

COMMISSIONER'S MINUTES
10:00 AM
January 2, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of Dec. 19, 2013 Minutes: Allan motioned to approve with the correction of the spelling for Ron Andersen and Kristi Aklestad. Deb 2nd the motion as corrected. The motion passed.

1. Consider approval of Resolution 1-2014, a resolution to approve a Chair and Vice-Chair for the Toole County Commission for 2014. **Allan motioned to approve Resolution 1-2014 appointing Ben Ober Chair and Allan Underdal Vice- Chair. Deb 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of Resolution 2-2014, a resolution to approve meeting dates for regular Commission meetings in 2014. **Allan motioned to approve Resolution 2-2014 approving commission meeting dates. Deb 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of Resolution 3-2014, a resolution to approve travel and per diem rates for Toole County employees for 2014. **Deb motioned to amend Resolution 3-2014 to change the per diem rates to \$6 for breakfast, \$7 for lunch and \$13 for supper. Allan 2nd the motion. The motion did not pass. Allan motioned to amend Resolution 3-2014 to change the per diem rates to \$6 for breakfast, \$7 for lunch and \$12 for supper. Deb 2nd the motion and the motion passed.**
4. Consider approval of Resolution 4-1014, a resolution appointing the Commissioners to represent Toole County on boards and committees for 2014. **Allan motioned to approve Resolution 4-2014. Deb 2nd the motion and the motion carried.**

RESOLUTION 1-2014

A RESOLUTION TO ADOPT A CHAIRMAN OF THE BOARD FOR THE BOARD OF TOOLE COUNTY COMMISSIONERS FOR JANUARY 2014 THROUGH DECEMBER 2014.

WHEREAS; the board of county commissioners must elect one of its members chairman at the beginning of each calendar year according to 7-4-2109, Montana Code Annotated and also appoint commissioner liaisons to county boards, and

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

NOW THEREFORE BE IT RESOLVED; that the Chairman of the Board of Toole County Commissioners is Ben Ober, commencing January 2014 through December 2014. Commissioner Allan Underdal is designated as Vice-Chairman, and will preside over the meetings in case of the Chairman's absence or inability to act.

BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 2, 2014.



Chairman



Commissioner



Commissioner

ATTEST:



Clerk & Recorder

RESOLUTION 2-2014

A RESOLUTION SETTING COMMISSIONER MEETING DATES FOR THE CALENDAR YEAR JANUARY 1, 2014 THROUGH DECEMBER 31, 2014.

WHEREAS; the governing body of the county shall establish by resolution a regular meeting date and notify the public of that date, according to 7-5-2122 of the Montana Code Annotated; and

WHEREAS; the agenda for the regular Toole County Commissioners' meeting of January 2, 2014 was posted two days prior to the meeting, notifying the public of Resolution 4-2014, an agenda item setting meetings of the board of Toole County Commissioners for 2014; and

NOW THEREFORE BE IT RESOLVED; that the Toole County Commissioners will hold their regular Board Meetings on Monday and Thursday of each week at 10:00 AM. These meetings will be conducted in the office of the Toole County Commissioners in the Toole County Courthouse at 226 1st Street South, Shelby, Montana, commencing January, 2014 through December, 2014; 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 2, 2014.

Bow Ober
CHAIRMAN

Allan Underdal
COMMISSIONER

Deb Brandon
COMMISSIONER

ATTEST:

Treva Nelson
Treva Nelson
Toole County Clerk & Recorder

RESOLUTION 3-2014

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

WHEREAS, travel/per diem rates are set by the State of Montana, according to 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 always 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 \$7, and dinner at \$12 for a total daily rate of \$25; 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 \$25 per day and follow the federal standard travel/per diem rates for out of state travel/per diem.

BOARD OF TOOLE COUNTY COMMISSIONERS dated January 2, 2014.

Bow Ober
Chairman

Allan Underdal
Commissioner

Deb Brandon
Commissioner

ATTEST:

Treva Nelson
Treva Nelson
Toole County Clerk & Recorder

RESOLUTION #4-2014

A RESOLUTION TO APPOINT THE TOOLE COUNTY COMMISSIONERS TO BOARD, COMMITTEE, AND ADVISORY ASSIGNMENTS FOR JANUARY 2014 THROUGH DECEMBER 2014.

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 will be assigned to the three Toole County Commissioners as follows:

Ben Ober

Road/Weed Board
Opportunities Inc.
Museum Board
Fair Board
RC & D
Sweet Grass Development
Toole County Planning Board
STC Cemetery Board
Toole County Transit
Shelby Mosquito Board
LEPC
Northern Transit Interlocal

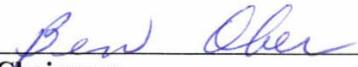
Allan Underdal

North Central Area Agency on Aging
Toole County Council on Aging
Prison Advisory Committee
MMC Board
Toole County Health Foundation Board
MHC Condo Board
NETA
Public Safety Commission
Northern Transit Interlocal
Toole County Transit
Airport Board
Shelby/Toole County Transportation Safety Committee

Deb Brandon

NTC Cemetery Board
The Center for Mental Health - Governing Board
The Center for Mental Health - Advisory Board
Toole County Board of Health
Northern Tier Interoperability Consortium
Regional Juvenile Detention Board
Toole County Safety Committee
Toole County Transit
Toole County Health Foundation Board (Independent)
Sweet Grass Development
Northern Transit Interlocal (Alternate)
Shelby Senior Center Board
Kevin/Sunburst Senior Center Board
Shelby/Toole County Transportation Safety Committee

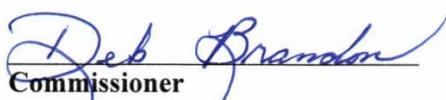
BOARD OF TOOLE COUNTY COMMISSIONERS, dated January 2, 2014



Chairman

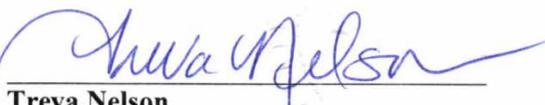


Commissioner



Commissioner

ATTEST:



Treva Nelson
Toole County Clerk & Recorder

COMMISSIONER'S AGENDA

10:00 AM

January 6, 2014

PRESENT: Allan Underdal, Ben Ober, Deb Brandon and Treva Nelson

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

Approval of January 2, 2014 Minutes: Deb motioned to approve the minutes. Allan 2nd the motion and the motion passed.

1. Consider approval of Task Order 14-07-4-31-147-0 (CFDA #93.268) between the MT Dept. of Public Health and Human Services (DPHHS) and Toole County Health Dept. for immunization services from 7/1/12 – 6/30/19. **Deb motioned to approve the Task Order. Allan 2nd the motion and all were in favor. The motion passed.**
2. Consider appointments of Roger Smedsrud and Matt Clark to the Road/Weed Board with terms ending 12/31/17. **Allan motioned to appoint Roger Smedsrud and Matt Clark to the Road/Weed Board. Deb 2nd the motion and all were in favor. The motion passed.**
3. Consider appointment of Dick Beatty to the NETA Board with a term ending 12/31/18. **Deb motioned to appoint Dick Beatty to the NETA Board. Allan 2nd the motion and all were in favor. The motion passed.**
4. Discussion and possible action on Resolution 5-2014, a resolution to close the Toole County Courthouse and other County offices, excluding essential services open 24 hours per day, for the following days: 11/28/14; 12/26/14 and 1/2/15. **Deb motioned to set January 30, 2014 as the date for a public hearing on this item. Allan 2nd the motion and the motion passed.**

COMMISSIONER'S MINUTES

10:00 AM

January 27, 2014

PRESENT: Ben Ober, Allan Underdal and Treva Nelson

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

Approval of January 6, 2014 Minutes: Allan motioned to approve the minutes and Ben 2nd the motion. All were in favor.

1. Discussion and possible action on Resolution 5-2014, a resolution to close the Toole County Courthouse and other County offices, excluding essential services open 24 hours per day, for the following days: 11/28/14; 12/26/14 and 1/2/15. **Allan motioned to change the public hearing date to February 20, 2014. Ben 2nd the motion and the motion passed. The public hearing will be advertised on February 5th & 12th.**
2. Consider approval of Resolution 6-2014, a resolution calling for an election on the question of conducting a local government review and establishing a study commission. **Allan motioned to postpone. Ben 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of a telecommunication facilities access agreement between Toole County and Northern Telephone Cooperative, Inc., on behalf of Dunkirk. **Allan motioned to approve, with Ben seconding the motion. The motion passed.**

Other Business

Allan stated that Catherine Ballard of Bricker & Eckler, LLP has been hired by Toole County and Marias Medical Center.

COMMISSIONER'S MINUTES

10:00 AM

February 20, 2014

PRESENT: **Ben Ober, Allan Underdal, Treva Nelson and Page Nagy**

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

Approval of January 27, 2014 Minutes: Allan motioned to approve the minutes. Ben 2nd the motion. The motion passed.

1. Public Hearing on Resolution 5-2014. **Ben opened the public hearing.**
2. Consider approval of Resolution 5-2014, a resolution to close the Toole County Courthouse and other County offices, excluding essential services open 24 hours per day, for the following days: 11/28/14; 12/26/14 and 1/2/15. **Allan motioned to approve Resolution 5-2014. Ben 2nd the motion and all were in favor. The motion passed.**
3. Consider re-appointment of Dick Beatty to the NETA Board with a term to end 12/31/18. **Allan motioned to re-appoint Dick Beatty. Ben 2nd the motion and all were in favor.**
4. Consider re-appointment of Craig Ostman to the Toole County Health Foundation Board with a term ending 10/31/17. **Allan motioned to re-appoint Craig Ostman. Ben 2nd the motion and all were in favor.**
5. Consider approval of Change Order #2 on the Public Safety Dispatch remodel project. **Allan motioned to approve Change Order #2. Ben 2nd the motion and all were in favor.**
6. Consider approving the coordination plan and grant application to the MT Dept. of Transportation's 5311 Transit Program for operational funding in the amount of \$89,065.86 for Northern Transit Interlocal for FY 14-15 and a capital funding request for two (2) passenger buses (19 and 35 passengers) in the amount of \$160,173. **Allan motioned to approve. Ben 2nd the motion and all were in favor.**
7. Consider approving the coordination plan and grant application to the MT Dept. of Transportation's 5311 Transit Program for operational funding in the amount of \$73,137.32 for Toole County on behalf of Glacier County Transit, Pondera County Transit and Toole County Transit for FY 14-15 and a capital funding request for a 19 passenger bus for Toole County Transit in the amount of \$64,935. **Allan motioned to approve. Ben 2nd the motion and all were in favor.**

After having no public comment, Allan motioned to close the public hearing. Ben 2nd the motion and the motion passed.

RESOLUTION 5-2014

RESOLUTION TO CLOSE THE COURTHOUSE AND OTHER COUNTY OFFICES, EXCLUDING ESSENTIAL SERVICES OPEN 24 HOURS PER DAY, FOR THE FOLLOWING DAYS THROUGH January 2, 2015.

WHEREAS: 7-4-102 MCA 2013 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 5 and 12, 2014 and a Public Hearing was held on Thursday February 20, 2014 at 10:00 AM in the Commissioners' office of the Toole County Courthouse; 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 the public to reach in case there is necessary business to conduct on the days of closure; and

WHEREAS: The phones in each essential office will have a message advising the public of the number to call to reach an employee able to conduct business in an emergency situation; and

NOW THEREFORE BE IT RESOLVED by the Board of Toole County Commissioners in a meeting held on February 20, 2014, that the Toole County Courthouse and other County Offices, excluding essential services open 24 hours per day, will be closed to the public on the following days: Friday November 28, 2014; Friday December 26, 2014; and Friday January 2, 2015.

TOOLE COUNTY BOARD OF COMMISSIONERS


Ben Ober, Chairman


Allan Underdal
Commissioner


Deb Brandon
Commissioner

Attest: 
Treva Nelson, Clerk & Recorder

COMMISSIONER'S MINUTES
10:00 AM
March 3, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon 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, 2014 Minutes: Deb motioned to approve the minutes and Allan 2nd the motion. All were in favor. The motion passed.

1. Consider approval of Resolution 6-2014, a resolution calling for an election on the question of conducting a local government review and establishing a study commission. **Allan motioned to approve Resolution 6-2014. Deb 2nd the motion and all were in favor. The motion passed.**
2. Consider appointment of Allan Underdal as the Toole County representative to the Highway Two Association. **Ben motioned to appoint Allan as representative. Deb 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of the airport layout plan, prepared by Robert Peccia and Associates. **Deb motioned to approve the airport layout plan. Allan 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of Scott Moench's request to have penalties and interest waived on a delinquent piece of property located within the Shelby city limits. **This has been postponed until a later date.** Consider approval of a lease between the City County Airport Commission and Welker Farms, Inc. The five (5) year lease is for 102.45 acres of county land at a price of \$24.00 per acre with payment to be made by October 31 of each year. **Allan motioned to approve this lease. Deb 2nd the motion and all were in favor. The motion passed**

RESOLUTION NUMBER 6-2014

A RESOLUTION OF THE TOOLE COUNTY COMMISSIONERS, CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A STUDY COMMISSION TO DO SO.

WHEREAS, Article XI, Section 9, of the Constitution of the State of Montana requires that each unit of local government shall conduct an election once every ten years to determine whether the local government will undertake a local government review procedure; and

WHEREAS, 7-3-173(2) M.C.A. requires that the governing body shall call for an election, to be held on the primary election date, on the question of conducting a local government review and establishing a study commission; and

WHEREAS, the Toole County Commission is the governing body of Toole County; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The Toole County Commissioners hereby call for an election on the question of conducting a local government review and electing a study commission to be held at the primary election on June 3, 2014.
2. If the voters decide in favor of conducting a local government review, a study commission comprised of five (5) members shall be elected at the general election of November 4, 2014.
3. Pursuant to 7-3-175, M.C.A. the question of conducting a local government review shall be submitted to the electors in substantially the following form:

Vote for one:

FOR the review of the government of Toole County and the establishment and funding, not to exceed one (1) mill, of a local government study commission consisting of five (5) members to examine the government of Toole County and submit recommendations on the government.

AGAINST the review of the government of Toole County and the establishment and funding, not to exceed one (1) mill, of a local government study commission consisting of five (5) members to examine the government of Toole County and submit recommendations on the government.

Passed and adopted by the County Commissioners of the County of Toole, Montana meeting in regular session held on the 3rd day of March, 2014.

Ben Ober
Chairman

Allen Underdal
Commissioner

Deb Brandon
Commissioner

ATTEST:

Treva Nelson
Clerk and Recorder

APPROVED AS TO FORM:

M. B. A.
County Attorney

COMMISSIONER'S MINUTES
10:00 AM
March 24, 2014

PRESENT: Allan Underdal, Ben Ober and Treva Nelson

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

Approval of March 3, 2014 Minutes: Allan motioned to approve the minutes. Ben 2nd the motion and all were in favor.

