**Montana Association of Counties**

**108th Annual Conference**

**Bozeman, Montana**

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**Monday, September 18, 2017**

**Opening General Session**

**Opening**

**Commissioner Todd Devlin, Prairie County, MACo President**

The 108th Annual Conference of the Montana Association of Counties opened at 8:30 a.m. President Todd Devlin introduced the head table:

- Todd Devlin, Prairie County, President
- Bill Barron, Lake County, 1st Vice President
- Jim Hart, Madison County, 2nd Vice President
- Maureen Davey, Stillwater County, Immediate Past President
- Mike McGinley, Beaverhead County, Fiscal Officer
- Andy Hunthausen, Lewis & Clark County, Urban Counties Representative
- Joe Briggs, Cascade County, Parliamentarian

The Frank Dougher Boy Scouts presented the Colors for the Pledge of Allegiance and National Anthem. Gallatin County Chaplain Randy Jones conducted the Invocation. The MACo Members were then welcomed to the 108th Annual Conference in Bozeman, Montana:

- Carson Taylor, Mayor of the city of Bozeman, welcomed everyone.
- Bill Barron, Lake County, MACo 1st Vice President, responded with thanks for welcoming MACo to Bozeman.
Roll Call

Commissioner Mike McGinley, Beaverhead County, MACo Fiscal Officer

After Roll call was taken, Commissioner McGinley announced a quorum was present to conduct business (see roll call attachment, page 40, for members present).

Approval of the 2016 Minutes – 107th Annual Conference

Motion/Vote: John Ostlund, Yellowstone County, made a motion to approve the 2016 Annual Conference minutes. The motion was seconded by Keith Holmlund, Custer County. The motion passed unanimously.

Resolution in Memoriam

Commissioner Don Seifert, Gallatin County

Whereas, the members of the Montana Association of Counties, with great sorrow and a deep sense of loss, wish to remember and honor those members who have been taken by death since the last Annual Conference of our Association; and

Whereas, each of those County Commissioners has rendered innumerable public services to his or her respective county, to the state of Montana, and to the people thereof; and

Whereas, the absence of these persons is keenly felt as a great personal loss to their families, friends, and colleagues.

Now, therefore, be it resolved, by the Montana Association of Counties in conference duly assembled in Bozeman, Montana, this 18th day of September 2017, that the Association does hereby pay tribute to the memory of Commissioners:

- Robert McComb, Mineral County
- Dan Gutebier, Park County
- Garth Haugland, Beaverhead County
- Dennis Henderson, Butte-Silver Bow County
- Antoinette “Toni” Hagener, Hill County
- Frank Cole Jr., Carbon County
- Lee Chapman, Prairie County
- Robert Friedrich, Sheridan County
- Bernt Ward, Sheridan County
- Olaf Thomas “Tom” Pugrud, Petroleum County
- John Grewell, Carbon County
- Duane Mathison, Custer County

And on behalf of its members and the citizens of the State of Montana, the Montana Association of Counties does hereby express gratitude for their achievements and contributions to the public good of their counties and to Montana.

The assembly was asked if there were additional names to be added to the Memorial Resolution. Duane Mathison, Custer County was added to the memorial resolution.
Motion/Vote: Commissioner Herb Townsend, Meagher County, made a motion to adopt the Memorial Resolution. The motion was seconded by Commissioner Jerry Collins, Garfield County. The motion passed unanimously.

**Announcements**

**Commissioner Todd Devlin, Prairie County, MACo President**

- American Hero Quilting Project
- Turn in commissioner bio sheets for committee appointments; this information also helps put together the MACo Directory.
- Visit with exhibitors and get your sheet signed.
- Raffle for Pictures

**Nominations Committee Report**

**Commissioner Todd Devlin, Prairie County, MACo President**

The Board of Directors, acting as the Nominations Committee, brings forth the candidates for the 2017 year as follows:

- Office of Immediate Past President: Todd Devlin, Prairie County
- Office of President: Bill Barron, Lake County
- Office of 1st Vice President: Jim Hart, Madison County
- Office of 2nd Vice President: Shane Gorder, Richland County
- Office of Fiscal Officer: Mike McGinley, Beaverhead County
- Urban Counties Representative: Andy Hunthausen, Lewis & Clark County, was reelected at yesterday’s Urban Counties meeting.

President Devlin asked for any other nominations and noted that nominations would remain open until the Wednesday General Session. No further nominations were made, and President Devlin invited commissioner Gorder forward to speak:

- Commissioner Gorder, Office of 2nd Vice President
  - Thank you Laura Obert, Broadwater County, for your strong support. Thank my other Richland County Commissioners and our Clerk & Recorder. Your support is greatly appreciated. Thank you to all the commissioners I’ve met; you’ve taught me a lot over the last six years. As a commissioner, I give 110%, and I will continue to give that 110%, have a strong voice and represent the counties across Montana.
Convention Site for 2018

Commissioner Jean Curtiss, Missoula County

Missoula, MT will be the convention site for 2018: Commissioner Curtiss expressed Missoula County’s excitement at hosting MACo’s 109th Annual Conference in Missoula—a video was played showcasing some of Missoula’s qualities and attractions.

