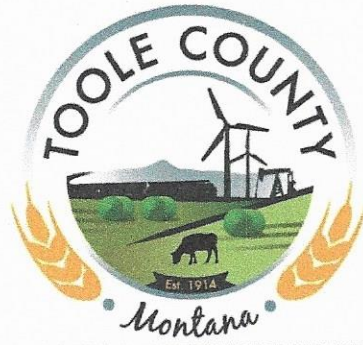


*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomscheck* - Commissioner  
*Merle Raph* - County Attorney  
*Dan B. Whitted* - Coroner  
*Donna Whitt* - Sheriff



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

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

**COMMISSIONERS' AGENDA**  
**MARCH 4, 2021**  
**10:00 am**

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

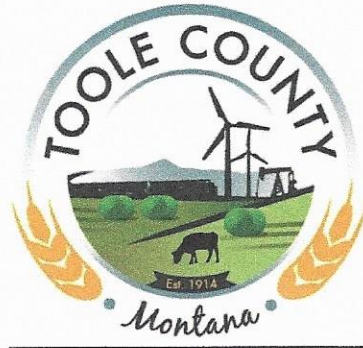
**Public comment is allowed on all agenda items at the direction of the Chairman and following Board rules.**

PLEDGE OF ALLEGIANCE

**Approval of February 22, 2021 Meeting Minutes: Don motioned to approve. Terry seconded the motion and the motion carried.**

- 1. Consider approval of Resolution #5-2021, a Resolution for prosecutorial assistance in the case of State v. Loren Skartved. Don motioned to approve. Terry seconded the motion and the motion carried.**

*Mary Ann Harwood* - Commission Chair  
*Don Hartwell* - Commissioner  
*Terry Tomsheck* - Commissioner  
*Merle Raph* - County Attorney  
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## RESOLUTION 5-2021

### **A RESOLUTION TO APPOINT PROSECUTORIAL ASSISTANCE FROM THE PROSECUTION SERVICES BUREAU OF THE DEPARTMENT OF JUSTICE.**

**WHEREAS**, the Toole County Attorney has requested prosecutorial assistance in the case of State v. Loren Skartved, 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 authorized and contemplates that the raining coordination 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 this or her duties, and;

**THEREBY BE IT 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, and;

**FURTHER BE IT 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, jury costs, and other normal costs associated with trial will be the County's responsibility as with all other prosecutions.

**DATED THIS 4<sup>TH</sup> DAY OF MARCH, 2021 BY THE BOARD OF TOOLE COUNTY COMMISSIONERS.**

Mary Ann Harwood  
BOARD CHAIR

Terry Tomshack  
COMMISSIONER

ATTEST:

Don Hartwell  
COMMISSIONER

Maria Nils  
CLERK & RECORDER

