



Montana Association of Counties

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DISTRICTS 4 & 5 MEETING MINUTES

Chinook, MT – Eagles Club

June 6, 2013

District 4

X Blaine
X Chouteau
X Hill
X Liberty

District 5

X Cascade
X Glacier
X Pondera
X Teton
X Toole

MACo Staff: Harold Blattie, Executive Director; Sheryl Wood, Associate Director; and Shantil Siaperas, Legislative Coordinator

MACo President & Officers: Joe Briggs, Cascade County Commissioner, MACo 1st Vice President

Guests: Wayne Noem, Montana Department of Transportation

Pledge to Flag

Welcome & Introductions: Russ Tempel, Liberty County, welcomed everyone and called the meeting to order. Shantil Siaperas conducted roll call.

Approval of Previous Meeting Minutes: August 15, 2012 Minutes

- MOTION: Tony Sitzmann, Glacier County, moved to accept the August 15, 2012 minutes. Mike Wendland, Hill County, seconded the motion. Motion carried unanimously.

District Chair/Vice Chair Elections: Districts 4 & 5 Chair & Vice Chair, 2-year terms

- **District 4**
 - MOTION: Rlynn Rockman, Liberty County, moved to elect Larry Hendrickson, Liberty County, as Chair. Mike Wendland, seconded the motion. Motion carried unanimously.
 - MOTION: Larry Hendrickson moved to elect Charles Kulbeck, Blaine County, as Vice Chair. Frank DePriest, Blaine County, seconded the motion. Motion carried unanimously.
- **District 5**
 - MOTION: Allan Underdal, Toole County, moved to re-elect Ben Ober, Toole County, as Chair. Bill Salina, Cascade County, seconded the motion. Motion carried unanimously.
 - MOTION: Sandy Broesder, Pondera County, moved to re-elect Tony Sitzmann as Vice Chair. Deb Brandon, Toole County, seconded the motion. Motion carried unanimously.

Next District Meeting Host: May 2014

- District 5 to Host

MACo Officer Nominations: 2nd Vice President

Harold Blattie: Andy Hunthausen, Lewis & Clark County, was nominated at the Districts 8, 9 & 12 meeting, and John Prinkki, Carbon County, was nominated at the Districts 6 & 7 meeting.

- There were no further nominations from the Districts 4 & 5 meeting.

MACo FY 2014 Proposed Budget: Harold Blattie & Sheryl Wood

- Projected Revenues
 - Higher than anticipated revenues
 - Advertising – Newsletter/Directory
 - Conferences & Workshops
 - Dues Income – Membership, PILT, Associate Member
 - Grant Income – No longer
 - Health Care Trust Admin Fee – No longer
 - MJPT Marketing Fees – Need to take out
 - NACo – Caremark Prescription Discount Card, Inmate Medical Royalty, Nationwide Retirement Deferred Compensation, US Community Commissions
 - Pooled Invest Fee – Health Care Trust, Joint Powers Authority, Joint Powers Insurance Authority
 - Rent Income – Basement
 - Scholarship Contributions – Raffles at conferences offset cost
- Cash Balance – Maintain 15% operating expenses
- Non-Dues Revenue
- Board Designated Funds
 - Termination Liability Reserves – will change
- Proposed Dues Schedule
 - COLA Increase – 2.1%
 - Tax, Budget & Finance Committee voted to recommend o increase dues 2.1%
 - Consistent to actions over last 10 years
 - Will be voted on by the Board of Directors at the June meeting
- Projected Budget
 - Auto Expense
 - Contracting Services: *Commissioners, Clerk & Recorders and Treasurers Handbook*
 - Working with Local Government Center (LGC)
 - Convention & Workshop Expense: With vendors and sponsors we can keep registration at a minimum
 - Dues Expense
 - Education & Training Staff
 - Equipment Repairs & Purchase: Color Copier
 - Health Insurance: MACo pays 100% of employee portion of plan (Lewis & Clark County plan)
 - Insurance & Bonds: Fleet of vehicles – Quotes from new provider
 - Member & Committee Travel: Board and Committee meetings
 - Miscellaneous: Odds and ends, ie. credit card fees
 - NACo Conferences
 - Office Supplies
 - Payroll Expense
 - Printing: Cost of printing the MACo Directory and *Counties on the Move* (LGC)
 - Server System: Recently changed out system (DIS)
 - New software and server: Includes offsite backup system
 - Staff Travel
 - Subscriptions: Code books, clipping service, Survey Monkey
 - Vehicle Purchase: Capitalize – Trade MACo’s Camry with Health Care Trust’s Toyota Rav4
 - Telephone Costs: Need system update
 - Building Remodel: Decks & chip seal parking lot
 - Looking to Underspend: \$150,000 to the good
 - Board of Directors meet June 20 to adopt the budget: Questions should be directed to District Chairs, Harold Blattie, or Sheryl Wood