1. Consider approval of Amendment Number One for Task Order #14-07-6-11-053-0 (CFDA #93.069) between the MT Dept. of Public Health and Human Services and Toole County. An additional sum of \$2,758.00 will be provided for the participation of the Health Dept. in a Public Health Emergency Preparedness (PHEP) exercise. **Allan motioned to approve Task Order #14-07-6-11-053-0. Ben 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of the appointment of Dottie Moss to the Kevin/Sunburst Senior Center Board with a term ending 12/31/2014. **Allan motioned to approve Dottie Moss to the Kevin/Sunburst Senior Center Board. Ben 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of an amendment to Article III, Section IV of the By-Laws of the Toole County Board of Health to permit unlimited 3 year terms rather than the current limit of three terms of 3 years each. **Allan motioned to approve the amendment to the Toole County Board of Health. Ben 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of the City of Shelby's request for water line easements and right-of-ways that the Fair Board recommended approval during the September 5, 2012 meeting. The properties are as described below:
#1 Easement: A strip of land 30 feet in width for the construction and maintenance of a waterline over, across and through the property situated in Section 34, Township 32 North, Range 2 West, P.M. Montana, Toole County.
#2 Easement: A strip of land 30 feet in width for the construction and maintenance of a waterline over, across and through the property situated in the NE1/4 of Section 34, T. 32 North R. 2 West **AND** located in tracts 11A & 12A of the Corrected Subdivision Plat of Shelby Industrial Park Addition, Certificate of Survey No. 94-8, P.M. Montana, Toole County. **Allan motioned to approve both water line easements and right-of-ways. Ben 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S MINUTES
10:00 AM
March 31, 2014

PRESENT: Allan Underdal, Ben Ober, Deb Brandon and Treva Nelson

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

Approval of March 24, 2014 Minutes: Allan motioned to approve the minutes. Deb 2nd the motion and all were in favor. The motion passed.

1. Consider approval of the Toole County Health Foundation By-Laws. **Allan motioned to approve the Toole County Health Foundation By-Laws. Deb 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of the appointment of Rick Aschim to the Marias Medical Center Board with a term ending 10/31/2015. **Deb motioned to appoint Rick Aschim to the MMC Board. Allan 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of Vi Hannon's request for an extension of time to use accrued vacation. **Deb motioned for Vi to have until May 23, 2014 to use her accrued vacation. Anything not used by that date will be lost. Vi has been unable to use this time as there has not been a relief cook available. Ben 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of the renewal of MACo Health Care Trust's health plan for fiscal year 2014-2015. **Allan motioned to renew the health plan for 2014-2015. Deb 2nd the motion and all were in favor. The motion passed.**
5. Consider approval of Galata Elementary's request for classification as an Isolated School. **Deb motioned to approve the classification request. Allan 2nd the motion and all were in favor. The motion passed.**

Other Business:

The commissioners have been asked to reconsider the name of Dead Indian Road. Allan sent a letter to the residents of Dead Indian Road asking for their thoughts on changing the name. To date there have been no objections about changing the name.

COMMISSIONER'S MINUTES

10:00 AM

April 3, 2014

PRESENT: **Ben Ober, Allan Underdal, Deb Brandon, Gene Meek and Treva Nelson**

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

Approval of March 31, 2014 Minutes: Allan motioned to approve the minutes. Deb 2nd the motion and all were in favor. The motion passed.

1. Consider approval of a Participation Agreement with the G.A.R.D Trust. This agreement is for a 1-year period and will allow a Colonial Life representative to offer accidental death & dismemberment insurance to Toole County employees. **Deb motioned to approve the Participation Agreement with G.A.R.D Trust. Allan 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of the transfer of funds in the amount of \$814.65 from Justice Court to Toole County's General Fund to balance the Justice Court Fund, as directed by the auditing firm of Denning, Downey & Associates. **Allan motioned to approve the transfer of funds from Justice Court Fund to the General Fund. Deb 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of the consolidation of Toole County's Transit Facility's CTEP (Community Transportation Enhancement Program) project with the City of Shelby's Champion Park Project and the transfer of remaining CTEP money to the City of Shelby. **Allan motioned to approve the consolidation of Toole County CTEP with the City of Shelby's Champion Park Project. Deb 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of the recommendation of the Mosquito Board for a contractor for 2014. **Allan motioned to approve Bill Halver Spraying as the contractor for mosquito control. Deb 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S MINUTES

10:00 AM

April 21, 2014

PRESENT: Ben Ober, Deb Brandon and Treva Nelson

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

Approval of April 3, 2014 Minutes: Deb motioned to approve the minutes. Ben 2nd the motion and all were in favor. The motion passed.

1. Consider approval of Gateway Community Services as Toole County's Chemical Dependency Service Provider. The designation of Gateway Community Services, the only state approved Chemical Dependency Service Provider for our area, is for the period of 7/1/14 through 6/30/15. **From July 2012 to June 2013, 13 adults and 4 youths from Toole County received State-approved chemical dependency treatment services. Of these 17 people, 2 were women with dependents or pregnant. Deb motioned to approve. Ben 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of the Fair Board By-Laws as recommended by the Fair Board during their 4/2/14 meeting. **Deb motioned to approve the Fair Board By-Laws. Ben 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of the purchase of Black Mountain Software's Cloud Hosting package for a period of one year in the amount of \$3,550.00. **Deb motioned to approve the Cloud hosting with Black Mountain Software. Ben 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of the name change from Dead Indian Road to Pondera School Road. **Per the recommendation of the residents on Dead Indian Road, Deb motioned to approve the name change to Pondera School Road. Ben 2nd the motion and all were in favor. The motion passed.**
5. Consider approval of the Community Development Block Grant (CDBG) Planning Contract #MT-CDBG-13PL-12. Under the terms of this contract, a maximum of \$15,000, with a \$5,000 match from Toole County, will be expended to update Toole County's Growth Policy. **Deb motioned to approve the CDBG Planning Contract. Ben 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA
10:00 AM
April 29, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of April 21, 2014 Minutes: Deb motioned to approve the minutes from the last meeting. Ben 2nd the motion and all were in favor. The motion passed.

1. Consider approval of Sponsorship Contract for the 2014 4-County Marias Fair as recommended by the Fair Board. **Deb motioned to approve the amended contract with Barb Stratman of Photograph Etc. The commission on advertising will be paid at 25% up to \$25,000. Anything above \$25,000 will be paid at 30%. Allan 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of Beer Booth Bid for the 2014 4-County Marias Fair as recommended by the Fair Board. **This agenda item was postponed until after the Marias Fair Board meeting on May 5, 2014.**
3. Consider adoption of Mental Health Advisory Board By-Laws. **Deb motioned to adopt the Mental Health Advisory Board By-Laws. Allan 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA
10:00 AM
May 5, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of April 29, 2014 Minutes: Deb motioned to approve the minutes. Allan 2nd the motion and all were in favor. The motion passed.

1. Consider approval of contract with Marias Health Care Services, Inc. for 24-hour on-call emergency physician coverage for Marias Medical Center for the period of 7/1/14-6/30/15 as recommended by the Marias Medical Center Board on 4/30/14. **Allan stated this is a renewal of the original contract. Deb motioned to approve the contract. Allan 2nd the motion. Ben was opposed and felt this should have gone out to bid. The motion passed.**

2. Consider adoption of job descriptions, wage scale and grade levels for Toole County employees. **Deb motioned to adopt the job descriptions only at this time. Discussion was had about the wage scale and grade levels. Allan 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of Scott Moench's request to have penalties and interest waived on a delinquent piece of property located at 502 Treasure Ave in Shelby (Shelby 1st Addition, Block 19, Lots 1-3). The Shelby City Council approved Mr. Moench's request on 4/21/14. **Allan motioned to approve the request to have the penalties and interest in the amount of \$7,577.01 waived. Deb 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of an amendment to the WIC contract, providing an increase in funding in the amount of \$3,354.76 for the period of 7/1/13-9/30/14. **Deb motioned to approve the amendment. Allan 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA

10:00 AM

May 19, 2014

PRESENT: Ben Ober and Allan Underdal

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

Approval of May 5, 2014 Minutes: Allan motioned to approve and Ben 2nd the motion. The motion passed.

1. Consider approval of Resolution 7-2014, a resolution approving the adoption of the Montana Association of Counties and Montana Sheriffs and Peace Officers Association Recommended Jail Standards as recommended by the Public Safety Board on May 6, 2014. **Allan motioned to approve Resolution 7-2014 and Ben 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of Change Order No. 3 on the Public Safety Dispatch remodel project. **Allan motioned to approve Change Order No. 3. Ben 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of funding request by North Central Montana Resource Conservation & Development Area. **Allan motioned to approve funding requested by North Central Montana Resource Conservation & Development Area. Ben 2nd the motion and all were in favor. The motion passed.**

RESOLUTION NUMBER 7-2014

A RESOLUTION ADOPTING THE MONTANA ASSOCIATION OF COUNTIES AND MONTANA SHERIFFS AND PEACE OFFICERS ASSOCIATION RECOMMENDED JAIL STANDARDS.

Whereas; Toole County operates a Detention Center and is obligated to operate the Detention Center in a manner that complies with Constitutional and other legal requirements; and

WHEREAS; the County wishes to operate its Detention Center in a manner that complies with legal requirements and that protects the health and safety of persons detained, the staff of the detention center and the public; and

WHEREAS; the Detention Standards adopted by the Montana Association of Counties and the Montana Sheriffs and Peace Officers Association provide guidance that will help insure that the policies, procedures and physical condition of the Detention Center will meet Constitutional and other legal requirements and will help protect the health and safety of persons detained, detention center staff and the general public; and

WHEREAS; the Detention Standards are voluntary and not mandatory and are intended to serve as guidelines to best practices rather than establishing a required or mandated outcome.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TOOLE COUNTY COMMISSIONERS; that the Montana Association of Counties and Montana Sheriffs and Peace Officers Detention Standards are hereby adopted for the purpose of providing guidance in the development of detention center policies and procedures and any future alteration or new construction of detention center physical facilities. It is not intended that the Detention Standards establish any immediate requirements, rather the standards are adopted to help shape the development of policies and procedures and physical facility decisions regarding the Detention Center and to inform, within the limits of available resources, future budget decisions regarding services, staffing, and facilities at the Detention Center.

BE IT FURTHER RESOLVED; that the adoption of the Detention Standards does not create any right in any person not already established by the Constitution or other applicable law related to the Detention Center. The Detention Standards are adopted solely for the purpose of guiding the County in the future and ongoing operation of the detentions center subject to the limitations imposed by the facility and the availability of resources.

BOARD OF TOOLE COUNTY COMMISSIONERS, DATED May 19, 2014.



Chairman



Commissioner



Commissioner

ATTEST:



Treva Nelson
Toole County Clerk & Recorder

10:00 AM
May 22, 2014

PRESENT: Ben Ober, Allan Underdal and Treva Nelson

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

Approval of May 19, 2014 Minutes: Allan motioned to accept the minutes and Ben 2nd the motion. All were in favor.

1. Consider designating the Weed Department's 1951 Dodge Power Wagon as being surplus equipment. **Allan motioned to designate the Weed Departments 1951 Dodge Power Wagon as surplus. Ben 2nd the motion and all were in favor. The motion passed.**
2. Consider accepting the highest bid for \$12,553 for the 1951 Dodge Power Wagon by Chris Didamo from Bellevue, NE as recommended to us by the Road/Weed Board. **Allan motioned to accept the bid of \$12,553 as high bid for the 1951 Dodge Power Wagon. Ben 2nd the motion and all were in favor. The motion passed.**
3. Consider approving Al Winter to serve on the Shelby Senior Center Board with a term ending 12-31-16. **Allan motioned to approve Al Winter to serve on the Shelby Senior Center Board. Ben 2nd the motion and all were in favor. The motion passed**

COMMISSIONER'S AGENDA
10:00 AM
May 29, 2014

PRESENT: Ben Ober, Deb Brandon and Treva Nelson

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

Approval of May 22, 2014 Minutes: Deb motioned to approve. Ben 2nd the motion and all were in favor. The motion passed.

1. Consider approval of appointment of Jason Kline to the Toole County Tax Appeal Board with a term ending 12/31/15. **Deb motioned to approve Jason Kline to the Tax appeal Board. Ben 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of re-appointment of Dave Sandon to the Toole County Tax Appeal Board with a term ending 12/31/16. **Deb motioned to re-appoint Dave Sandon to the Tax Appeal Board. Ben 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of re-appointment of Larry Munson to the Toole County Tax Appeal Board with a term ending 12/31/14. **Deb motioned to re-appoint Larry Munson to the Tax Appeal Board. Ben 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of DUI Task Force plan for SFY2015. **Ben motioned to approve the DUI Task Force plan for State Fiscal Year 2015. Deb 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA
10:00 AM
June 5, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of May 29, 2014 Minutes: Deb motioned to approve. Ben 2nd the motion and all were in favor. The motion passed.

1. Consider approval of funding request by Front Range CASA/GAL. **Deb commented that \$5,000 has been requested from Front Range CASA/GAL. Deb motioned to fund \$2,500. Allan 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of water pipeline easement agreement between Toole County and Devon Water, Inc. The easement, located at Township 32 North, Range 2 West, MPM; Section 35: SE1/4NW1/4, N1/2NW1/4 South of Highway, EXCEPTING portions previously conveyed by Book 58 of Deeds, Page 322 and Book 95 of Deeds, Page 751, will be 30 feet in width, with 15 feet on each side of the centerline. **Allan motioned to approve the pipeline easement agreement. Deb 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of lease with Marias Healthcare Services, Inc. for the hospital storage and ambulance dispatch facility as recommended by the Marias Medical Board on May 28, 2014. The lease will be for a period of two (2) years (4/1/14-3/31/16) in the amount of \$2,575.00 per month. **Allan motioned to approve the lease with MHSI for storage and ambulance dispatch facility for a period of 2 years. Deb 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA
10:00 AM
June 9, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of June 5, 2014 Minutes: Deb motioned to approve. Allan 2nd the motion and all were in favor. The motion passed.

1. Consider approval of an intergovernmental transfer to the state in the amount of \$375,223.10. Marias Care Center will then receive \$504,384.15. **Allan motioned to approve the intergovernmental transfer. Deb 2nd the motion and all were in favor. The motion passed.**
2. Consider re-appointment of the DUI Task Force membership with terms to end on 12/31/16:
Chance Keller, Jacque Coolidge, Merle Raph, Travis Clark, Donna Whitt, Duane Drogitis, Carol Neal, Gary Iverson, Lorette Carter, Deb Brandon, Donald McNett, Renae Manley, Tressa Keller, Kristi Alkestad, Jessica Brusven, Sue Smith, Joe Parks, Jen Anderson and Barbara Bessette.
Allan motioned to re-appoint the above mentioned people to the DUI Task Force. Ben 2nd the motion and all were in favor. The motion passed.

COMMISSIONER'S AGENDA
10:00 AM
June 12, 2014

PRESENT: Ben Ober, Deb Brandon and Treva Nelson

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

Approval of June 9, 2014 Minutes: Deb motioned to approve. Ben 2nd the motion and all were in favor.