Presentation of Proposed Resolutions

Commissioner Jean Curtiss, Missoula County, Resolutions & Legislative Committee Chair

- There are no resolutions at this time. Our resolutions usually come prior to a legislative year. Please be thinking about what future resolutions you might want to bring. Think about why and then what the action will be. The more facts you put in the “Therefore, be it resolved’s” the better. I’ll be happy to work with anyone who has questions.

President’s Report

Commissioner Todd Devlin, Prairie County, MACo President

President Devlin spoke to the MACo Membership about her past year as MACo President:

- PILT: In 2014, Senator Ron Wyden’s office opened up possibility to alter the PILT formula and increase population caps on very rural counties. Congressman Gianforte will introduce an amendment in the House, but there is no funding source for it; there, will go back to DOI and try to find approximately $4M in what they would call “cuts” to fund it.
- Gas Tax: Give yourselves a pat on the back. You showed up and made a difference. We now have some form of revenue for infrastructure. I don’t like paying taxes, but it costs money for transportation, and we needed a source of revenue for those projects.
- Sexual Abuse in Families: It’s a tough subject. and it’s a huge cost county: jails, court system, etc.

Fiscal Officer’s Report

Commissioner Mike McGinley, Beaverhead County, MACo Fiscal Officer

Commissioner McGinley, spoke to the MACo Membership about the recent audit:

- JCCS, Auditors, gave us an A+ on the audit. There were no findings of facts. It was a totally clean audit—shows the quality of staff at MACo.
- If there are questions, the audit is available.
Executive Director’s Report

Harold Blattie, Executive Director, Montana Association of Counties

- This will be my last Executive Director’s report.
- MACo is a $44M operation; the vast majority is our three risk sharing pools.
- Four things to discuss:
  - 2017 Legislature: This was the most frustrating and challenging legislative session I’ve ever been involved with. In the past, we’ve been able to establish good relationships and pretty much know what was going to happen. In the 2015 session, we were kept out of a last-minute decision in Senate Finance and Claims to reduce the Entitlement Share. This session, right at the end, we saw multiple policy changes being done at the last minute in executive action with absolutely no public participation of any kind. Unfortunately, I think this is going to be the new norm. The legislature recognizes the influence that you have.
  - It wasn’t all bad, we got the vast majority of our resolutions passed; we had some bills get caught up in some political battles; we passed our omnibus bills; we will want to bring a bill next session that separates out ballot printing; we passed our tax deed bill; you passed the gas tax bill, and you’ll start to see the benefits of that this Spring; regarding the Entitlement Share, we weathered some storms—we lightly opposed a bill that reduced the growth rate as a one-time-only (we worked with sponsor to get it one-time-only as opposed to in perpetuity);
  - We spend more time trying to kill bills than trying to pass bills; the mail ballot bill was a major disappointment and the legacy lives on today; last Thursday SAVA met about elections—your Clerk & Recorders and Election Administrators did you proud laying out the information and facts; another disappointment was the death certificates bill (HB 198), so your $17 went back to $3; the per diem bill was a particular disappointment to me—the rates haven’t changed in over 20 years; public employees shouldn’t have to pay significant amounts of money out of pocket for doing the public’s work
  - MACo Today: We have the best staff now that we’ve ever had; I’m so impressed with the quality of work and dedication we have amongst them; MACo is challenged by space—or lack thereof—we have an employee working in a conference room and we’ll have a new employee sharing an office; we did a space feasibility study, and our leadership will have to figure out how to address our space needs; we have an adopted succession plan—the documents were updated and approved last night by the BOD; Assistant Director, Eric Bryson, was promoted to Deputy Director; I’m not going to be in the office often between after the conference and April, due to a great deal of leave time; Eric will have the authority to act as Director in my absence with the exclusion of major personnel changes
  - State Budget: The state can’t reduce your Entitlement Share or federal payments; where you will see the effects of the agency cuts will be more indirect (budget information located online at www.balancedbudget.mt.gov)
The State Tax Appeal Board statutorily can’t reduce the per diem daily rates or mileage, but they can eliminate it for the secretary; good news is that the number of appeals are down, likely due to the 2-year appraisal process;

DOC budgeted for an average daily jail hold of 375, and the legislature cut that number to 250 (actual number is over 400)—now they are getting hit again and anticipate moving more to county jail holds; the Governor has authority to early-release some nonviolent offenders; there is a domino effect from all of this; reduction of rate of regional prisons to $69; probably going close new crime lab in Billings; probably going to reduce number of public defenders;

DPHHS has cuts to many programs; they have largest portion of General Fund; a lot of money is used as match for federal funds; reduced office hours, reduced staff, maybe not working Fridays or working seven hours a day; Property Assessment Division, Director Kadas will be here Wednesday; they will be closing some county offices, maybe terminating rental contracts; reducing staff by 80 employees; this division is the first step in taxable value;

You do not want a special session—nothing good for counties would come out of a special session. If the governor calls a special session, he controls the agenda; if the legislature calls it, they control the agenda. This is a time you need to trust the Governor, you may not like some of the cuts and some will cut badly, but if they call a special session, the deal will be cut, and they will come after you.