MACo Staff Report: Harold Blattie & Sheryl Wood

- Work Comp Rates: Trustees met and maintained the rates; volunteer fire fighters class code 7704 increase from \$100 to \$130
- JPIA Position Descriptions: There will be a set of models (72) to work with and a manual
 - Scheduled for completion last Friday (May 31)—currently figuring out distribution
- Personnel Policy Model Manual: Out of date—Asking the Trustees to allow CMS to update
- SRS, PILT, & Federal Mineral Royalty Payments and Sequestration
- Satellite Polling Places, Sandra Boardman, Blaine County Clerk & Recorder
 - Would have to be secure with internet and staffed for full 30 days; staff would have to be trained on MT Votes Database and have to issue ballots—difficult because the ballots will be issued at the satellite office and the courthouse and have to be issued in sequential order; could affect all 56 counties
 - SOS Letter
 - AG Letter of Advice
- Rainbow Gathering: Rumor that it will be week before 4th of July in Beaverhead or Broadwater County
 - State DES is gearing up to provide assistance
- Health Care Trust Workshop: Urge you or your staff to attend—Healthcare is changing dramatically for employers

MACo President's & Officers' Report

- Joe Briggs, MACo 1st Vice President, Cascade County Commissioner
 - NACo Steering Committee Appointments
 - Montana influential at NACo: Quality representatives and very active in committees
 - Mike Murray, Lewis & Clark County will be chairing Public Lands Committee; Leslie Robinson, Phillips County, is 1st Vice President in WIR; John Prinkki, Carbon County, has successfully changed NACo Energy Policy leading to successful legislation
 - MACo President makes appointments (10)—fill out applications and send to MACo
 - MACo pays for 1 person on each steering committee; some counties pay as well—Oil Gas & Coal Counties, Reservation Counties, Forest Counties, etc.
 - 2013 Legislative Session: Tremendous session with big issues; MACo respected
 - MACo Annual Conference: September 22-26

Legislative Comments: Senator Greg Jergeson, SD 17

- Successfully carried a MACo-requested bill: County Elected Official Vacancies (SB 132, Revise statutory dates related to filling mid-term county elected office)
- Partisan politics at the Legislature
- Local governments matter

Other District Business

- Sage Grouse, Harold Blattie
 - Resource Management Plans: Comment to preserve your right
- Mental Health County Monies, Delores Plumage, Blaine County Commissioner
 - MACo will set up meeting

Break for Lunch

Legislative Report: Harold Blattie, Sheryl Wood, Shantil Siaperas

- MACo Bills
 - HB 164, Revise when county commissioner district boundaries can be modified—Passed
 - HB 192, Revise laws related to mobile home transfer and taxes (Treasurers' Bill) —Passed
 - HB 193, Authorize interim appointments of county elected officials—Passed
 - HB 194, Revise gasoline and vehicle fuel tax fund laws—Passed
 - HB 206, Increase justice court filing fees—Passed
 - HB 216, Revise laws related to distribution of overweight and oversize permit fees—Passed