1. Consider approval of Contract #108844 (CFDA #20.509) between the MT Dept. of Transportation (MDT) and Toole County (Toole County Transit, Glacier County Transit and Pondera County Transit) for transit operations. The contract, with federal funding of \$73,137.32 and local match of \$49,562.68, will be in effect during State Fiscal Year (SFY) 2015 (7/1/2014 - 6/30/15). **Deb motioned to approve. Ben 2nd the motion and all were in favor.**
2. Consider approval of Memorandum Agreement between MDT and Toole County for TransADE (Transportation Assistance for the Disabled and Elderly) funding in the amount of \$2,005.49, effective during SFY 2015. **Deb motioned to approve. Ben 2nd the motion and all were in favor.**
3. Consider approval of Contract #107711 (CFDA #20.509) between MDT and Toole County (Northern Transit Interlocal) for transit operations. The contract, with federal funding of \$89,065.86 and local match of \$52,234.14, will be in effect during SFY2015. **Deb motioned to approve. Ben 2nd the motion and all were in favor.**

COMMISSIONER'S AGENDA
10:00 AM
June 16, 2014

PRESENT: Ben Ober, Allan Underdal and Deb Brandon

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

Approval of June 12, 2014 Minutes: Deb motioned to approve, Ben seconded and the motion

1. Consider approval of Task Order 14-07-1-01-111-0 between the MT Dept. of Public Health and Human Services and Toole County with funding in the amount of \$25,000. This task order will assist the Toole County Health Dept. with the building of a performance management system to be completed by July 30, 2015. **Allan motioned to approve. Deb 2nd the motion and all were in favor.**
2. Consider approval of Tri-County Cardinal Baseball's bid proposal to operate the beer booth during the 2014 4-County Marias Fair as recommended by the Fair Board during their 6/11/14 meeting. **Deb motioned to approve. Allan 2nd the motion and all were in favor.**

MARIAS MEDICAL CENTER Shelby, Montana	Special Meeting	June 17, 2014, 5:30 p.m.
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The Marias Medical Center's Board of Directors met for a special meeting, on the above date at 5:30 p.m.

Directors Present: Vice Chair Vern Anderson, Myrna Wollan, Chair Amy Madison, Allan Underdal, Dale White, Rick Aschim.

Commissioners Present: Deb Brandon and Chair Ben Ober (in addition to Allan Underdal, Board rep)

Directors Absent: Ex-officio Mark Cross and Dr. Hardy, Chief of Staff.

Administrative Management Present: Renae Manley, Executive Assistant

Legal Counsel: Jean Fauer, Great Falls attorney

Guests Present: Brenda Potter and Linda Lee.

Call to Order. Commissioner Chair Ober called the Special Meeting to order at 5:33 p.m.

1. Reading of the notice calling the meeting.
2. Public Comment. Lee commented.
3. Business to be discussed. Litigation Strategy with Attorney(s).
 - a. Executive Session. Entered into at 5:37 p.m. with Commissioners, Directors and legal counsel present. All others dismissed.
 - b. Special Meeting called back to order by Chair Ober at 8:00 p.m.

4. **Adjournment.** Chair Ober adjourned the Special Meeting at 8:02 p.m.

Respectfully submitted by,

Renae Manley

Executive Assistant

*approved
6/18/14
fm*

COMMISSIONER'S AGENDA

10:00 AM

June 19, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of June 16, 2014 Minutes: Allan motioned to approve the minutes. Deb 2nd the motion and all were in favor. The motion passed.

1. Consider approval of agreement with Stock Realty and Auction Company to sell equipment that has been deemed surplus by the Toole County Commissioners. **Deb motioned to approve the agreement to sell surplus equipment. Allan 2nd the motion and all were in favor. The motion passed. A 1963 John Deere model 5020 tractor, a John Deere 5020 for parts, a 1982 Versatile model 4400 Swather, a 1972 Versatile 400 Swather and a 1999 Ford Winstar will all be auctioned off.**
2. Consider approval of participation of the Road Department in the Montana County Rental Program. **Allan motioned to approve participation in this rental program. The county will be renting a tractor for seasonal work. The rental rate is .01/PTO HP per hour up to 250 hours. Deb 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of Task Order 15-07-6-11-053-0 (CFDA #93.069) between the MT Dept. of Public Health and Human Services (DPHHS) and Toole County for Public Health Emergency Preparedness

(PHEP) services for the period of 7/1/14 - 6/30/15. **Deb motioned to approve Task Order 15-07-6-11-053-0. Allan 2nd the motion and all were in favor. The motion passed.**

4. Consider approval of Task Order 15-07-5-01-051-0 between DPHHS and Toole County for Maternal and Child Health (MCH) services for the period of 7/1/2014 - 6/30/2015. **Allan motioned to approve Task Order 15-07-5-01-051-0. Deb 2nd the motion and all were in favor. The motion passed.**

Other business:

Deb suggested they discuss the proposal from Schutz Foss Architects. The proposals are to;

- 1. Remodel the South entrance to the Courthouse and make it handicap accessible.**
- 2. Remodel the upstairs bathroom of the Library and make it handicap accessible.**
- 3. Expansion of the Library.**

COMMISSIONER'S AGENDA

10:00 AM

June 23, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Bill Doughty, Diana Adamson, John Hasquet, Arlene Lager, Mark Cole, Barb Cole, Ron Jensen and Treva Nelson.

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

Approval of June 19, 2014 Minutes: Allan motioned to approve the minutes of the June 19, 2014 meeting. Deb 2nd the motion and all were in favor.

1. Consider ratification of the agreement between Marias Medical Center Board and Dr. Robert Clary of February 10, 2014. **Ben asked for public comment. Diana asked that Ben read the agreement out loud. Ben said that releasing the agreement was not a possibility because of the assertion by Dr. Clary of peer review privilege and therefore the agreement will remain confidential. Arlene asked why the agreement had to be re-signed. Deb explained that Toole County was sued and the Commissioners are the only ones who can enter into an agreement. Mark Cole asked how we can bring this agreement up again and change it to get Dr. Clary more hours. Mark Cole commented that the lawyers are going to make a lot of money and we need to discuss this before things get worse. Ben commented that people need to trust him and things will get better. Bill Doughty said he hasn't seen any improvement. He was told 3 months ago that the issues he brought forward would be handled and nothing has happened. Ben read the Marias Medical Center Agenda item #8C which states: Med Management – Contract Buyout. Diana wanted to know how much Mr. Cross wanted. Ben said it's not as much as you would think and the agreement would be public after the Marias Medical Center meeting. The Hospital Board and the Commissioners have had discussion on the buyout. Diana asked if Mr. Cross would be held accountable legally if he signs the agreement. Allan said it is a normal legal document and nothing can absolve you from the law. Arlene Lager asked why the agreement with Dr. Clary was signed by Mr. Cross. Ben said the attorneys at the time didn't realize it was state law that only the Commissioners could sign. Arlene Lager asked if we are going to get reimbursed by those attorneys. Allan explained that the previous attorneys were paid to help with the Medical Staff By-Laws. Arlene asked how many other agreements or contracts are null and void. Allan said none. The Commissioners have to sign the agreement because of the law suit filed by Dr. Clary. Mark Cole asked about the by-laws that were signed by the Commissioners years ago stating that the Chairman would serve a two year term. Mark wanted to know why Allan Underdal has served on the Marias Medical Center Board for 17 years. Ben said at the time they had a lot of projects going on and Alan Ryan didn't want to serve, so Allan Underdal served on the Board for him. Ben said that the Commissioners choose the Boards they serve on and any Commissioner can go to the meetings. Mark Cole commented that the Commissioners should change it up. Diana Adamson said that the hospital checks are the biggest checks signed and that all the Commissioners should be attending the meetings. Deb said she has been attending the meetings but because of the grievance process, the Commissioners are the final say on employee issues and that is why the other two Commissioners are not allowed to attend the executive meetings. Allan said he has been going to the Board**

meetings since he was elected Commissioner, which was 4 years before joining the Board. Ron Jensen stated that the Commissioners should realize they are making decisions for the whole county. He stated that MMC has lost 5 nurses already and asked many are you willing to lose, because others are looking to leave. Diana asked if there would be any repercussions to the nurses who are still there. Ben said we are moving forward from this point. Ben called for a motion. Deb motioned to approve the agreement dated February 10, 2014 between Marias Medical Center Board and Dr. Robert Clary. Allan 2nd the motion and all were in favor. The motion passed unanimously.

2. Consider approval of an Engagement Agreement with Jean Faure of the law firm Faure Holden in connection with matters relating to the governance of the Marias Medical Center Board. **Allan motioned to approve the Engagement Agreement with Jean Faure. Deb 2nd the motion and all were in favor. The motion passed. Jean Faure is an attorney for Toole County.**
3. Consider approval of SNAP-Ed Support Agreement for FY2015. **Deb explained this is a food stamp program and is administered by the Extension Office. Deb motioned to approve and Allan 2nd the motion. All were in favor and the motion passed.**
4. Consider approval of request by the North Toole County Cemetery District Board to assume financial administration of the District. **Deb motioned to approve and Allan 2nd the motion. All were in favor and the motion passed.**

The meeting was adjourned.

COMMISSIONER'S AGENDA

10:00 AM

June 30, 2014

PRESENT: Ben Ober, Deb Brandon, Allan Underdal, Eve Jacobson, Arlene Lager, Barbara Donahue, Gary Kiefer, Diana Adamson, Mark Cross and Treva Nelson

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

Approval of June 23, 2014 Minutes: Allan motioned to approve the amended minutes. Deb 2nd the motion and all were in favor. The motion passed.

Ben opened the meeting for public comment on the 4 agenda items below.

Barb asked why it was just an additional 2 hours being added. Deb said that the additional 2 hours was the recommendation from the Hospital Board. Barb asked if that could be changed and Deb said no because it was the recommendation of the Hospital Board. Barb asked who all could be in the executive meetings at the hospital. Deb said that all of the commissioners could attend the executive meetings when legal issues were being discussed. The Commissioners are responsible for answering all lawsuits. Barb asked if Jean Faure would be attending the board meetings and if so is she representing the County or the Hospital Board. Allan said that Jean Faure would be representing the County. Gary Kiefer asked if Jean Faure represented the Hospital Board also. Ben said not unless they request her to represent them. Allan said Jean Faure represents the County and the Marias Medical Board. Discussion followed on whether or not Jean Faure was or was not Dr. Clary's divorce attorney and whether this created a conflict. Gary asked who hired the lawyer from Ohio. Allan said she was hired by the hospital and county. Barb asked for what reason was she hired. Allan said that she was hired to update Medical Staff By-laws and to broker a deal with Dr. Clary. Barb wanted to know what deal. Allan said the agreement from February 10th. Barb asked how much was paid to the Ohio attorney. Treva said that as of today we have paid out \$29,674.05 to Bricker & Eckler, LLP for attorney fees. Barb asked if we would be paying out more. Allan said yes, probably. Diana asked how an attorney not licensed in the State of Montana can work here. Allan explained that she worked under the MACo Attorney and the County Attorney. Barb asked if MACo would pay the bill since she worked under them. Deb responded that the county would pay the bill. Mark Cross commented that he has sent all of the attorney bills to ACE North American Claims and they may possibly pay for the fees. Discussion followed on the operating room permission and procedure. Med Staff consists of Dr. Hardy, Dr. Stewart, Dr. Gianarelli and Dr. Clary. Conversation continued on the doctors and staff. Barb asked why they chose 6 to 8 pm. Deb said that the recommendation of the Hospital Board was to add 2 hours so Dr. Clary could do evening rounds. Gary commented that if you're worried about patient care you'd give him 24 hour access. Allan said that if you look at the whole situation, he feels it is a good compromise. Dr. Clary can go to the hospital anytime if called by a nurse or doctor about one of his in-patients. Deb said that Dr. Clary doesn't have ER privileges so the patient has to be an in-patient. Mark will stress to the doctors to contact Dr. Clary

themselves and to keep the staff out of things. Mark commented that he really does want the best for Marias Medical Center. Diana said we all want the hospital to be safe for everyone but we don't want to be pawns.

Ben ended the public comment period.

1. Consider approval of the recommendation by the Marias Medical Center Board that the County consider allowing Dr. Clary an additional two hours in the p.m. to make hospital rounds, with this proposed arrangement to be re-evaluated in six months. Approval would result in a change to the February 10, 2014 settlement agreement with Dr. Clary. **Deb moved that, as recommended by the hospital board, we will instruct our attorney to contact Dr. Clary's attorney and offer an additional 2 hours for evening rounds during the hours between 6-8 p.m. and that the settlement agreement not be considered again for at least 6 months. Allan 2nd the motion and all were in favor. The motion passed.**

2. Consider approval of the recommendation by the Marias Medical Center Board that the County offer to buy out the final two and a half years of the CEO contract in the amount of \$120,000. **Allan commented that Mark and his attorney asked that the commissioners and Marias Medical Center Board consider a buy-out. After talking with the Marias Medical Center Board the commissioners feel this amount is fair. Allan motioned to approve the recommendation to buy-out the final 2 ½ years of the CEO contract. Deb 2nd the motion and all were in favor. The motion passed.**

3. Consider approval of Resolution 8-2014, a resolution renewing open burning regulations for Toole County. Deb mentioned this is a standard resolution that is done every year. **Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion passed.**

4. Consider approval of Resolution 9-2014, a resolution amending Toole County budgets. **Deb motioned to approve Resolution 9-2014. Allan 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA

10:00 AM

July 7, 2014

PRESENT: Allan Underdal, Deb Brandon, Kristi Aklestad and Treva Nelson

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

Approval of June 30, 2014 Minutes: Deb motioned to approve the minutes. Allan 2nd the motion and all were in favor. The motion passed.

1. Consider approval of Resolution 10-2014, a resolution adopting the Toole County Pre-Disaster Mitigation Plan. **Deb motioned to approve Resolution 10-2014. Allan 2nd the motion and all were in favor. The motion passed. Kevin, Sunburst and the City of Shelby still need to pass their resolutions for this to be complete.**
2. Consider approval of Amendment #1 between Toole County and the Montana State Library for the Sweet Grass and Toole County Cemetery mapping project. The amendment extends the completion date until January 31, 2015. **Deb motioned to approve Amendment #1. Allan 2nd the motion and all were in favor. The motion passed.**

Other business:

Discussion was held about the mosquitos being considerably worse in Shelby this year. The mosquito board will meet and discuss the problem.

