ethridge, Toole County, MT per the requirements of Montana Code Annotated 7-5-2501 (2019) after review with the County Attorney. **Mary Ann made a motion to approve, seconded by Don. Motion carried.**
2. Consider the Conservation Easement on 320 acres east of Conrad in Toole County that lies in the vicinity of the Bliss Property easement that MLR completed in 2018. **Mary Ann made a motion to approve, seconded by Don. Motion carried.**
3. Consider Bonnie Nickol and Billiette Coolidge to serve on the Marias Medical Center Foundation Board. **Mary Ann made a motion to approve, seconded by Don. Motion carried.**
4. Consider renewal of Linda Lee to the MMC Health Foundation Board. **Mary Ann made a motion to approve, seconded by Don. Motion carried.**
5. Consider a Standard Audit Contract Amendment between Denning, Downey and Associates CPA's and Toole County for the period July 1, 2019 to June 30, 2020. **Mary Ann made a motion to approve, seconded by Don. Motion carried.**

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**COMMISSIONERS' AGENDA
NOVEMBER 16, 2020
10:00 am**

PRESENT: Joe Pehan, Mary Ann Harwood and Trevia Nelson, Clerk & Recorder

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of October 29, 2020 Meeting Minutes: Mary Ann motioned to approve. Joe seconded the motion and the motion carried.

1. Consider renewal of a contract with Mobile Testing With Integrity for one year from January, 2021 through December, 2021. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**
2. Consider moving Blair Tomscheck from Interim Director at the Health Department to Permanent Director beginning November 24, 2020. **Mary Ann motioned to approve. Joe seconded the motion and the motion carried.**

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

Commissioners' Office
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tccomm@toolecountymt.gov

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



Dan B. Whitted - Corone
Debra Munson - Clerk of Cour
Treva Nelson - Clerk and Recorde
Joe Rapkoch - Justice of the Peac
Boyd Jackson - Treasurer/Assessor
Superintendent of School

**COMMISSIONERS' AGENDA
DECEMBER 3, 2020
10:00 am**

PRESENT: Joe Pehan, Mary Ann Harwood, and Don Hartwell

Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules. Due to COVID-19, and Public would need to call in.

PLEDGE OF ALLEGIANCE

Approval of November 16, 2020 Meeting Minutes: Mary Ann made a motion to approve, seconding by Don. Motion carried.

1. Consider renewal of a 5-Year land lease beginning January 1, 2021 through December 31, 2025 between Joseph and Helen Suta and Toole County in Township 32 North, Range 2 West, the SW/4NE/4 of Section 20 in the amount of \$100.00 per year . **Mary Ann made a motion to approve, seconding by Don. Motion carried.**

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