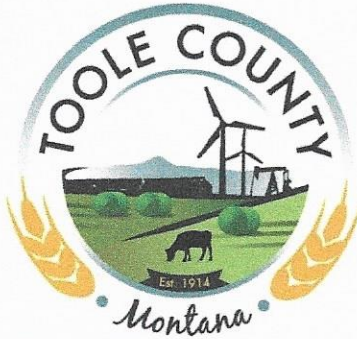


Terry Tomsheck - Commissioner Chair
Mary Ann Harwood - Commissioner
Terry Kimmet - Commissioner
Merle Raph - County Attorney
Dan B. Whitted - Coroner
Tyler Padilla - Sheriff



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

226 1ST Street South
Toole County Courthouse, Shelby, MT 59474
406-424-8300 www.toolecountymt.gov

COMMISSIONERS' MINUTES

August 7, 2025
10:00 A.M.

PRESENT: Mary Ann Harwood, Terry Kimmet

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

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

PLEDGE OF ALLEGIANCE

Approval of July 24, 2025, Meeting Minutes: Terry Kimmet made the motion to approve the minutes, seconded by Mary Ann. Motion passed.

1. Consider Resolution #10-2025, A resolution requesting prosecutorial assistance in the case of State v. Anthony Alvarez. **Terry Kimmet made the motion to approve the minutes, seconded by Mary Ann. Motion passed.**

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



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RESOLUTION #10-2025

A RESOLUTION REQUESTING PROSECUTORIAL ASSISTANCE IN THE CASE OF STATE V. ANTHONY ALVAREZ

Whereas: the Toole County Attorney has requested prosecutorial assistance in the case of State v. Anthony Alvarez and,

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

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

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

It Is Hereby Resolved: That the attorneys assigned to the Prosecution Services Bureau of the Department of Justice are hereby appointed as special deputy county attorneys for Toole County for the purpose of assisting in the prosecution of the aforementioned case and that any of said deputies can fulfill the functions set out in Mont. Code Ann. § 44-4-103.

It is Further Resolved: That under the terms of this agreement, no fee will be charged for attorney time provided by the Bureau. Assistance in such cases is provided without an hourly fee. Witness fees and expenses, transcript costs, jury costs, and other normal

costs associated with trial will be the County's responsibility as with all other prosecutions.

Adopted by the BOARD OF TOOLE COUNTY COMMISSIONERS dated this 7th day of August 2025.

Terry Tomscheck

Terry Tomscheck, CHAIR

Mary Ann Harwood

Mary Ann Harwood, COMMISSIONER

Terry Kimmet

Terry Kimmet, COMMISSIONER

ATTEST:

Treva Nelson Deputy

Treva Nelson
Clerk & Recorder