Resolution 9 -2014

A RESOLUTION AMENDING BUDGETS

WHEREAS: Due to unforeseen circumstances the following accounts in the General Fund exceeded their line item budgets. Legislative Services 410100-220 and 335, Justice Court 410340-370, Elections 410600-360, Records 410900-360, Legal Services 411100-335, Facilities 411200-220, 341, 344 and 350, Public School Administrator 411600-370, Public Safety 420120-200 and 344, Care of Prisoners 420230-351 and 374, Safety Committee 420500-390, Civil Defense 420600-100, Coroner 420800-359, Public Health 440100-345 and 370, Public Health Board 440110-390, Family Services 450141-210, Personal Training 420130-380, NTC Rural Fire 420461-300 and Alcohol Abuse Hi-Line Recovery 440540-390. The General Fund budget remained the same and,

WHEREAS: \$2,500 was added to Public Health 1000-440100-390 to be able to spend a grant that was unanticipated during the budget process. \$2,500 was added on the revenue side 1000-344090 as well and,

WHEREAS: Extension Services 450400-350 was increased by \$2,800 to budget for 65% of the Clerk & Recorder wage and,

WHEREAS: Ambulance Fund 2230-420730-941 was increased by \$5,096 to pay for a new ambulance and,

WHEREAS: The Road Department 430200-230 was decreased by \$10,500 and 430200-920 was increased by \$10,500. This did not change the overall budget and,

WHEREAS: 911 Emergency 420750-940 was decreased by \$440,000 and 420750-920 was increased by \$440,000. This did not change the overall budget and,

WHEREAS: The County Fair Fund 460210-350 Professional Services was increased by \$3,828 because of unforeseen circumstances and,

WHEREAS: Fund 2981-450300-100 was decreased by \$1,267.51 increasing 2981-450300-220 by \$933.31 and increasing 2981-450300-230 by \$333.60 this did not change the budget and,

WHEREAS: Fund 2983-450300-100 was decreased by \$477.68 increasing 2983-450300-100 by \$477.68. This did not change the budget and,

WHEREAS: Fund 2987-450310-100 was decreased by \$29.60 increasing 2987-450310-370 by \$29.60. 2987-450310-100 was decreased by \$135.89 and 2987-450320-100 was increased by \$135.89. This did not change the overall budget and,

WHEREAS: Fund 2988-450320-100 was decreased by \$233.83 increasing 2988-450320-223 by \$166.41 and increasing 2988-450320-370 by 67.42. This did not change the overall budget and,

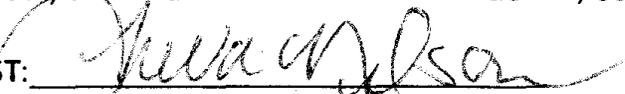
THEREFORE BE IT RESOLVED that a meeting was held on July 17, 2014 to amend the FY 2013-2014 budget as stated above.

ADOPTED THIS 17th DAY OF JULY, 2014, BY THE BOARD OF TOOLE COUNTY COMMISSIONERS


Ben Ober, Chairman


Allan Underdal, Commissioner


Deb Brandon, Commissioner

ATTEST: 
Treva Nelson, Clerk & Recorder

Resolution # 10-2014

Resolution Adopting the Toole County Pre-Disaster Mitigation Plan

Whereas, the County of Toole, Montana, recognizes the threat that natural hazards pose to people and property within our county; and

Whereas, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

Whereas, the U.S. Congress passed the Disaster Mitigation Act of 2000 ("Disaster Mitigation Act") emphasizing the need for pre-disaster mitigation of potential hazards; and

Whereas, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments; and

Whereas, an adopted Pre-Disaster Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

Whereas, the County of Toole, Montana, fully participated in the FEMA-prescribed mitigation planning process to prepare this Pre-Disaster Mitigation Plan; and

Whereas, the Montana Office of Disaster and Emergency Services and the Federal Emergency Management Agency Region VIII officials have reviewed the Toole County Pre-Disaster Mitigation Plan, and approved it contingent upon this official adoption of the participating governing body; and

Whereas, the County of Toole, Montana, desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Toole County Pre-Disaster Mitigation Plan; and

Whereas, adoption by the governing body for the County of Toole, Montana, demonstrates the jurisdiction's commitment to fulfilling the mitigation goals and objectives outlined in this Pre-Disaster Mitigation Plan; and

Whereas, adoption of this legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan.

Now, therefore, be it resolved, that the Board of County Commissioners of Toole County, Montana adopts the Toole County Pre-Disaster Mitigation Plan.

Passed: 2-0



Certifying Official

COMMISSIONER'S AGENDA

10:00 AM

July 14, 2014

PRESENT: Ben, Allan, Deb and Mallory Riphenburg

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

Approval of July 7, 2014 Minutes: Allan motioned to approve the minutes, Deb 2nd and the motion passed.

1. Consider approval of Youth Dynamics' request to be a youth service provider of chemical dependency programs within Toole County. **Discussion was held and there were concerns that it may not be in the best interest to have two providers within Toole County because there is inadequate funding for the current provider. No decision was made at this time.**
2. Consider approval of payment to Sweetgrass Development for 2014 membership dues in the amount of \$2,000. **Deb made the motion to approve, Allan seconded and the motion carried.**
3. Consider approval of payment to MACo-JPIA for insurance coverage from 7/1/14-7/1/15 in the amount of \$236,898.00. **Allan made the motion to approve, Deb seconded and the motion carried.**

COMMISSIONER'S AGENDA
10:00 AM
July 7, 2014

PRESENT: Allan Underdal, Deb Brandon, Kristi Aklestad and Treva Nelson

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

Approval of June 30, 2014 Minutes: Deb motioned to approve the minutes. Allan 2nd the motion and all were in favor. The motion passed.

3. Consider approval of Resolution 10-2014, a resolution adopting the Toole County Pre-Disaster Mitigation Plan. **Deb motioned to approve Resolution 10-2014. Allan 2nd the motion and all were in favor. The motion passed. Kevin, Sunburst and the City of Shelby still need to pass their resolutions for this to be complete.**
4. Consider approval of Amendment #1 between Toole County and the Montana State Library for the Sweet Grass and Toole County Cemetery mapping project. The amendment extends the completion date until January 31, 2015. **Deb motioned to approve Amendment #1. Allan 2nd the motion and all were in favor. The motion passed.**

Other business:

Discussion was held about the mosquito's being considerably worst in Shelby this year. The mosquito board will meet and discuss the problem.

COMMISSIONER'S AGENDA
10:00 AM
July 14, 2014

PRESENT: Ben, Allan, Deb and Mallory Riphenburg

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

Approval of July 7, 2014 Minutes: Allan motioned to approve the minutes, Deb 2nd and the motion passed.

1. Consider approval of Youth Dynamics' request to be a youth service provider of chemical dependency programs within Toole County. **Discussion was held and there were concerns that it may not be in the best interest to have two providers within Toole County because there is inadequate funding for the current provider. No decision was made at this time.**
2. Consider approval of payment to Sweetgrass Development for 2014 membership dues in the amount of \$2,000. **Deb made the motion to approve, Allan seconded and the motion carried.**
3. Consider approval of payment to MACo-JPIA for insurance coverage from 7/1/14-7/1/15 in the amount of \$236,898.00. **Allan made the motion to approve, Deb seconded and the motion carried.**

COMMISSIONER'S AGENDA
10:00 AM
July 17, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of July 14, 2014 Minutes: Allan Underdal motioned to approve. Deb seconded the motion and the motion carried.

1. Public Hearing: Requested Budget Revisions for Current Fiscal Year 2013-2014. **Treva reviewed the Budget Revisions for 2013-2014.**
2. Consider approval of Resolution 9-2014, a resolution amending Toole County budgets. **Allan motioned to accept the Budget Revisions. Deb seconded the motion and the motion carried.**
3. Consider re-appointment of Mary Iverson and Lucille Knaup to serve on the Kevin/Sunburst Senior Center Board with terms ending 12/31/2016. **Deb motioned to re-appoint Mary Iverson and Lucille Knaup. Allan seconded the motion and the motion carried.**

COMMISSIONER'S AGENDA
10:00 AM
July 28, 2014

PRESENT: Ben & Allan: also Arlene Lager

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

Approval of July 14, 2014 Minutes:

Allan motioned and Ben seconded that we approve the minutes. Both voted for the motion.

1. Consider the recommendation from the Marias Medical Center Board for approval, pending review of the agreement by the County Attorney, of the Hospital Administrative Services Agreement with Quorum Health Resources LLC.
Allan made a motion to approve the agreement as recommended pending review by the County Attorney. Ben seconded the motion and both voted in favor.

COMMISSIONER'S AGENDA
10:00 AM
August 4, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Gary Kiefer, Barb Cole, Barb Donahue, Diana Adamson, Arlene Lager and Treva Nelson

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

Approval of July 28, 2014 Minutes: Correction on the date of the July 28, 2014 minutes as it should of read Approval of July 17, 2014 minutes. Allan motioned to approve the minutes from July 17th and July 28th. Ben 2nd the motion and all were in favor, the motion carried.

Ben asked if there was any public comment on the two agenda items.

Discussion was held about Allan, as a Commissioner and a MMC Board member, being able to vote twice. It was explained that the Commissioners vote on the Boards they serve and then vote on the recommendations from those Boards as Commissioners. The public in attendance felt this was a conflict and Allan should abstain. The Commissioners did not feel this was a conflict.

1. Consider approval of a Memorandum of Agreement between the Public Safety Communications Bureau (PSCB) and Toole County for the use of the Mount Royal frequency, Channel 286 with the frequencies of 161.9375 (FB8) and 157.3375 (MO8). **Allan motioned to approve the MOA. Deb 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of Barb Cole to the Marias Medical Center Board with a term ending 10/31/2017. **Allan motioned to approve Barb Cole to the Marias Medical Center Board. Deb 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA
10:00 AM
August 7, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of August 4, 2014 Minutes: Deb motioned to approve the minutes with the correction of agenda item 2. The correction of agenda item 2 is: Deb motioned to approve Barb Cole to the Marias Medical Center Board. Allan 2nd the motion and all were in favor. The motion passed. Allan 2nd the motion on the correction of the minutes and all were in favor. The motion passed.

1. Consider approval of Scott Kiehn and Richard Hambley to the Toole County Mental Health Advisory Board with terms ending 12/31/17. **Deb motioned to approve the Board Members. Allan 2nd the motion and all were in favor. The motion passed.**
2. Consider re-appointment of Toole County Mental Health Advisory Board members Kristi Aklestad, Phil Aschim and Deb Brandon with terms ending 12/31/16, and members Donna Whitt, Jerry Puffer and Sue Kasper with terms ending 12/31/15. **The Commissioners had discussion about Deb Brandon already being appointed to this Board in January. Commissioners are appointed to different Boards every year and serve on those Boards until re-appointment the next year. Appointing a Commissioner again, to the same Board in the same year, wouldn't be necessary. Deb motioned to approve the above appointments. Allan 2nd the motion and all were in favor. The motion passed.**
3. Consider response to lawsuit filed by Don Lee seeking disclosure of the Settlement Agreement entered into by Dr. Clary and Marias Medical Center. **Deb motioned, per the recommendation of the County's Attorney Jean Faure, to tender the agreement to the Court (file it under seal) and let the Court decide. Allan 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA
10:00 AM
August 18, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon 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, 2014 Minutes: Deb motioned to approve the minutes and Allan 2nd the motion. The motion passed.

1. Consider approval of Professional Services Fee Proposal by Schutz Foss Architects, P.C. for the courthouse south entry handicap ramp upgrade and library restroom remodel. **Deb motioned to approve Scope 1 & 2 in the amount of \$21,335. Allan 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of agreement with Hi Line Web Design for website design and re-development of the county website. **Deb motioned to pay the \$5,000 web design and 1 year maintenance charge of \$147 a month. After the 1st year the county will pay an hourly rate for maintaining the website.**

Other Business:

The Senior Center Director has resigned. The position will be advertised until August 29, 2014.

COMMISSIONER'S AGENDA
10:00 AM
August 21, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of August 18, 2014 Minutes: Deb motioned to approve the minutes. Allan 2nd the motion and all were in favor. The motion passed.

4. Consider approval of an Emergency Management Performance Grant (EMPG) between Toole County and the MT Dept. of Military Affairs, Disaster and Emergency Services, for FFY 2014-15. The EMPG's project cost of \$43,604.00 requires a match of \$21,802.00 from Toole County. **Deb motioned to approve the EMPG Grant. Allan 2nd the motion. Discussion followed on the required match. All were in favor of the motion and the motion passed.**
5. Consider approval Of Memorandum of Understanding (MOU) between Toole County and the MT

Stockgrowers Association for predator control services for cattle between 7/1/14 and 6/30/15. 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.

- o Stock Cattle on Tax Rolls: 16,234 (Cattle License Fee/Head: \$1.00)

Allan motioned to approve the MOU with the MT Stockgrowers. Deb 2nd the motion and all were in favor. The motion passed.

6. Consider approval Of Memorandum of Understanding (MOU) between Toole County and the MT Wool Growers Association for predator control services for cattle between 7/1/14 and 6/30/15. Funds will be expended within Toole County for wildlife services; an airplane will be used where feasible and funds available.

- o Stock Sheep on Tax Rolls: 2,201 (Sheep License Fee/Head: \$1.00)

Allan motioned to approve the MOU with the MT Wool Growers. Deb 2nd the motion and all were in favor. The motion passed.

7. 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. **Deb motioned to approve the MOU with the Shelby School District.**

Allan 2nd the approval and all were in favor. The motion passed.

8. Consider approval of a subcontract between Teton County Health Dept. and Toole County Health Dept. to provide MT Tobacco Use Prevention Program (MTUPP) services through June 30, 2015. **Deb motioned to approve the MTUPP services. Allan 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA

10:00 AM

August 25, 2014

PRESENT: Ben, Allan and Deb

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

Approval of August 21, 2014 Minutes: **Deb motioned to approve the minutes. Allan 2nd the motion and all were in favor. The motion carried.**

1. Consider approval of Anadarko's permit to conduct a seismic survey on Toole County owned land located in Township 37 North, Range 2 West, MPM, Sections 7 and 17. **Allan made a motion, pending approval of the Airport Board, to approve the permit. Deb seconded the motion and all were in favor. The motion carried.**
2. Consider approval of Amendment Number One to Task Order 14-07-4-31-182-0 between the MT Dept. of Public Health and Human Services (DPHHS) and Toole County, providing for additional funding in the amount of \$1,300. **Deb motioned to approve the amendment. Allan 2nd the motion and all were in favor. The motion carried.**
3. Consider approval of recommendation by the Toole County Compensation Board to increase the rate of pay for elected officials by \$.50 per hour retroactive to July 1, 2014. **Allan motioned to approve the recommendation of the Compensation Board if the budget permits. Deb seconded and all were in favor. The motion carried.**

COMMISSIONER'S AGENDA

10:00 AM

August 28, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Treva Nelson and Jewel Moritz

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

Approval of August 25, 2014 Minutes: **Deb motioned to approve. Allan 2nd the motion and all were in favor. The motion passed.**

1. Consider approval of Anadarko's request of an oil and gas lease from Toole County on a 5.8557 net acre tract located in 37N-2W, Sec: 5 & 6. This acreage was deeded to Toole County in 1925 as a road easement. Anadarko proposes to pay \$50.00 per net acre for a total payment of \$292.79. **Allan motioned to approve the lease as stated. Deb 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA

4:00 P.M.

