



Montana Association of Counties

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BOARD OF DIRECTORS

Wednesday, June 21, 2017

8:00 A.M.

MACo Conference Room

Helena, MT

MINUTES

1. **Call to Order – Roll Call:** President Devlin called the meeting to order and led the Pledge of Allegiance. Roll call and introductions were conducted.
2. **Approval of the Minutes:** Commissioner Hendrickson moved and Commissioner Johnston seconded to approve the minutes of February 13, 2017 as presented. Motion carried unanimously.
3. **Finance Report:** MACo Finance Director Johnson presented the financial statements as of April 30, 2017. Discussion was held regarding the gain/loss on investments, and the change in the bond interest rates.
4. **Executive Director Performance Evaluation:** President Devlin reported the Executive Committee had completed the evaluation and that the Executive Director continues to do a good job. Per the salary survey recently completed, the Executive Committee has set the Executive Director's salary for the upcoming year. The Board concurred with the Executive Committee's actions.
5. **FY 2018 Membership Dues:** Associate Director Wood presented the proposed FY 2018 membership dues both with and without the 1.3% COLA. It was added that the Tax, Finance and Budget Committee's recommendation to the Board was to adopt the dues with the 1.3% COLA, which is within the Board's authority per the bylaws.

Commissioner Seilstad moved and Commissioner Mosness seconded to adopt the FY 2018 Member Dues Schedule with the 1.3% COLA increase included. Motion carried unanimously.

6. **FY 2018 Preliminary Budget:** Associate Director Wood presented the FY 2018 Preliminary Budget including anticipated revenues and proposed expenses.
7. **Supplemental Budget Requests:**
 - a. **Infrastructure Coalition Membership:** Executive Director Blattie requested a \$5,000 membership to the Infrastructure Coalition. This level of membership could provide MACo a seat on the Board. Commissioners Gorder and Hunthausen spoke on the work of the Coalition, and strongly supported the membership. Commissioner Macdonald moved and Commissioner Davey seconded to approve a \$5,000 membership to the Infrastructure Coalition in the FY 2018 budget. Commissioner Mosness suggested the membership's value be evaluated each year. Motion carried unanimously.

- b. Tax Deed Manual:** Director Blattie reported that the Treasurer's plan on creating a Tax Deed Manual to guide Commissioners and Treasurers on the new tax deed process following the changes made at this year's legislature. He estimated the MACo contribution to be \$5,000. Commissioner Macdonald moved and Commissioner Rice seconded to approve \$5,000 towards the Tax Deed Manual in the FY 2018 budget. Motion carried unanimously.
- 8. FY 2018 Board Designated Funds:** Associate Director Wood requested the Board designate \$12,500 for Succession Planning. She noted that the auto reserves were fully funded, and there would be no additional designation of funds for auto, building or server reserves. Commissioner Hendrickson moved and Commissioner Davey seconded to approve designating \$12,500 for Succession Planning in the FY 2018 budget. Motion carried unanimously.
- 9. FTE Requests:** Associate Director Wood reported that the PCT/WCT Trustees have requested the Board approve an FTE position, as a Law Enforcement Loss Control Specialist. This position will work with the law enforcement community to provide training and education to help reduce losses. Per the Bylaws, the Board must approve any new FTE's. All costs for this position will be paid by the Trusts. Commissioner Barron moved and Commissioner Mosness seconded to approve the FTE position of a law enforcement focused Loss Control Specialist. Motion carried unanimously.
- 10. CI-116 (Marsy's Law) Constitutional Challenge:** MACo General Counsel Brian Hopkins, and Lewis & Clark County Attorney Leo Gallagher reported that a lawsuit was filed yesterday challenging the constitutionality of Marsy's law. The MACo Executive Committee approved joining in the suit, and the ACLU is paying all costs.

They reported on the significant concerns of implementation of the law, including the victim notification requirements, the IT costs for a system to do the notifications, and the 18 rights awarded to victims with the passage of the Initiative. Their hope is the Supreme Court will enjoin enactment of the law on July 1, 2017.

- 11. Executive and Emergency Succession Plans Review:** President Devlin reported that the Executive Committee had a discussion with the Executive Director regarding him staying on after his retirement to work on special projects, etc. The Executive Committee has requested the ED bring a proposal to the Board at their September 17, 2017 meeting.

President Devlin further reported that he has appointed a Committee to review the MACo Succession Plans and for the Committee to recommend amendments at the September 17, 2017 meeting. The Committee members are: Todd Devlin, Bill Barron, Jim Hart, Jason Strouf and Joe Briggs.

President Devlin further reported that the Executive Committee had directed the Executive Director to create a Deputy Director position and to fill the position from existing staff.

- 12. NACo County Leadership Institute Report:** Jim Hart, MACo 2nd VP thanked the Board for the opportunity to attend the Institute. He stated it was very intense training and made you think about what it means to be a leader, and how to be a positive leader in any situation. 1st VP Barron added that it helped him learn that there is no longer a "box" to think outside of, and things change constantly so you have to be a good leader to make decisions and guide changes.