- HB 258, Revise local government laws related to public notice—Passed
- HB 325, Revising legal holiday laws—Passed
- HB 371, Revise county public auction laws—Passed
- HB 510, Eliminate requirement for annual absentee forms—Passed
- SB 72, Revise the livestock per-capita assessment date—Passed
- SB 105, Revise interim zoning laws (talked about this before) —Passed
- SB 116, Revise special fuel user permit laws—Passed
- SB 132, Revise statutory dates related to filling mid-term county elected office—Passed
- SB 161, Change the requirements for establishing a special speed zone—Passed
- SB 234, Provisional permits for gravel pits—Passed
- SB 239, Generally revise tax increment financing districts—Passed
- SB 301, Revise noxious weed laws—Passed
- SB 332, Generally revise open-cut laws—Passed
- Land Use Bills
 - SB 23, Revise interim zoning laws
 - Limits use of interim zoning and expands process to be followed to extend interim zoning
 - SB 24, Revise zoning laws for sand and gravel operations—Vetoed
 - SB 240, Revise taxation of pollution control equipment
 - Adds timeline for holding meeting to submit subdivision application and if no meeting deemed submitted on date delivered; information pertaining to mitigation submitted by subdivider may not be considered new information
 - SB 105, Revise interim zoning laws
 - Our bill from last session—Vetoed by Governor Schweitzer—Vetoed by Governor Bullock this session—Not to return until we have a new Governor
 - John Ostlund talked with Montana Association of Planners’ Lobbyist before going into the hearing in the House to testify. Governor’s veto is almost verbatim what their written testimony was.
 - HB 148, Clarifying local government authority to regulate amateur radio operators
 - Precludes from using local zoning to get Ham radios of existence
 - HB 169, Allow growth policy to be used for coordination
 - Allows growth policy to be used as a resource management plan to establish coordinating or cooperating agency status with federal land management agency
 - SB 146, Generally revise subdivision review criteria laws regarding agency comment
 - Requires that if a federal, state, or local government submits written comment or an opinion regarding wildlife, wildlife habitat or the natural environment, the governmental entity shall provide the best available scientific evidence that supports the opinion; must disclose if government entity was involved in attempt to acquire interest in subdivision property
 - SB 147, Generally revise subdivision review criteria laws regarding agriculture—Vetoed
 - HB 531, Revise exemptions for certain divisions of land—Failed on Second Reading
 - HB 246, Revise conservation easement laws—Tabled, did not make it Transmittal
 - HB 562, Revise subdivision laws
 - Changes exemption for boundary adjustments outside subdivisions to clarify that if a resulting tract is less than 160 acres, it is not a subdivision tract that has to be reviewed as a subdivision
 - SB 316, Generally revise subdivision laws regarding encroachment onto private property
 - Addresses encroachment, water wells, and mixing zones within property being developed
 - SB 324, Generally revise the subdivision laws related to lease or rent requirements
 - Model of Resolution
 - Model Guidelines
 - Going forward: 5-lot, each lot can have additional building units
 - Want to hear about real problems/issues (not hypotheticals)
 - Not all counties enthused; Attempt to give Eastern Montana some latitude
- Quasi MACo Bills

