



Montana Association of Counties

Serving Montana Counties Since 1909

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www.mtcounties.org

BOARD OF DIRECTORS

Monday, December 4, 2017

Helena, MT

1:00 P.M.

MINUTES

1. **Pledge, Roll Call, and Introductions:** President Barron led the Pledge of Allegiance. Roll call and introductions were conducted.
2. **Approval of the Minutes:** Maureen Davey requested a correction to the minutes of September 21, 2017, noting that the Association was to be called the MO-ntana Association of Counties on each September 21. Commissioner Ostlund moved and Commissioner Hart seconded to approve the minutes of September 17, 2017 as presented and September 21, 2017 as amended. Motion carried unanimously.
3. **Financial Statement Review:** Finance Director Johnson reviewed the financial statements as of September 30, 2017. The FY 18 first quarter budget versus actual reports were also reviewed. Director Blattie reported that the budget intended to spend a portion of reserves, however early indications are that no reserves will be spent. Commissioner Macdonald moved and Commissioner Ostlund seconded to accept the financials as presented. Motion carried unanimously.
4. **EXECUTIVE SESSION:** The Board went into Executive Session for the purposes of the Executive Director Selection Committee Report and Recommendations. The following decisions were made during the Executive Session:
 - a. Commissioner Hendrickson moved and Commissioner Macdonald seconded to accept the recommendation to authorize the Executive Committee to offer the position of MACo Executive Director to MACo Deputy Director Eric Bryson effective May 1, 2018. Motion carried unanimously.
 - b. Commissioner Ostlund moved and Commissioner Davey seconded to approve the MACo Executive Director Transition Plan as presented. Motion carried unanimously.
 - c. Commissioner Ostlund moved and Commissioner Hendrickson seconded to approve the proposed amendment to the Executive Director Position Description. The amendment would require the Executive Director to possess a valid driver's license and be able to be insured and/or bonded if necessary. Following legal advice that the requirement was not necessary, Commissioners Ostlund and Hendrickson withdrew their motions and no action was taken.
 - d. President Barron reported the Executive Committee had successfully negotiated an Employment Agreement with Mr. Bryson. He reviewed the Agreement and asked the Board for concurrence on the agreed upon salary. Commissioner Ostlund moved and Commissioner Ostberg seconded to concur on the agreed upon salary. Motion carried unanimously.

5. **Opioid Litigation:** Executive Director Blattie, Deputy Director Bryson, and General Counsel Hopkins reported that counties around the state and the nation are being courted by law firms urging them to join litigation against big pharmaceutical companies regarding Opioids. Each county would need to file individually as the Association does not have standing. It was noted some counties have already filed, and the State Attorney General filed today.
6. **Council of County Officials Meeting Report:** Director Blattie provided a history of the CCO, and reported that today's meeting was to discuss the possibility of sharing services with other associations, as their lobbyists are retiring and they are unable to hire new lobbyists with their limited funds. The discussions were mainly focused on sharing services with the Treasurers and Clerk and Recorders. The Sheriff's and County Attorneys will retain their own lobbyists due to the complexity of their issues. The general consensus was that MACo would hire an employee dedicated to the Associations, and the Associations would fund the position.

The CCO was asked to get input from their members and the CCO will reconvene for further discussions in January 2018.

7. **MACo Committee Appointments:** President Barron reported that all members that requested a committee had been appointed and that leadership was kept relatively the same, with the exception of the Health and Human Services Committee. Commissioner Seilstad has asked to be moved from Chair to Vice Chair. Commissioner Seilstad was thanked for his years of service and leadership to the Committee. President Barron noted that if anyone has a request to be appointed to a Committee, to please let him know.
8. **Space Feasibility Study:** Deputy Director Bryson reported that it is not feasible to add a story to either building due to foundational structure issues, and the space created by joining the buildings would not be cost effective. The remaining options are to build a new building, remodel and move into an existing building, or move a department offsite. Commissioner Good Geise reported that with the passage of the jail levy, there may be space in the new law enforcement building.
9. **Operations/Staffing Report:** Associate Director Wood reported that Cathy Watson was hired as a Legal Assistant for Defense Services to fill a vacancy. She added that construction has begun on the skybridge, and the security system is on hold due to significantly higher price estimates on the installation and equipment and the additional costs of the work that is necessary on the elevators to accommodate the system.
10. **Other:**
 - a. **Special Session:** Director Blattie reported that prior to the Special Session that was held Nov 13-15, MACo did outreach to legislators and the Governor's office to request information regarding the negotiated items to be aware of any issues that would affect counties.

Director Blattie reported a bill was passed that will sweep \$7.5 million from TSEP, so some projects will not be done. Discussion was also held regarding the bill to charge the State Fund a management fee on their investments over \$1 billion, and the employee furlough bill that was vetoed by the Governor.

- b. **9-1-1 Administrative Rules:** Commissioner MacDonald reported that the Department is proposing rules that would change how the funding can be used. He reported that he voted against the rules, as they would allow the funding to be used for operating expenses, which was not the original intent. His concern was that counties will not have the necessary funding to upgrade their equipment.
- c. **Commissioner Residency:** Commissioner Davey discussed the lawsuit filed in their county challenging the two-year residency requirement for Commissioners. President Barron believed that MACo needed to engage as this is a statewide issue. General Counsel Hopkins will contact the Attorney General's office, who should oversee defense as this is a constitutional issue.
- d. **Next Meetings:** President Barron announced the next meetings:
 - i. Monday, February 12, 2018, Billings
 - ii. Wednesday, June 20, 2018, Helena (Board and Budget Meetings)

There being no further business to come before the Board, the meeting adjourned at 3:57 p.m.

Approved this 12th day of February 2018.



Bill Barron, MACo President



L. Harold Blattie, MACo Executive Director

Executive Committee

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

Past Presidents

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

District Chairs

- Gary Macdonald, District #1
- Janet Wolff, District #2
- Bob Lee, District #3
- Larry Hendrickson, District #4
- Ron Ostberg, District #5
- Sandy Youngbauer, District #6
- Bill Wallace, District #7
- Susan Good Geise, District #8
- Steve White, District #9
- Tony Cox, District #10
- Jeff Burrows, District #11
- Rem Mannix, District #12

Association Representatives

- Leo Gallagher, County Attorneys
- Ruth Baker, Clerk & Recorders
- Elizabeth Ball, Clerks of Court
- Valerie Hornsveld, Clerks of Court
- Vacant, Coroners
- Linda Cantin, Magistrates
- Brian Gootkin, Sheriffs & Peace Officers
- Sandy Christensen, Treasurers
- Susan Beley, School Superintendents

Others present: Harold Blattie, MACo Executive Director; Eric Bryson, MACo Deputy Director; Sheryl Wood, MACo Associate Director; Brian Hopkins, MACo General Counsel; McKenzie McCarthy, MACo Associate General Counsel; Kathy Johnson, MACo Finance Director.