- 13. District Meetings Report:** Executive Director Blattie reported that District Meetings went well, but attendance was down from prior years. He stated that staff limited the legislative presentation to bills of significant importance to counties. He thanked District Chairs for accommodating the meetings to all be held in one week, and added that sites were selected for the May 2018 meetings. He also reported that Richland County Commissioner Shane Gorder and Broadwater County Commissioner Laura Obert were nominated for 2nd Vice President.

14. Association Reports:

- a. Clerks of District Court:** Broadwater County Clerk of District Court Valerie Hornsveld reported that the Clerks held their convention the prior week in Choteau, and their certification school will be held in October in Billings. Their next annual meeting will be in Billings in May 2018.

She also thanked everyone for the love and support shown when Broadwater County Sheriff Deputy Mason Moore was recently killed in the line of duty.

- b. Sheriff's and Peace Officers:** Gallatin County Sheriff Brian Gootkin thanked everyone for their support in getting the Sheriff's Retirement System funding bill passed.

Sheriff Gootkin noted that his Association would be meeting with the new Director of the Department of Corrections. He added that the Jail Advisory Group and Coordinating Council had met recently and discussed the concerns of the jail rate cap set by the Legislature; on both the amount to be paid to counties to hold state inmates and the cap on the number of state inmates in county jails.

Extensive discussion was held regarding holding state inmates in county jails, and the issues it causes with security and safety, overcrowding, etc.

Discussion was also held regarding the jail peer review program and the need for sustainable funding to keep the program in place. Discussion was held regarding keeping the jail standards optional and not having them mandated by the legislature. Discussion was held regarding a funding mechanism, such as payment by counties who are not members, and/or a dues assessment. It was noted that MSPOA is providing approximately a \$45,000 in-kind match to the peer review program. Further discussion was held regarding the PCT budget for the Jail Advisory Group and the possibility of the new MACo Public Safety Loss Control Specialist being the coordinator for the reviews as part of their duties.

- c. Clerk and Recorders:** Executive Director Blattie reported that during the recent Federal Special Election, a problem with an invalid signature on an absentee ballot had arisen in Missoula County. The response from the Secretary of State on the issue has resulted in conflict between the Secretary of State and the Clerks and Recorders/Election Administrators. Mr. Blattie further stated that there are significant concerns with the aging election judge population, the electronic voting machines reaching end of life, and the lack of ADA compliant polling places.

- d. Superintendents of Schools:** Wheatland County Superintendent of Schools reported on the charter school bills that failed, and urged Commissioners and Road Supervisors to attend Transportation Committee meetings, where new boundaries and routes are determined, as well as new subdivision development. Decisions are a safety a cost issue to counties.
- e. Treasurers:** Executive Director Blattie reported that a meeting and webinar was held recently on the implementation of HB 18, the new Tax Deed and Lien Process, and there was good attendance. He added that appraisal notices have been sent out and individuals need to file an AB 26 to protest their taxes within 30 days or they foreclose on the right to challenge the appraisal.

15. Other Discussion: Discussion was held on the legislative shift of funding from schools to taxpayers, and holding legislators accountable for their votes on bills that shifted costs and services to counties.

There being no further business to come before the Board, the meeting adjourned at 11:15 a.m.

Approved this 17th day of September 2017.

Todd Devlin, MACo President

L. Harold Blattie, MACo Executive Director

Executive Committee

- Todd Devlin, President
- Bill Barron, 1st Vice President
- Jim Hart, 2nd Vice President
- Maureen Davey, Immed. Past President
- Mike McGinley, Fiscal Officer
- Andy Hunthausen, Urban Representative

Past President's

- Joe Briggs
- Greg Chilcott
- John Ostlund
- Carl Seilstad
- Carol Brooker
- Bob Mullen

District Chairs

- Gary Macdonald, District #1
- Shane Gorder, District #2
- Doug Martens, District #3
- Larry Hendrickson, District #4
- Ron Ostberg, District #5
- Richard Moe, District #6
- Susie Mosness, District #7
- Susan Good Geise, District #8
- Steve White, District #9
- Tony Cox, District #10
- Laurie Johnston, District #11
- Tom Rice, District #12

Association Representatives

- Leo Gallagher, County Attorneys
- Regina Plettenberg, Clerk & Recorders
- Elizabeth Ball, Clerks of Court
- Valerie Hornsveld, Clerks of Court
- Vacant, Coroners
- Linda Cantin, Magistrates
- Brian Gootkin, Sheriffs & Peace Officers
- Jamie Bailey, Treasurers
- Susan Beley, School Superintendents

Others present: Harold Blattie, MACo Executive Director; Sheryl Wood, MACo Associate Director; Eric Bryson, MACo Assistant Director; Kathy Johnson, MACo Finance Director; Brian Hopkins, MACo General Counsel; McKenzie McCarthy, MACo Associate General Counsel; Jerry Spears, MACo Trust Operations Director; Jerry Collins, Garfield Co.; Kevin Krausz and Jason Strouf, Custer Co.