- HB 38, Transfer GIS duties to state library—Passed
- HB 47, Revise certain county budgeting deadlines—Passed
- HB 575, Generally revise 9-1-1 laws
 - Money unclaimed by providers—additional money coming into your PSAPs
- SB 99, Revise laws related to motor vehicle insurance verification
- SB 386, Revise volunteer firefighter benefit laws—DNRC won't let the trucks be where the volunteers are not covered by work comp
 - Two ways: 1) If the district has a work comp policy, reimburse for that cost; 2) Designate as County Volunteer Fire Company, report them, and cover the premium
- HB 396, Revise laws regarding translocation of wild buffalo/bison—Died
- SB 108, Renew Montana charitable endowment tax credit—Passed
- Administration Bills
 - HB 84, Revise 72-hour presumptive eligibility requirements for crisis stabilization
 - Clarifies “evaluation” vs. “treatment”
 - HB 252, Revise notary public journal storage to secretary of state's office
 - Notary journals—transferred to SOS Office by October 1 (SOS said they have room)
 - SB 5, Clarify authority of local governments to store electronic documents off-site—Passed
 - SB 55, Clarify coverage of routine costs for patients in approved clinical trials—Passed
 - HB 226, Exempt computer professionals from overtime pay
 - Earns not less than \$27.63/hour is exempt from overtime laws; compliant with Fair Labor Standards Act (FLSA)
 - HB 245, Authorize counties to dedicate park land
 - Explicit authorization; before it wasn't explicit
 - HB 465, Increase certain county clerk fees
 - Plats and accompanying documents increased from \$5 to \$25 and \$1 per page respectively (hadn't been increased since 1865)
 - HB 603, Generally revise privacy laws and location information of electronic devices
 - Must obtain search warrant prior to obtaining location information of an electronic device
 - SB 271, Generally revise county sewer and water district laws
 - Method for dissolution of water and sewer districts
 - HB 231, Revise local government compensation laws related to county sheriff deputies—Died in Standing Committee
 - We are going to convene the Council of County Officials over the interim to discuss salaries of elected officials
 - HB 314, Revising special district laws
 - Tightened sideboards on special purpose districts, harder to create, easier to protest
 - HB 346, Revise laws governing use of dyed fuels
 - HB 451, Revise firewarden laws
 - Can appoint your own firewarden
 - HB 526, Require a final notice from the county treasurer prior to issuance of a tax deed—Died in Standing Committee
 - HB 558, Revise road laws related to aggregate stabilization—Died in Standing Committees
 - HB 593, Revise DOR laws for calculating soil type and productivity values on range land—Passed
 - SB 137, Revise local government laws relate to property environmental clean-up
 - Immunity from cleanup liability
 - SB 144, Generally revise noxious weed trust fund laws
 - Cap on the amount of trust fund money that the Department of Agriculture can use for administration costs
 - SB 284, Establish the property fairness act—Died in Standing Committee
 - SB 290, Revise county zoning regarding notice of change of use—Passed
 - SB 354, Revise laws related county historic rights-of-way—Died in Standing Committee
 - SB 365, Revise laws related to use of chloride-based deicers on Montana roads—Died in Standing Committee

- HB 346, Revise laws governing use of dyed fuels—Died in Standing Committee
- Election-Related Bills
 - HB 220, Revise election laws for county commissioners
 - Keeps coming up—would make it near impossible for a rural person to get elected as commissioner
 - HB 349, Provide for state reimbursing counties for legislative referenda ballot costs—Died in Standing Committee
 - HB 120, Generally revise election laws
 - SOS housekeeping bill; brief implementation review at Clerk & Records Convention in August and EA certification workshop in 2014
 - HB 251, Revise date absentee ballots are available—Died in process
 - HB 296, Revise when ballots may be prepared for counting—Died in process
 - SB 140, Combine school and primary election dates—Died in Standing Committee
 - Interim study instead (SJR 14)
 - SB 405, Referendum to revise close of late voter registration
 - Would move the end of voter registration to 5 p.m. on the Friday preceding the Tuesday election, putting an end to same-day voter registration
 - SB 408, Referendum to provide top two primary in certain elections
 - Would create a “top two primary” system in which only the top two vote-getters would qualify for the November general election ballot
- Exempt Well-Related Bills
 - Nothing passed—DNRC Rulemaking
- Tax & Revenue-Related Bills
 - HB 14, Bonding program
 - Calculates in veto of HB 218
 - HB 152, Provide deadlines for governing bodies to review tax exemption applications
 - 180 days
 - HB 589, Establish an oil and gas trust fund—Died in Standing Committee
 - HB 618, Revise tax lien, sale, and title provisions re primary residence tax delinquency—Died in Standing Committee
 - SB 56, Eliminate calculation errors of taxes, fees, and assessments to local government—Died in Process
 - SB 96, Lower the business and equipment tax—Passed
- Maureen Connor (former Granite County Commissioner) worked with MACo over the legislative session—RRGLs, TSEP, and House Bill 2
 - Grant Bills (HB 6, HB 7, HB 8, HB 9, HB 11, HB 13)
 - TSEP: All projects funded (extra General Fund money appropriated)
 - HB 2, General Appropriations Act
 - Statewide Voter Database—SOS will pay for it over the next two years, but we have to work with them to find alternative funding
 - Local Government Center—Need to find permanent, stable funding
- Mental Health and Law & Justice-Related Bills
 - HB 43, Create jail suicide prevention program in DPHHS & HB 69, Create jail suicide prevention program in board of crime control
 - Sponsors got flipped; we worked with both to get down to one bill
 - HB 168, Revise DUI laws for THC—Passed
- Medicaid-Related Bills
 - No bills passed, but there were 2 big ones:
 - SB 395, Revise health care laws to expand Medicaid and improve health care delivery
 - HB 623, Generally revise laws related to health care and health insurance
- Pension-Related Bills
 - HB 91, Modify and expand public employee 457 deferred compensation program