September 4, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of August 28, 2014 Minutes: Deb motioned to approve and Allan 2nd the motion. The motion passed.

1. Public Hearing: FY 2013-14 Budget; **Ben opened the public hearing.**
2. Consider approval of cost-of-living salary adjustments for most county employees not including Marias Medical Center employees who are covered separately. **Deb motioned to approve a cost-of-living increase for most county employees of .40 (forty cents) per hour, excluding Marias Medical Center employees. This increase will be retroactive back to July. Allan 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of Resolution 11-2014, a resolution authorizing cost-of-living salary adjustments for elected officials and most county employees not including Marias Medical Center employees who are covered separately. **Allan motioned to approve Resolution 11-2014. Deb 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of Resolution 12-2014, a resolution passing the proposed budget of Toole County for Fiscal Year 2014-2015. **This agenda item was postponed until Friday September 5, 2014, at 2pm.**
5. Consider approval of Resolution 13-2014, a resolution requesting prosecutorial assistance. **Allan motioned to approve Resolution 13-2014. Deb 2nd the motion and all were in favor. The motion passed.**

Public Hearing Continued

9/5/2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

Ben continued the public hearing. The budget was presented and considered. **Deb motioned to approve Resolution 12-2014. Allan 2nd the motion and all were in favor. The motion passed.**

RESOLUTION #11-2014

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 23, 2014 and June 30, 2014 and discussed several suggested compensation schedules for the elected officials for FY2014-15; and

WHEREAS, the County Compensation Board recommended that compensation for elected officials in Toole County for FY 2014-15 be increased by a 2.26% cost-of-living adjustment and the recommendation was approved by the members of the Compensation Board; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Toole County Commissioners, that elected officials will receive a \$.50 per hour cost-of-living adjustment retroactive to July 1, 2014, which is 2.26% of the base salary of the Clerk & Recorder. This will translate to the following elected officials' salaries in FY 2014-15:

Clerk of Court: Base Salary of \$46,103.47

Clerk & Recorder: Base Salary of \$46,103.47

\$2,000 additional compensation allowed under Statute for being election administrator

Commissioners: Base Salary of \$48,103.47

Coroner: Base Salary of \$10,365

County Attorney: Base Salary of \$93,697.22

Justice of the Peace/City Judge: Base Salary of \$46,103.47

Sheriff/Public Safety Director: Base Salary of \$46,103.47

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

Treasurer/Assessor/Supt. of Schools: Base Salary of \$46,103.47

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 \$.40/hr. for most other county employees who are employed on September 5, 2014, retroactive to July 1, 2014.

BOARD OF TOOLE COUNTY COMMISSIONERS DATED September 5, 2014



Ben Ober, Chairman
Toole County Chair

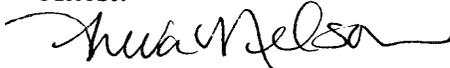


Allan Underdal
Commissioner



Deb Brandon
Commissioner

Attest:



Treva Nelson
Clerk & Recorder

RESOLUTION #12-2014

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 2014-2015 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 2014-2015, 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 \$21,258 AND OF SPECIALIZED MILLS IS THE FOLLOWING: ROAD-\$19,265, SOIL-\$20,464, STC CEMETERY-\$11,696, NTC CEMETERY-\$9,563, SUNBURST MOSQUITO-\$428, SHELBY MOSQUITO-\$2,675, PORT AUTHORITY-\$21,258; AND

NOW, THEREFORE BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS THE "LEVIES AS DETAILED AND ADOPTED" FOR FISCAL YEAR 2014-2015, BASED ON THE VALUE OF THE MILL OF \$21,258 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 5, 2014

Ben Ober

Ben Ober, Chairman
Toole County Commission

Allan Underdal

Allan Underdal
Commissioner

Deb Brandon

Deb Brandon
Commissioner

Attest:

Treva Nelson

Treva Nelson
Clerk & Recorder

RESOLUTION 13-2014

Whereas, the Toole County Attorney has requested prosecutorial assistance in the case of State v Darrell Sharp, 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:

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 4th day of September, 2014.

Don Olier
CHAIRMAN

ATTEST:

Allan Underdal
MEMBER

Anna Nelson
CLERK AND RECORDER

Deb Brandon
MEMBER

COMMISSIONER'S AGENDA
4:00 P.M.
September 15, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of September 4, 2014 Minutes: Deb motioned to approve and Allan 2nd the motion. All were in favor. The motion passed.

1. Consider approval of the elimination of the penalty and interest for Special Assessments on Tax #890018 (church) and Tax #503082 (vacant lots) belonging to New Life Church as recommended by the Shelby City Council during their September 2, 2014 meeting. **Allan motion to approve the elimination of penalty and interest recommended by the City of Shelby Council. Deb 2nd the motion and all were in favor. The motion passed.**

A check in the amount of \$4,566.68 was paid by McCarter Farms, Inc. for the back taxes.

COMMISSIONER'S AGENDA
10:00 A.M.
September 18, 2014

PRESENT: Ben Ober and Allan Underdal

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

Approval of September 15, 2014 Minutes: Allan motioned to approve. Ben 2nd the motion and all were in favor of approval.

1. Consider approval of submittal of an application for funding in the amount of \$8,938.55 to the Montana Department of Administration, State Information Technology Services Division (MDOA/SITSD) for reimbursement of expenses incurred by Toole County in procuring extended warranty services from Motorola Solutions Inc. for trunked land mobile radio equipment on Mount Royal. **Allan motioned to approve. Ben 2nd the motion and all voted in favor**

COMMISSIONER'S AGENDA
10:00 A.M.
October 2, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of September 18, 2014 Minutes: Allan motioned to approve. Ben 2nd the motion and the motion carried.

1. Consider approval of indemnification of Commissioner Underdal pursuant to Montana Code Annotated 2-9-305. **Deb motioned to approve. Ben 2nd the motion. Allan abstained. The motion carried.**
2. Consider approval of FY 2014-15 Budget for Shelby Elementary School. **Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion carried.**
3. Consider approval of FY 2014-15 Budget for Shelby High School. **Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion carried.**
4. Consider approval of FY 2014-15 Budget for Sunburst K-12 Schools. **Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion carried.**
5. Consider approval of FY 2014-15 Budget for Galata Elementary School. **Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion carried.**

COMMISSIONER'S AGENDA

10:00 A.M.
October 6, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Treva Nelson and attached list of the public.
Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.

PRESENT:

10:00 a.m. Commision Meeting 10/6/14 Sign In Sheet

PLEASE PRINT YOUR NAME

Tamra Zender	Jacqui Fausch
Kenae Marley	Katey Russell
Barbara Donahue	LEANA Appleby
JUSTIN AIKINS	Jessia Brusven
LORALEE AIKINS	PATRICIA HOLLER
JULIA DEISHINSKI	Carol Neal
Jodi Habets	Gary Kiefer
BESSA KELLER	Gannic Moore
Hattie Appleby	Manni Lettem
Bob Appleby	Lorelle Gaudin
J Madison	Cheryl Hoverson
Annith Steadman	Don Walker
Ann Steadman	Douglas FENNER
Yvonne Boyer	Vance Laughlin
James Bush	JANE BERKESIE
John	Ron & Jane Wehr
Wally Luke Casey	Alma Daniels - Tesow
BRYAN LEE	Polina W. Wilson
Brian Midgeo	Ron
Kenna Goluma	M. Clark Bennett
Vern Anderson	James D. Miller
JOHN ALSTAD	
Cheryl Albestad	
Steve Ahrens	
Bill Doughty	
Barbara Sherragh	
Dave Miller	
BARB COLE	
ANTHONY COMBS	

Approval of October 2, 2014 Minutes: Approval was postponed until the next meeting.
Ben Ober opened the meeting and welcomed everyone. Ben said there is one agenda item and hoped that everyone could stick to that item. Ben read the agenda item. Public comment will be held to 3 minutes. If you have a written statement please give it to Ben or Treva. Ben reminded everyone that there is a recording on and the meeting will be recorded. Ben asked Deb Brandon if she would read the memo she sent out to the Marias Medical Center Board members and her fellow Commissioners. The memo read by Deb Brandon is attached and entered into the minutes. Following the reading of the memo, Ben asked if everyone could be good listeners and give those who are speaking that courtesy they deserve.

Deb Brandon

From: Deb Brandon
Sent: Thursday, October 02, 2014 10:12 AM
To: Renae Manley
Cc: Bill Hartley; Commissioner Office
Subject: Memo to Hospital Board Members

Renae,
Will you please forward this to the Board members? I am not sure that I have current email addresses. Thank you. Deb

Dear Board members and fellow Commissioners,

I want to share my proposed action with each of you before it “goes viral” throughout the community. The following item will be posted on next Monday’s agenda: “Consider dissolution of the Marias Medical Center Board.” To have heard during yesterday’s board meeting that two more board members’ businesses have been impacted negatively as a result

of serving on the hospital board is unacceptable, and I can only apologize to you all for not acting sooner. The emotional toll that many of you who have served on the board and have experienced for these many months has finally reached a level that I can no longer sit by and watch. To have someone tell Amy that they will not vote for Dave because she is serving on the hospital board is reprehensible; it is my opinion that such behavior targeting board members can no longer continue.

When I decided to run for Commissioner, I knew that I would have to make decisions that not everyone agreed with – a necessary part of public office. I had hoped that the public pressure on you as board members would lessen over time, but I no longer believe that is the case, and thus my decision. I signed up to take the criticism . . . not that I especially enjoy it . . . but I know in my heart that it is my responsibility as a Commissioner to “take the heat” – not yours. Again, I apologize for not acting sooner and I want to close by sincerely thanking you for stepping up and volunteering – you gave this board your all! Deb

Deb Brandon
Toole County Commissioner
226 1st Street South
Shelby, MT 59474
406-424-8313
www.toolecountymt.gov

Barbara Donahue was the first to speak. Her comments are attached and entered into the minutes.

Dave Madison said his wife was on the Hospital Board and he isn’t speaking for her. Dave said he worked hard as a school counselor with students, parents and faculty throughout his career, to help people deal with conflict and emotional pain. Dave hopes that an employee assistance program can be established for those that work at the hospital. The employees would then be able to go somewhere and talk with someone about their emotional pain and conflicts with other employees. He would hope a program set up to help the employees deal with the problems would be considered.

Brian Midboe said that he has applied to be on the MMC Board a couple of times, the last time he was sure he wasn’t going to get on, so he said what he felt. He said he isn’t for or against Dr. Clary, but is really disappointed about how people have conducted themselves. Every single person who has been boisterous about this has stepped over the line. There doesn’t need to be attacks on individual people, including Dr. Clary, because most of us don’t know all of the facts. We sure don’t need to be attacking Commissioners, we can respectfully disagree. We talk about bullying in the schools and then he sees from the most educated facility in this area, the most bullying. We are supposed to be leading by example. We’re telling the 5th graders no bullying and then over at the hospital it’s rampant. There are a lot of strong willed people in this community and that’s great, but we need to use civility. Threatening people’s businesses and threatening them personally starts to get people revved up. We need to respectfully disagree. Brian said if he was on the Board people could come on in and talk to him, but the first time someone attacks him personally they wouldn’t like the response. People need to listen to the facts and not attack each other. Most of the people here are not overseers and don’t

know all of what's going on. Give some people the benefit of the doubt; they may know more about what is going on than you do. Be for Dr. Clary or against, either way you shouldn't feel like you're going to be attacked. Most of the Board meetings are closed door, so you don't know what is going on. The best way to get involved is to run for office and get the true facts. Everyone in here is a good person, disagree with them respectfully.

Vern Anderson's comments are attached and entered into the minutes.

Denis Freeland's comments are attached and entered into the minutes.

Barb Cole's comments are attached and entered into the minutes. Barb added that citizen boards exist to maintain the checks and balances that our government is based on.

Patricia Hellinger asked if we are having so much trouble and we know that the County Commissioners are big parts of that trouble, why don't we just sell the hospital, get rid of it and all the problems that come with it. We need to get it off our tax rolls. There are 4 counties in Montana that have hospitals with Commissioners, which makes 80% of Montana having hospitals that are run by professionals who know what they are doing.

Don Lee said we had a professional, who knew what he was doing, that was running the hospital, and you people ran him out of town. So your idea about selling the hospital isn't going to accomplish anything, because you're still here. That's the problem, you're the problem. Go find something to do, you're angry bitter people. Go pick up garbage on the highway, go do something useful. All you're doing is causing trouble and you're going to continue to do it no matter what we do with the hospital.

Barb Donahue said she wants to take exception, because Don was looking mainly at her. For 10 solid months...Don interrupts and says this is your kind of action Barb, you like this kind of stuff. Ben Ober stepped in and said we're not going to get personalities involved. Barb said she really hoped Don was successful in getting the agreement out in the public. She feels every bit needs to be out in the public. For 10 months she has been attending the meetings and it is unbelievable that every time the hospital board tries to do something they have been stopped or it has been drug out. They are getting harassment and they don't deserve it. Barb said whether this is her kind of deal or not, I don't mind a good fight and you know that Don. This is not right for the citizens of Toole County. Personally if Dr. Clary doesn't get back into the hospital that's fine, he's doing great in Cut Bank. I don't care, I really don't, but we have to keep the hospital open for everybody in Toole County.

Jackie Faunce just wanted everyone to know that Dr. Clary does have privileges at the hospital. She said you all just choose not to go there. Fine, go to Cut Bank, go ahead and lose money for our hospital staff and employees. You never know if someday you might be in a car wreck or something and you may need them; there are great doctors over there right now. You never know what could happen to you.

Anthony Combs said he's been a resident of Shelby for over 30 years and feels the problem is that when he goes to the clinic it is always a different doctor. He doesn't get to build a history with any doctor, because every 3 or 6 months he gets someone different. He's seen one doctor who helped save his life and there is an EMT gal in here that is part of that. He has to go to Great Falls to continue medical treatment. He doesn't agree with all the rotating of doctors. Some don't even make it a month, because of the BS that goes on with the board. He also feels it's inappropriate for a Commissioner to have a seat on the board. Anthony said he feels this is a conflict of interest.

Justin Aikins said he doesn't feel the Commissioners created this problem. He feels they are trying their best to get it resolved. If the Commissioners and the lawyer say that this is how it should be right now, then we should trust them. If we need to dissolve the board and restart it in a year or so, after everything has cooled off, then that is the way we need to go.

