

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



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

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

## COMMISSIONERS' AGENDA

August 29, 2022

10:00 am

Present: Mary Ann (via phone), Terry Tomscheck

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

PLEDGE OF ALLEGIANCE

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

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

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### RESOLUTION #11-2022

#### **A Resolution for Special Fire Restrictions - Stage I**

**WHEREAS:** Toole County is experiencing a period of high fire danger, and

**WHEREAS:** the Toole County Board of Commissioners have the authority to declare a local emergency pursuant to MCA 10-3-402 and take actions consistent with such declaration, and

**WHEREAS:** the Board of Toole County Commissioners are authorized by law including MCA 7-33-2205 and 7-33-2212, to restrict burning within the County, and

**NOW, THEREFORE BE IT RESOLVED:** effective at midnight, August 19, 2022 Toole County will implement **Stage I** Fire R until further notice.

#### **STAGE I RESTRICTIONS**

The following shall be prohibited and followed until further notice:

1. Building, maintaining, attending, or using a fire or campfire except within a developed recreation site, or improved site. This includes trash burn barrels and trash pits, **NO TRASH FIRES.**
2. Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area of at least three feet in diameter that is barren or cleared of all flammable materials.

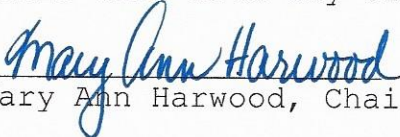


Exemptions to the above prohibitions only for the following:

- a) A federal, state, or local officer or member of an organized law enforcement rescue, or fire-fighting force in the performance of an official duty.
- b) Emergency repair of public utilities and railroads.
- c) Due to the time and weather sensitiveness, agricultural harvesting and off-road activated associated with the agricultural operations. (e.i, maintaining livestock, etc). Farmers and ranchers are encouraged to keep harvesting equipment in good working order to prevent sparks, provide spark arrestors, and must carry firefighting tools with them while harvesting and tending to other agricultural operations off-road.
- d) Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned off and on.
- e) All land within a city boundary is exempted.

None of the above exemptions shall absolve an individual or organization from liability or responsibility for any fire ignited by the exempted activity.

DATED this 19th day of August, 2022

  
Mary Ann Harwood, Chair

  
Terry Tomscheck, Commissioner

ATTEST:

  
Treva Nelson  
Clerk & Recorder