- Allows post-tax contributions to designated ROTH account for participants to the Deferred Compensation plan
- HB 95, Require contributions on working retiree compensation
 - Requires employer contributions on working retiree compensation in PERS, SRS, and FURS
- HB 97, Cap highest/final average compensation in MPERA retirement systems
 - Establishes 110% cap on compensation considered as part of a member's highest or final average compensation (hired after July 1, 2013)
- HB 105, Generally revise MPERA retirement system laws concerning plan administration
 - PERB's housekeeping bill
- HB 122, Ensure federal IRS qualification of MPERA retirement systems
 - Legislative changes required by the IRS in order to remain qualified retirement plans
- SR 22, Confirm Governor's appointees to public employee retirement board
 - Governor's appointment to MPERB—Mike McGinley, Beaverhead County Commissioner
- HB 454, Provide funding for PERS defined benefit plan, revise GABA (main pension bill)
 - Funding through natural resources (coal severance tax & coal tax permanent fund)
 - Employee contributions temporarily increased (1%—triggers to decrease if/when amortization drops below 25)
 - Employer contributions temporarily increased (1% as of July 1, 2013 then 0.1% per year over 10 years—triggers to terminate additional contribution if/when amortization drops below 25)
 - GABA revised for all members including current and future retirees (1.5% for all current and future retirees for each year PERS is funded at or above 90% ; 0.1% for each 2% PERS is funded below 90%; GABA is 0% for all current and future retirees whenever PERS' amortization period is 40 years or more)
 - DCRP allocation of employer contribution increases (1% increase in employer contributions is allocated to the Defined Retirement Plan Unfunded Actuarial Liability; the 0.1% annual additional increases are allocated first to the DCRP Plan Choice Rate, and then the DCRP long-term disability fund)
- Veto Overrides
 - HB 218, Require Board of Oil and Gas to administer grant program for oil and gas impacts
 - Effort being tied to HB 12
 - As of May 31: House Members—42 voted for and 12 voted against; Senate Members—15 voted for and 4 voted against
 - June 10 is the deadline to get 2/3 of Legislature to vote for it

Other District Business (Continued)

- State Trust Road Purchase, Harold Blattie
 - Last session we got the sunset extended; next session, we'll have to extend again get sunset removed
 - Russ Tempel: Need someone to walk us through it step-by-step; there will be a meeting—Toole County is working with someone as well

STIP & Secondary Roads: Wayne Noem, Montana Department of Transportation

- STIP
- Planning/Programming Document
- MAP 21
- Secondary Roads
- Off-system Bridge Program

Meeting Adjourned