Diana Adamson said she has heard we need to move forward and she had a visit with Shannon before the meeting started and that is true, we do need to move forward. We need to solve the one problem we have through arbitration. She mentioned it to Allan when he was on the radio. We want the hospital; Diana would like to go back to the hospital, but doesn't feel like she is respected at the hospital because she has a very strong stance. She is willing to let part of that stance go, to move forward and to heal the community and have a hospital and have doctors we can respect. You need to respect her choices also. If she's in an accident she is already 30 miles out of town, you're right, she might need this hospital; we've always needed this hospital. That doesn't mean we shouldn't have a choice and do what we want to do for ourselves and this community. It's your job, it's our life. She thinks we all need to respect that, including the Commissioners. Anytime you take power away from people it's the wrong move. The power is in the people, the power isn't in the elected officials. You're elected to do the duties of this county and we do trust you in most things but sometimes we get side tracked and we get tunnel vision, all of us do that. We need to move forward and we need to love this community again. We need to stop the name pointing and maybe Barb is right, maybe we need to go to a hospital that is run by professionals. Don maybe some of us didn't feel Mr. Cross was a true professional and we all have a right to our opinion and a right to disagree. That's what makes things happen. We also have a right to respect and love each other. She thinks that for the most part we do, so let's move on with it.

Geneva introduced herself as a former County Commissioner along with Denis Freeland and John Alstad. Geneva stated that the 3 of them were the Commissioners who put the original proposal and policy together to establish the Hospital

Board in 1992. If you remember there was a small volcano, if you will, at that time. Members of the community came to the commission and we established a board. Also at that time we established new management and it has run well for many, many years. There is always problems in a community facility and as she said at the Hospital Board meeting the other day, medical people are a volatile group and under high stress. So you will have problems, as with other groups. We need to pull together. It is like Solomon did with the baby, when the two women wanted the baby. He said cut the baby in half and that is exactly what has happened with the hospital. You cut that hospital in half and have divided the county. It's a terrible, terrible thing, as everybody here has spoken. Geneva said she feels really sad for that. John, Denis and Geneva worked 644 established hours when the board was put together. We had to make an accounting with our audit on how much time we spent. It was established with community people and with the head of the Commissioners to sit on the board for 2 years. When the next Commissioner came up and was the head of the board, they would then sit on the Hospital Board. It was a rotating board that brought information back to the other Commissioners and kept everything on the level. The Commissioner could say how the county was financially and he could bring information back to the other Commissioners. Several years ago that policy was changed for some reason. We have a Commissioner who has sat on the board now for over 20 years. That is not public representation, it is not county representation. This is very disconcerting. The Commissioners job was a wonderful thing for her and she felt she did a good job, which people may disagree with. Geneva said as Commissioners you don't have the time, effort, energy, knowledge or presence of mind to run the hospital. We tried that during all the fracas. You don't know how to run a hospital. You should be, as someone else mentioned, taking care of the roads and a few other things.

Brian Lee introduced himself as being on the Marias Healthcare Services Board. He wanted to thank Deb for standing up and having the courage to do what she thinks and many of us believe should have been done a long time ago. He would like to believe that the board would be reconstituted once we move past these things. There is management at the hospital; the Commissioners are in the process of looking for a CEO and CFO. The Commissioners aren't there to run the day to day operations. They are the ones to write the checks when the hospital comes up short. He disagrees that no one is managing, beside these Commissioners, there is temporary management in there right now and they are looking for someone to come and be a full time CEO to run the facility. Brian thanked the Commissioners for what they have done and wished they would have done it sooner, because we would have been further along. Everybody talking about Dr. Clary and him getting his privileges back, you don't know and if you don't know, then he can't understand how you would believe that Dr. Clary could come back now, when he has instituted lawsuits against MMC, MHC, and the board of County Commissioners. He is seeking a multi-million dollar judgment against you people, the tax payers of this county. It will come out of our pocket and you want him to come back into the facility now? He's the one who has personally chosen to not operate at the hospital, at the direction of his attorney, because he knows it would prejudice his law suit. He signed a settlement agreement, which everybody needs to see. It should be out in the public. He agreed to the terms in that settlement agreement. Now he wants to undo it and make the tax payers pay the bill for it. Brian said that didn't make him happy at all.

Jessica Brusven said she is an employee at Marias Medical Center and very proud to be part of that facility. She also said she couldn't say thank you enough, to the Commissioners for the job they have done. They have spent countless hours educating themselves on the issues. Like Brian said, they aren't in the day to day operations; they are here to oversee and protect the employees and to protect the county, so that we can have the best healthcare. Thank you to the board for serving and it is a horrible, horrible thing that you have been attacked.

John Alstad asked if the Commissioners called the hospital board and discussed the resolution. Ben said in the past the board has known about this agenda item. John said he understands that, but did you have a discussion with the board, they are the ones you should have talked to. Ben said as far as the resolution itself no, but the contents of it yes. Allan Underdal said that several times they have discussed this with the board and 2 of our Attorneys have discussed it with the board. Allan said it has probably come up half a dozen times.

Cheryl Aklestad wanted to thank Brian Midboe, her concern throughout this whole thing has been the uncivil behavior during this whole thing, It has torn family's apart, neighbors apart, friends against friends and it's stupid. It is not worth it. He has moved on, he has a practice downtown and he has chosen to go someplace else. We need to move on. We need to forget it. If you want to follow him, follow him, if you don't than don't. Cheryl's question is if you dissolve the hospital board what are you going to do? Who is going to represent us in hospital policy? We had a manager, he might not always have done the best job and I didn't always agree with him 110% but we had someone there. We have a corporation who is working on running it. We have to move on but how are we going to be represented? If we don't have a board what do we have? You don't have time to oversee all of that. We had a CEO and the Hospital Board and you still had issues. So are you going to put all of these issues on to one person, the CEO? Ben said we are in the process of seeking a permanent CEO. Cheryl said so you're still going to one person doing everything? Ben said yes, that is correct. Allan said it could well be the Commissioners who take on that role for a certain period of time. It isn't that they are looking for another job to do, although that is part of the Commissioners job. There are already policies set up, we have an excellent CEO and CFO right now and we are continuing the search for a permanent CEO. Allan said he thinks they can do a good job in that regard. Right now it's been tough because of all the issues coming up and a board can only put in so many hours when they are volunteers, which is part of the issue too. It has taken a lot of hours out of their work days. Because we are full time we can deal with some of those issues.

Diana Adamson asked a question; will you continue to use the three board members who were going to work with the Commissioners in selecting a new CEO? Allan said he didn't know the answer to that. Diana said they would be input from our community. Allan said so are the Commissioners. The Commissioners are elected to do those things. Boards

are a further spreading out of those things to the public, he agrees. In this particular situation, Allan thinks it is probably better to bring that back in, so decisions can be made quicker. The Commissioners will deal with some of these things that come along. Allan said that was his opinion.

Ben said he did talk to all of, or most of, the board members in the last few days and they indicated that those who were on the selection committee didn't want any part of selecting a new CEO if the board was dissolved.

Dan Whitted commented that when this whole vote thing came down with the board, his answer was that he looked at his fellow citizens who sat on the board. His wife use to sit on the Hospital Board. These are people who have good heads on their shoulders. They know the facts and what's going on. When they make these decisions he respects them, whether he agrees with them or not. What has come out of this is terrible. Think about the people who serve on this board, they are good people.

Dwaine Iverson said he served on the first board as chairman. During that time Cut Bank went through this same thing. Every time the Commissioners disagreed with the board, they would disband the board. Then appoint a new board and every time they got to a critical point the board would be disbanded again. That isn't going to be a solution. We should use the board and use them for public input to help provide for the hospital. When there is a disagreement between the Commissioners and the board they should all sit down and discuss it to find a solution. We haven't had that as far as he is concerned, not where all 3 of the commissioners sat down and had a frank discussion with the board regarding an issue and come to a solution. If you disagree and get rid of the board don't appoint another one, because you are just going to make a mess out of the next one too. That's what happened with Cut Bank, you would be watching history repeat itself.

Brian Midboe asked if the board truly runs the hospital. Will the Commissioners truly run the hospital? He believes the board gives input and doesn't run the day to day operations of the hospital and neither will the Commissioners. Ben said that was true. Brian said it needs to be answered because he believes that a lot of people think the board runs the day to day operations. They are just giving ideas, directions and voting on hiring people. It would really be good to clarify their true roll and the Commissioners true roll, because the person who was really running the hospital was Mark Cross, with input from the Commissioners and Board. A board meeting twice a month can't constitute running the hospital

Don Lee commented that it was Mark Cross with an extremely good staff.

Allan said that the board was a policy setting board. That's what the Commissioners would also be, dealing with policy and general guide lines and goals. All the people who work for the hospital work for the county.

Mark Daniels commented that Allan just said this board is a Policy Board but Mark has been told quite a few times that the hospital board is an Administrative Board. What's the difference? Ben said it is an Administrative Board. Deb commented it sets policies, that Allan didn't say it was a Policy Board; it's a policy setting board. Mark said that if you set policies that is just mixing words. Mark has been told in the past it is an Administrative Board and when you say that, he gets the impression they are the ones who make rules and decisions that run the hospital. Allan said policies. Mark said yes but decisions in whether Dr. Clary has hospital privileges or not. Is that an administrative decision or is that a policy? Mark said they tried to take a vote and then you basically said their vote couldn't be upheld. Allan said on that particular item it was the result of a lawsuit. Dr. Clary sued the county and the hospital through the county. The county is responsible to respond to that, which the Commissioners are the ones to react on the county's behalf. That is a roll of the County Commissioners. Mark said then the board isn't administrative, because administrative would have made that decision. Allan said that by law the county handles that kind of situation. Ben said the Commissioners are the only ones who can be sued; the hospital board can't be sued. Mark said in simple terms then they didn't have any clout. Allan said no that wasn't correct, when you turn over authority, it doesn't mean you give them the responsibility. The commissioners are still responsible whether you have given a board responsibility or not. The county is ultimately responsible through the Commissioners. So in that respect there were certain things that weren't passed on as to the abilities they had. In most regards they were an Administrative Board.

Dave Madison wanted to share his understanding of county government. There are checks and balances just like State and Federal government. The Commissioners are elected as both Executive and Legislative branch of county government. So they write policy and execute policy. They gave their authority to run the hospital in 1992 to this board. This hospital board was given power to manage the hospital. Now with this motion that will be dissolved and the Commissioners will then be the authority to write policy. Ben said yes that is correct.

Diana Adamson said that Quorum came in and did some evaluations. What will you do with that information? Deb said they would be meeting with them in the near future. Ben said they would be meeting on the 14th. Diana asked if this would be open to the public. Deb said she didn't know that answer because when it was first set up it was to be with the Board and the Commissioners. Deb said that the commission really hasn't talked about it. Diana said that the Hospital Board meetings are open to the public, so that would have been open to the public. Deb said that the commission meetings are also open to the public. It would depend on what Quorum had to present. If it was personnel issues you would close it to protect the personnel. Diana said if there weren't personnel issues, she feels it would be wise that the commission keep as much openness as possible. When the public knows what both hands are doing we all feel better.

Shannon McAllister commented that he has listened to this go on for a long time. He works over at the hospital and has for 16 or 17 years. Just in case no one knew that. At this point he urges everyone to move forward. We have a great facility and we have always had a great facility. The hospital is primed right now to move forward and become a regional

facility. That would be a benefit to all of us. Everyone in this room is a good person. He's seen this line drawn in the sand; he doesn't really stand on either side of it. He wants to see this facility be able to take care of all of us. He stood in the ER working with new doctors and nurses last night. They all did a great job, there is great staff over there. We need to grow and get bigger and better. Support your hospital and the people who work over there. These people are your friends and neighbors. Don't let that go down the tubes because your opinion is different. I appreciate the Board and Commissioners.

Toni Wehr said she finds this a complete dilemma, that the doctor we're not talking about became her doctor 32 years ago. We don't disagree with the hospital and we don't disagree with our doctor but how do we combine the 2 of them anymore. If something happens to her and she goes to the hospital, she can't have her doctor. What does she do in a situation like that? Allan said actually you can have your doctor, as long as he wants to come to the hospital if you are admitted. If he chooses not to come then yes you are right. Toni said then if she goes to the ER and asks for her doctor she can't have him. Deb said yes that is correct, not in the ER. Toni said then she has to be admitted into the hospital to have her doctor. This is the man who saved my life. Allan said that in any other facility around you go to the on call doctor in the ER and when you're admitted they ask who your doctor is and they get him for you. That is the natural order of things. Shannon said that in the past because we were small we could choose our doctor. Anymore with us growing we have more doctors. If you go into any other facility across the county you get whoever is available. Typically you don't choose your doctor unless he is the only doctor on staff. Don Lee said the question is if you have a heart attack or serious car accident, you don't want anyone doing anything until your doctor gets there? He said he has heard that argument several times before. He's going to take the first doctor that is there, whether it is my doctor or not. He's just glad the facility is there and there are attending nurses and doctors.

Ron Wehr commented that if you get rid of the board you will only have 4 people overseeing the hospital and it will be like the grocery stores around here. They will have a monopoly and do whatever they want. We need the hospital.

Ben thanked everyone for their comments, questions and concerns. At this time Ben read the following agenda item.

1. **Consider dissolution of the Marias Medical Center Board.** Deb moved for the dissolution of the Marias Medical Center Board and the adoption of Resolution 14-2014 to accomplish that task. Allan 2nd the motion. The motion carried.

RESOLUTION 14-2014

A RESOLUTION TO DISSOLVE THE GOVERNING BOARD OF MARIAS MEDICAL CENTER THAT WAS FIRST AUTHORIZED UNDER SECTION 7-8-2103 MCA AND WAS RE-AUTHORIZED BY RESOLUTION 21A-1996 UNDER SECTION 3, CHAPTER 543 OR SECTION 7-1-201 MCA BY THE TOOLE COUNTY COMMISSIONERS.

WHEREAS: An Administrative Board was set up by the Toole County Commissioners to manage, operate, improve, maintain, and administer the Marias Medical Center; and

WHEREAS: The Administrative Board has been in existence until this day; and

WHEREAS: In the past 10 month period there has been much turmoil at the MMC including a lawsuit filed against Toole County and MMC, the resignation of the CEO and CFO, the resignation of four Board members and other Board members saying that their resignations may be forthcoming; and

WHEREAS: Public pressure and internal pressure has been extremely high for Board members, their families, and businesses due to the emotional nature of the public and staff's concerns at MMC; and

WHEREAS: The process requires the Toole County Commissioners to return all administrative powers to the Commissioners at this time; and

NOW BE IT RESOLVED BY THE BOARD OF TOOLE COUNTY COMMISSIONERS that the MMC Administrative Board be dissolved, the Board members thanked for their service under difficult conditions and extreme sacrifice, and the administrative Board functions be returned to the Toole County Commissioners immediately on passage.

This Resolution is in effect immediately on passage in a meeting held in the Toole County Court Room at 10 am on October 6, 2014.

TOOLE COUNTY COMMISSIONERS:


Ben Ober, Chairman
T C Commission


Allan Underdal
Commissioner


Deb Brandon,
Commissioner

In May 19, 2014 the Hospital Board voted in favor of restoring Dr. Clary's O.B. and removing the 2 hr restrictions. On May 13, 2018 Dr. Clary received a letter from Mark Cross verifying that above vote.

Since then both Alan Underdahl and Dick Shannon have done everything in their power to cancel that vote. Apparently the Commissioners feel unless the board votes the way these two want, it doesn't count. In 5 solid months these two have been the cause of actions against select board members and the harassment they received from the public.

Now they are rushing in so gallantly to take all the harassments and disbar the board. What a bunch of crap.

Neither of these two commissioners have taken into account the well-being of the residents of Soole Co.

This is not just about Dr. Clary, but is about allowing Soole Co residents access to the hospital with the Dr. of their choice. A fact they still refuse to acknowledge.

The Hospital now has a 1/2 million deficit, and I'm sure Blaine Co is more than happy to have the

a additional revenue. We do still have Mike
to install cameras through the Hospital with
the approval and employ out of state attorneys. Wow!

Alan is going to 'call actions' and the Commissioners
a law-suit, all of which could have been
avoided 5 months ago, plus putting the Hospital
Board in the position these two Commissioners
have by their actions.

After attending Hospital Board meetings for
the past 10 months, and seeing how Alan
Underdahl and Don Braunman act, it has
been a real eye-opener. It is a disgrace.

Vern Anderson 10/6/14 MMC Board Member

NOW THAT YOU'VE DONE AWAY WITH OR DISBANDED
THE MMC BOARD THERE STILL IS A MATTER YOU HAVE
TO DEAL WITH NOW. WHERE WE THE BOARD MOTIONED
SECONDDED AND VOTED TO GIVE DR. CLARY ALL PRIVILEGES
AT OUR HOSPITAL - THE SAME THAT ALL OTHER
DOCTORS ENJOY

THE INFORMATION BOARD MEMBER RICK ASCHIM HANDED OUT
LAST MEETING INDICATED HE WAS GOING TO AGAIN MAKE
THE SAME MOTION AGAIN ABOUT DR. CLARY THEN THE LETTER
FROM COMMISSIONER DON BRANDON WAS RECEIVED - STRANGE
SO CLOSE TOGETHER

This Board to my knowledge NEVER MENTIONED OR VOTED
TO EVER HURT OUR FACILITY

AND LAST BUT NOT LEAST IN HOYASIRE LAW ENFORCEMENT
I DON'T THINK I'VE EVER SEEN A MAN OR WOMAN
CONVICTED OF SHE SAID) HE SAID, WITHOUT EVERYONE
STANDING IN COURT SWEARING TO TELL THE TRUTH OF
EXACTLY WHAT HAPPENED

THANK YOU LETTING ME SPEAK MAY GOD HELP US.

Denis Freeland I-N
445 O'Haire Blvd
Concerned Citizen

Who are these people attacking the
families of my elected officials, the
volunteer board member & family and
lets not forget our small business
owner & family; that have put up with-

I have a right to know
who they are

A child was confronted at
school & downtown I was told

Give me your list of your attackers
before 3PM ^{Friday} October 10, 2014. I will
buy a add with these names submitted.
To be printed in my add in the local
paper.

This is NOT threat but a promise
to the above mentioned people

Denis Freeland

Good morning, my name is Barb Cole and I am presently serving on the Marias Medical Center board. Since the threat was already on the table, presented by Commissioner Underdal at both the Tuesday September 9th MMC Board meeting and again the following Monday September 15th at the Chamber of Commerce meeting, a statement which read in part, (The Board exists at the discretion of the County, Delegated authority can be rescinded or revoked at any time by the commissioners, who granted it.) , I feel like this is just a clever ploy on the part of our commissioners to appear to rescue the board, while in reality achieving their desired goal. With that being said, I feel that it is very unfortunate that a board made up of volunteers, on either side of the issues, whose only concern is to help provide quality healthcare to the citizens of Toole County, have been targeted and their businesses impacted. A volunteer does not deserve that kind of treatment. Those who choose to serve, especially during a rather difficult time, should be given respect and perhaps an occasional pat on the back. The commissioners do have the authority to dissolve the board, but I question their wisdom. If they do this not only will they be assuming responsibilities for a hospital in crisis, which will require a great share of their time, but they will be letting other county services suffer, due to this increased burden on their work load. Additionally the county services will be affected by the financial drain of county funds needed to maintain the hospital, which will then not be available for roads, weed control, Senior Center, our libraries and all the other essential services that the residents of Toole County depend on the county to provide.

Although I may well be wrong, I feel that this meeting is a formality and that the commissioners have already made up their minds. If that is in fact the case, I would like to propose that the county pursue selling our hospital to an outside, private source for the betterment of our community. I feel that a private entity with knowledge and expertise of hospital management and the resources in both personnel and finances would not only relieve the tax burden on Toole County residents, but would also alleviate the extra stress and burden on our county commissioners. A reputable medical healthcare provider which is well versed in medical facilities would undoubtedly be better suited to provide for the overall health needs of our community. I would, therefore, respectfully request that a

public meeting on this issue be set by the commissioners to gather public comment, and help determine if this would be a viable and healing solution for our community. Thank you for your time.

Underdal and seconded by Brandon. Motion carried.

- ii) Proposed – **Motion to approve the salary increase of 2% for non-union employees, and a separate market adjustment increase for Jayce Yarn, Tressa Keller, Jessica Brusven and Renae Manley to be effective October 23, 2014 was made by Brandon and seconded by Underdal.** Motion carried. The remainder of the budget was tabled.

b) Strategic Goals

- i) To Be Determined. Ideas to be presented with report from Associated Employer Assistance and in conjunction with Marias Healthcare Services, Inc.

6) Annual Review of Bylaws – Tabled.

7) Adjournment – Chair Ober adjourned the meeting at 3:30 p.m.

COMMISSIONER'S AGENDA

October 20, 2014

10:00 A.M.

Commissioner's Office

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of Minutes from 10-16-2014: Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion passed.

- 1. Consider approval of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) agreement with Teton County from October 1, 2014 through September 30, 2015. **This is \$42,404. Deb motioned to approve. Allan 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA

10:00 AM

November 6, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of October 20, 2014 Minutes: Allan motioned to approve. Deb 2nd the motion and the motion carried.

- 4. Consider approval of the Inmate Excess Medical Insurance and/or Claims Administration Management Agreement with coverage from 11/1/2014 through 10/31/15. 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. **Deb motioned to approve. Allan 2nd the motion and the motion carried.**
- 5. Consider approval of funding request of \$5,000 by Northern Transit Interlocal toward operating expenses for regional transportation services for SFY 2015-2016. **Allan motioned to approve. Deb 2nd the motion and the motion carried.**
- 6. Consider the designation of Allan Underdal as Position One Voting Member for Northern Transit Interlocal with Ben Ober and his successor as Toole County's alternate voting member. **Deb motioned to approve. Allan 2nd the motion and the motion carried.**
- 7. Consider the designation of Deb Brandon as Position Two Voting Member for Northern Transit Interlocal with Mallory Riphenburg as Toole County's alternate voting member. **Allan motioned to approve. Deb 2nd the motion and the motion carried.**
- 8. Consider approval of payment in the amount of approximately \$900.00 for the remainder of FY 2014-15 to Joints Powers Insurance Authority (JPIA) for Ethical Violation Liability insurance. **Deb motioned to approve. Allan 2nd the motion and the motion carried.**

The Board of Directors of Marias Medical Center met on the above date at 11 a.m.

Directors Present: Chair Ben Ober, Deb Brandon and Allan Underdal.
Directors Absent: None.
Management Present: Bill Hartley, Randy Nightengale and Renae Manley
Guests Present: Brenda Potter

- 1) Call to Order. Chair Ober called the meeting to order at 11:11 a.m.
- 2) Approval of Agenda. **Motion to approve the agenda as posted was made by Brandon and seconded by Underdal.** Motion carried unanimously.
- 3) Public Comments on agenda items. None.
- 4) Approval of Minutes. **Motion to approve October 18, 2014 meeting minutes with correction was made by Brandon and seconded by Underdal.** Motion carried unanimously.
- 5) Discussion on Monitoring Reports.
 - a) Standing Committees. None.
 - b) Special Committees. None.
 - c) Medical Staff Report. October minutes not yet approved.
 - d) CEO Report. Hartley led discussion on the goals and strategic plan working document. Contracts signed in October are listed in the board packet.
 - i) CEO Policy Reports.
 - (1) Governance Calendar. Presented.
 - (2) Draft Goals and Objectives. Presented.
 - e) CFO Report. See attached report. Correction to days in accounts receivable at 79 and days in unbilled at 16 at the end of September. The business office is collecting funds as accounts are available. The Care Center losses were reported. Nightengale and Hartley will investigate options for a management company taking over the Care Center.
 - i) Budget and audit reports. The audit is currently being worked on and will be available by December. Call pay policy has been adjusted to standardize departmental pay. A couple of the auxiliary departments are still being researched.
 - f) Other.
 - i) County Report. No report.
- 6) Board Education Reports/Quality Assurance
 - a) Report to the Board. Rehabilitation Therapy and Materials Management. Reviewed.
 - b) Patient Survey Summaries. Reviewed.
- 7) Governance Policies Review/Revision.
 - a) Governance Calendar. No changes necessary.
- 8) Board Actions Required.
 - a) Medical Staff Peer Review Policy. **Motion to approve the Peer Review policy as endorsed by Medical Staff at their October 8, 2014 meeting was made by Brandon, and seconded by Underdal.** Motion carried unanimously.
 - b) Budget approval. **Motion to approve the budget as presented was made by Underdal and seconded by Brandon.** Motion carried unanimously.
 - c) Strategic Planning Session goals. **Motion to approve the goals as presented was made by Brandon and seconded by Underdal.** Motion carried unanimously.
- 9) Other.
 - a) Correspondence. None
 - b) Executive Session. (none needed)
- 10) Adjournment. Chair Ober adjourned the meeting at 12:40 p.m.

Next meeting **Thursday, November 13, 2014 at 11 a.m.**

COMMISSIONER'S AGENDA
10:00 AM
November 10, 2014

PRESENT: Ben Ober, Allan Underdahl, Deb Brandon, Carol Neal, Donna Grant, Boyd Jackson, Larry Bonderud, Merle Raph and Treva Nelson. Chuck Pankratz and Marlyann Verploegen from DOR were present by conference call.

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

Approval of November 6, 2014 Minutes: Deb motioned to approve. Allan 2nd the motion. The motion passed.

1. Consider approval of the request by the City of Shelby for abatement of storm drainage assessment fees. **Ben opened up the agenda for discussion.** The City would like to not charge the fee any longer. Chuck commented that it would be better to revise the tax statement instead of abating it. Boyd's concern was the mortgage companies and tax payers who have already paid. The City's intent would be to refund the over payment to the mortgage company or individual. 1,415 property taxes are still due. Merle asked what the DOR would require. Chuck said we should reject the mortgage company payments and rebill. Boyd said that rebilling would change due dates. Some of the mortgage company payments are ACH, so they have to be accepted. The new tax bills would have to be done manually. The DOR would have to do a reassessment. Chuck said that if we could avoid abatement except for those who have already paid, it would be best to do so. Chuck felt that Carol and Donna could do the manual enter in a couple of days. He would want to provide the county with a report of before and after. Merle felt a resolution directing the Treasurer to reissue the tax bill would need to be done. Deb asked if the DOR was going to charge the county to do this work. Chuck said no they wouldn't. Larry commented that the City would reimburse the county on man hours, postage, paper and anything else necessary. Larry would like to get this out to the public. Boyd said he would have to do the billing on a weekend. The last tax bills took him 25 hours to print. Carol asked what the due date is for her to have the entry's done. **Allan motioned to consider a resolution on Thursday, asking the DOR and the Treasurer to reissue the tax bills. Deb 2nd the motion and the motion carried.**
2. Consider appointment of Chuck Kelleher to the Toole County/City of Shelby Airport Commission with a term through 6/30/2018. **Deb motioned to approve. Allan 2nd the motion and the motion carried.**
3. Consider re-appointment of Dan Whitted to the Toole County/City of Shelby Airport Commission with a term through 6/30/2019. **This agenda item was postponed.**

COMMISSIONER'S AGENDA

10:00 AM

November 13, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of November 10, 2014 Minutes: Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion carried.

1. Consider approval of Resolution 15-2014, a resolution to approve the City of Shelby's request to abate their storm drainage assessment by authorizing the Montana Department of Revenue and the Toole County Treasurer to recalculate and reprint tax statements. **Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of Resolution 16-2014, a resolution opposing expansion of Federal control under the Clean Water Act. **Deb motioned to approve. Allan 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of the Memorandum of Understanding (MOU) between Toole County and Glacier County for regional transportation coordination through July 1, 2016. **Deb motioned to approve. Allan 2nd the motion and all were in favor. The motion passed.**

RESOLUTION 15-2014

A RESOLUTION TO APPROVE THE CITY OF SHELBY'S REQUEST TO ABATE THEIR STORM DRAINAGE ASSESSMENT BY AUTHORIZING THE MONTANA DEPARTMENT OF REVENUE AND THE TOOLE COUNTY TREASURER TO RECALCULATE AND REPRINT TAX STATEMENTS.

WHEREAS: The City of Shelby has requested that their storm drainage assessment be abated in accordance with the City of Shelby's Resolution No. 1906 passed on November 3, 2014; and

WHEREAS: The Montana Department of Revenue and Toole County Treasurer have already calculated, printed, and mailed tax statements; and

THEREFORE BE IT RESOLVED that the Department of Revenue and the Toole County Treasurer recalculate the assessments and reprint and mail the tax statements to taxpayers and set a new statutory payment period and deadline as well as set up a mechanism to allow refunds to any taxpayer that pays taxes before the new statements are issued.

BE IT FURTHER RESOLVED that the City of Shelby be billed any additional costs of the abatement.

Passed by the Toole County Commissioners in a meeting on November 13, 2014.


Ben Ober, Chairman
T C Commission


Allan Underdal
Commissioner


Deb Brandon
Commissioner

ATTEST:


Treva Nelson
Clerk & Recorder

RESOLUTION 16-2014

A RESOLUTION OPPOSING EXPANSION OF FEDERAL CONTROL UNDER THE CLEAN WATER ACT

WHEREAS, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) seek to extend control over and expand the definition of "Waters of the United States"; and

WHEREAS, the proposed rule would modify existing regulations, which have been in place for over 25 years, regarding which waters fall under federal jurisdiction through the Clean Water Act (CWA), thereby expanding the scope of CWA jurisdiction and impacting counties, agriculture, cities, states, utilities, natural resource extraction, and other entities as more waters become federally protected and subject to new rules or standards; and

WHEREAS, Toole County is charged with the protection of the health, safety, and welfare of our citizens, as well as to maintain and to improve their quality of life, as are all county governments; and

WHEREAS, Toole County's economy is dependent on agriculture, our utilities and associated businesses, all of which are reliant on our waters. The proposed rule potentially increases federal jurisdiction with the costs of complying with these rules impacting our economy and causing serious consequences for all of Montana's people; and

WHEREAS, the proposed rule change, if adopted, would cause significant harm to business development, take control of land use for sustainable food production, create substantial delay and cost to the expansion of utilities and proposed natural

resource development, and negatively affect county-owned and maintained infrastructure, such as bridges, roads, culverts, and ditches; and

WHEREAS, then Montana Constitution of 1889 established ownership of Montana's waters, as written in Article XI, Section 3, Water Rights, (3) **"All surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law."**

NOW THEREFORE, BE IT RESOLVED that the Toole County Board of Commissioners hereby OPPOSE additional regulations that have been proposed by the EPA to redefine the current definition of "Waters of the United States", as well as to implement additional enforcement, with regard to the Clean Water Act.

BOARD OF TOOLE COUNTY COMMISSIONERS DATED November 13, 2014



Ben Ober, Chairman
Commission Chair



Allan Underdal
Commissioner



Deb Brandon
Commissioner

ATTEST:



Treva Nelson, Clerk & Recorder

COMMISSIONER'S AGENDA

10:00 AM

November 17, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of November 13, 2014 Minutes: Allan motioned to approve. Deb seconded the motion and all were in favor. The motion passed.

1. Consider approval of a Memorandum of Understanding (MOU) with Opportunity Link to work collaboratively in the event Opportunity Link's Promise Zone grant application is funded. **Allan motioned to approve the MOU. Deb seconded the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA: MARIAS MEDICAL CENTER BOARD ROOM

11:00 A.M.

November 13, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon, Tom Carter and Renae Manley

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

Chair Ober called the meeting to order at 11:04a.m.

Motion to approve minutes from November 6, 2014 be approved was made by Underdal, and seconded by Brandon. Motion carried unanimously.

1. Action Items
 - a. Credentialing – No quorum at Medical Staff so postponed at this time.
 - b. MRI budget – Carter presented MRI Lease proposals (see attached). **Motion to approve the 24 month lease with Alliance Imaging with the mobile GE unit and 9.1 or higher software package for a cost of \$15,000 per month was made by Brandon, and seconded by Underdal. In the event that is not available, continue with the Insight contract for 24 months. This will be a \$1500 per month cost savings over the current unit. This is pending commissioner review of the actual contract. Motion carried**

COMMISSIONER'S AGENDA

10:00 AM

November 20, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of November 17, 2014 Minutes: Allan motioned to approve. Deb 2nd the motion and all were in favor.

1. Consider approval of a Third Party Administrator (TPA) contract for Controlled Substance and Alcohol Testing program with William P. Hanley, Hi-Line Consortium for the Road Department. **Deb motioned to approve. Allan 2nd the motion and all were in favor.**
2. Consider approval of a TPA contract for Controlled Substance and Alcohol Testing program with William P. Hanley, Hi-Line Consortium 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. **Deb motioned to approve. Allan 2nd the motion and all were in favor.**
3. Consider increasing the limit of the Toole County credit card from \$5,000 to \$10,000. **Allan motioned to approve. Deb 2nd the motion and all were in favor.**
4. Consider re-appointment of Dan Whitted to the Toole County/City of Shelby Airport Commission with a term through 6/30/2019. **Allan motioned to approve. Deb 2nd the motion and all were in favor.**

COMMISSIONER'S AGENDA

10:00 AM

November 24, 2014

PRESENT: Ben Ober, Allan Underdal, Joe Parks 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, 2014 Minutes: Allan motioned to approve. Ben 2nd the motion and all were in favor.

1. Consider approval of FY 2015 Extension Services Agreement between Montana State University Extension and Toole County in the amount of \$127,500.00. **Allan motioned to approve. Ben 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of disbursement of rebate funds from Workers' Compensation in the amount of \$20 per employee who has met the following criteria:
 - Continuous employment from Dec. 1, 2013-Nov. 30, 2014
 - Full time or part time status
 - No loss time accident**Allan motioned to approve. Ben 2nd the motion and all were in favor. The motion passed**

COMMISSIONER'S AGENDA

10:00 AM

December 8, 2014

PRESENT: Ben, Allan and Deb

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

Approval of November 24, 2014 Minutes: Allan motioned to approve the minutes of 11/24/2014; Ben seconded and the motion carried.

3. Consider appointment of Jason Kline to serve on the City of Shelby/Toole County Planning Board with a term ending on 3/31/17. **Deb motioned to approve, Allan 2nd and the motion carried.**
4. Consider re-appointment of Gary Sulenes to serve on the City of Shelby/Toole County Planning Board with a term ending on 3/31/16. **Allan motioned to approve, Deb 2nd and the motion carried.**
5. Consider re-appointment of Guy Dubois to serve on the City of Shelby/Toole County Planning Board with a term ending on 3/31/16. **Deb motioned to approve, Allan 2nd and the motion carried.**
6. Consider approval of a 63 month lease with Superior Business Equipment for the Toole County Attorney's office. The lease rate for the Canon imageRunner 400if System copier is \$76/month as well as a one-time \$95 doc. fee as it is a new lease. **Allan motioned to approve, Deb 2nd and the motion carried.**
7. Consider approval of a 1 year maintenance contract (includes 1000 pages/mo., all parts, supplies, labor for service and cleanings) with Superior Business Equipment at a cost of \$35/month. . **Deb motioned to approve, Allan 2nd and the motion carried.**

The Board of Directors of Marias Medical Center met on the above date at 11 a.m.

Directors Present: Chair Ben Ober, Deb Brandon and Allan Underdal.
Directors Absent: None.
Management Present: Bill Hartley, Randy Nightengale and Renae Manley
Guests Present: Penny Jacobson

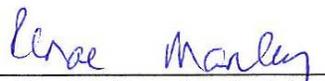
- 1) Call to Order. Chair Ober called the meeting to order at 11:04 a.m.
 - 2) Approval of Agenda. **Motion to approve the agenda as posted was made by Brandon and seconded by Underdal.** Motion carried unanimously.
 - 3) Public Comments on agenda items. None.
 - 4) Approval of Minutes. **Motion to approve November 13, 2014 meeting minutes as presented was made by Brandon and seconded by Underdal.** Motion carried unanimously.
 - 5) Discussion on Monitoring Reports.
 - a) Standing Committees. None.
 - b) Special Committees. None.
 - c) Medical Staff Report. Election of officers was held at their annual meeting this month. They elected the following officers: Chief – Dr. Gianarelli, Vice-Chief – Dr. Berdecia-Rodriguez, and Secretary-Treasurer – Dr. Hardy.
 - d) CEO Report. Attached. During Hartley's absence over the holidays, CNO Fender will be in charge and a letter will go out to the managers at today's department head meeting.
 - e) CFO Report. Attached. The cost report has been filed and should result in approximately \$400,000 this spring. Meaningful Use attestation has been met and is being reviewed by Medicare. The Meditech upgrade contract will be coming next week and the cost summary was reviewed at this meeting. **Motion to approve the financials was made by Underdal, and seconded by Brandon.** Motion carried unanimously.
 - 6) Board Education Reports/Quality Assurance
 - a) Report to the Board. Dietary. Reviewed. The steam table was replaced yesterday due to some wiring issues.
 - b) Patient Survey Summaries. Reviewed.
 - 7) Board Actions Required.
 - a) Nursing Home Administrator license. Discussion held. **Motion to accept the terms of \$4,400 for the license and onsite duties with Kent Hanawalt for three months (with the caveat that the CEO has authority to adapt the agreement as necessary) was made by Underdal, and seconded by Brandon.** Motion carried unanimously.
 - b) Budget – Clarify salary increase motion. **Motion to approve the new pay policy as revised (attached) was made by Brandon, and seconded by Underdal.** Motion carried unanimously.
- Meeting closed to public for executive session. Jacobson left.
- c) Credentialing. (Reviewed in Executive Session.)
 - d) Open meeting resumed. **Motion to approve credentials presented by Medical Staff: Provisional**

providers Daniel Hodson, DPM; Paul Johnson, MD; David Philips, MD to Courtesy staff; and two year appointments to Jeffrey Allen, CRNA; Christopher Rost, PA-C; and Joni Walton, FNP to Allied Staff was made by Underdal, and seconded by Brandon. Motion carried unanimously.

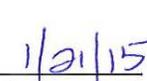
- 8) Other.
 - a) Correspondence. Thank you for Christmas party passed around.
- 9) Adjournment. Chair Ober adjourned the meeting at 12:45 p.m.

Next meeting **Thursday, December 18 at 11 a.m.**

Respectfully submitted by,



Renae Manley, Executive Assistant



Date approved

COMMISSIONER'S MINUTES
1:00 p.m.
December 12, 2014
Marias Medical Center Board Room

PRESENT: Chair Ben Ober, Allan Underdal, Deb Brandon, MMC CEO Bill Hartley, MMC CFO Randy Nightengale, Executive Assistant Renae Manley, Sanford/Liberty Medical Center CEO Derek Daly, Jesse Tischer, Kyle Schulte, Vern Carda, Penny Jacobson, Kathy Danielson, Brenda Gilmore, Tamra Fender and Judy Richman.

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

Chair Ober called the meeting to order at 1 p.m.

1. Informational meeting with Sanford Health representatives. Tischer and Carda presented an overview of Sanford Health company and mission. See attached presentation.

Chair Ober adjourned the meeting at 2:18 p.m.

COMMISSIONER'S AGENDA
10:00 AM
December 15, 2014

PRESENT: Ben, Allan and Deb

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

Approval of December 8, 2014 Minutes: Deb made a motion to approve, Allan seconded and the motion carried.

1. Consider resignation of Sandra Peers as Toole County Clerk of Court, effective January 1, 2015. **Allan made a motion to approve, Deb seconded and the motion carried.**
2. Consider appointment of Debra Munson to fill out the final two years of the term of Sandra Peers, for the position of Toole County Clerk of Court. The term expires December 31, 2016. **Deb made a motion to approve, Allan seconded and the motion carried.**

**COMMISSIONER'S MINUTES
MARIAS MEDICAL CENTER BOARD ROOM
December 18, 2014, 11:00 A.M.**

PRESENT: Ben Ober, Allan Underdal, Bill Hartley and Randy Nightengale

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

Chair Ober called the meeting to order at 11:05 a.m.

Previous minutes not available and will be approved in January.

1. Action Items
 - a. Meditech Upgrade – **Motion to approve \$65,000 for Meditech software upgrade was made by Underdal and seconded by Ober. Motion carried.**
 - b. Marias Medical Center Credit Card – **Motion to approve a credit card at First State Bank with a \$5,000 limit was made by Underdal and seconded by Ober. Motion carried.**
 - c. Registration area remodel/maintenance items
 - i. Marcello will be reviewing remodel options for the registration area.
 - ii. CCA will be contacted regarding refinishing the arms of the chairs that were just recovered.
 - iii. Ceiling tiles will be purchased to replace current tiles.

**COMMISSIONER'S AGENDA
10:00 AM
December 18, 2014**

PRESENT: Ben Ober, Allan Underdal, Lloyd Omdahl, Matt Enneberg and Treva Nelson.

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

Approval of December 15, 2014 Minutes: Allan motioned to approve the minutes. Ben seconded the motion and all were in favor. The motion passed.

9. Consider appointment of George Nickol to the Public Safety Commission with a term ending 12/31/2018. **Allan motioned to approve the appointment. Ben seconded the motion and all were in favor. The motion passed.**
10. Consider re-appointment of Darlene Sherrard to the Shelby Senior Center Board with a term ending 12/31/2017. **Allan motioned to approve the appointment. Ben seconded the motion and all were in favor. The motion passed.**
11. Consider re-appointment of Marian Hinds to the Shelby Senior Center Board with a term ending 12/31/2017. **Allan motioned to approve the appointment. Ben seconded the motion and all were in favor. The motion passed.**
12. Consider re-appointment of Hattie Appley to the Shelby Senior Center Board with a term ending 12/31/2017. **Allan motioned to approve the appointment. Ben seconded the motion and all were in favor. The motion passed.**
13. Consider approval of the contract for sanitarian services with RCJ Enterprises for \$3600 per month through 06/30/2015. Effective 07/01/2015, the cost for sanitarian contractual services will be \$3700 per month. **Allan motioned to approve the contract for sanitarian services. Ben seconded the motion and all were in favor.**

Other Business:

Discussion was held with Matt Enneberg on whether he would be able to crush 75,000 cubic yards of gravel.

Allan motioned to accept the bid from Enneberg Excavation LLC for 75,000 cubic yards of gravel at \$4.79 a cubic yard. Half of the yardage would be crushed by June 30, 2015 and the other half would be completed by November 1, 2015. Ben seconded the motion and all were in favor. The

motion passed.

COMMISSIONER'S AGENDA

10:00 AM

December 24, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of December 18, 2014 Minutes: Allan motioned to approve. Ben 2nd the motion and all were in favor. The motion passed.

1. Consider possible action on the hiring of an interim CEO for Marias Medical Center to replace Bill Hartley. **Deb mentioned they met with Sanford Health, Quorum, Kalispell Regional Medical Center and Benefis. Proposals were presented by each group for an Interim CEO or for management. Deb motioned to hire John Short as an interim CEO through a contract with Kalispell Regional Medical Center. Allan 2nd the motion and all were in favor. The motion passed.**

COMMISSIONER'S AGENDA

10:00 AM

December 29, 2014

PRESENT: Ben Ober, Allan Underdal, Deb Brandon and Treva Nelson

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

Approval of December 24, 2014 Minutes: Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion passed.

1. Consider approval of Task Order #15-07-4-31-100-0 (CFDA #93.268) between the MT Dept. of Public Health and Human Services and Toole County Health Department to provide immunization services with a term beginning 7/1/2012 and ending 6/30/2019. **Deb motioned to approve. Allan 2nd the motion and all were in favor. The motion passed.**
2. Consider approval of MT Cancer Control Program (MCCP) agreement with Teton County with a term beginning 7/1/2014 and ending 6/30/2015. **Deb motioned to approve. Allan 2nd the motion and all were in favor. The motion passed.**
3. Consider approval of Amendment #2 to SOW MLIA_2014_09 between Toole County and the Montana State Library, an amendment extending the project through 6/30/2015. **This is for the Sweet Grass Water and Sewer mapping. Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion passed.**
4. Consider approval of Amendment #2 to SOW MLIA_2014_11 between Toole County and the Montana State Library, an amendment extending the project through 6/30/2015. **This is for the Cemetery mapping for Toole and Liberty Counties. Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion passed.**
5. Consider approval of purchase of Toole County Airport property from the MT Dept. of Transportation in the amount of \$2,350.00. This property was surveyed incorrectly when Interstate 15 was constructed. **Deb motioned to postpone this agenda item until they have had time to review the deed and survey. Allan 2nd and all were in agreement.**

COMMISSIONER'S AGENDA

10:00 AM

December 31, 2014

PRESENT: Ben Ober, Allan Underdal, 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 December 29, 2014 Minutes: Allan motioned to approve. Deb 2nd the motion and all were in favor. The motion passed.

1. Consider approving a change in the Workers' Compensation Insurance carrier from MACO/JPA to the Montana State Fund in order to reduce costs by approximately \$100,000 per year. The major portion of savings would be in hospital classification rates. **Deb motioned to postpone this action until more research has been done on the details. Allan 2nd the motion and all were in favor. The motion passed.**