If anybody thinks Montana is a service-driven economy, wake up. Why are we having these budget problems? Natural resources and agriculture; it flows through everything. We are a natural resource state, it’s part of our economy.

Retirement Letter: Please see attachment, page 51.

National Association of County Veteran Service Officers

Mike Warner, Judge Advocate

NACVSO pursues all benefits for veterans and eligible family members through education, training, and our advocacy programs.

- Hired by Ravalli County to build first office in Montana in 2015; increased revenue of Vets by $2M; started with 100 active claims, but now have 1000—those are vets that are getting help now
- My goal is to promote getting these offices in every state in Montana
- Partnerships: Particularly proud of Missoula Vet Center and “I Ride Van Services,” which allows us to give rides to vets to and from their appointments
Presentation: Overview State Health Assessment (SHA) & 2018-2022 Proposed State Health Improvement Plan (SHIP) Priorities

Todd Harwell, Administrator, Department of Public Health & Human Services

Collaboration through community partnerships is fundamental in improving the health of all Montanans. This collaboration is captured in the SHIP. The SHA describes Montana’s health status through comprehensive data analysis on wide-ranging public health issues. The SHIP outlines the strategic approach the public health system will take over the next five years to make progress on key health issues to improve the health of all Montanans, which will require state, local, and tribal health, as well as other government sectors to set priorities and coordinate resources. This presentation highlighted the leading health issues facing Montana, the priority health areas for the next five years, and how communities and their leaders can get involved.

- Many Local and Tribal Health Departments and hospitals have conducted local community health assessments and used those findings to develop their strategic plans and CHIPs.
- DPHHS is in the process to develop the SHA, determine what the priority health areas are based on those data and develop the 5-year SHIP plan.
- The majority of Counties, Tribes, and Hospitals have/are completing local CHA’s.
- Reviewed information from the 49 completed local/Tribal and hospital community health assessments.
  - The median household in MT was $47,169 per year (ACS, 2015).
  - In 2015 14% of MT were uninsured. More people are likely to be on insurance in 2016 and 2017 due to Medicaid expansion in MT. The 2015 state legislature expanded Medicaid. CSI 2016 estimate 7.4% uninsured (rate cut in half--historic low). Insurance status varies by age (younger ages less likely to be insured) and by race.
  - Top 10 leading causes of death in MT and U.S.: MT had a lower mortality rate due to cancer & heart disease; higher mortality rate due to unintentional injury, CLRD, & suicide.
  - Tobacco use: Continues to be the leading cause of preventable deaths in Montana and the US.; no significant changes in the prevalence of smoking among adults recently, however; there have been significant reductions in the per capita sales of cigarettes over time.
  - Physical Activity: Three quarters of Montana adults and 7 of every 10 Montana youth do not meet physical activity recommendations.
  - Chronic Conditions: More than a third of Montana adults report having two or more chronic conditions. The prevalence of multiple chronic conditions was significantly higher among adults who have not earned a college degree, adults living in frontier counties, adults with a disability, and veterans. We also know that adults enrolled in Medicaid have higher prevalence of chronic conditions than those not enrolled in Medicaid.
  - Injury: Reducing fatal injuries is a Healthy People 2020 leading health indicator. From 2011-2015, there were 3,022 deaths from injury and violence (average of 600 per year). From 2011-2104, 15,610 patients were hospitalized due to injury. From 2011-2014, 228,658 patients were admitted to the emergency room due to injury. The leading cause of fatal injuries were: 1. Motor vehicle accidents (~200 per year) 2. Falls 3. Poisoning.
Behavioral Health: Suicide was the 6th leading cause of death among Montanans from 2011-2015.

From 2011-2015, 22% of suicides were among veterans. From 2010-2014, there were, on average, over 1,000 patients admitted to the ED for self-harm. In 2015, 8.9% of high school students reported attempting suicide. Female, American Indian, and non-white/non-AI students report higher prevalence of suicide attempts within the past year.

SHIP Coalition Priorities for 2018 – 2022:
Cardiovascular disease and diabetes prevention and control (including overweight/obesity, hypertension, and nutrition and physical activity); cancer control (including tobacco use prevention and cessation and cancer screening); behavioral health

(mental health and substance use disorders – prevention, access to treatment, coordination); unintended pregnancy; adverse childhood experiences (help address social determinates of health and reach populations in poverty)

What’s Next? 2017 State Health Assessment (gather input & feedback, summer 2017; publish October 2017); Identify Health Priorities (rank diseases/conditions, health behaviors, social determinants of health, impact, preventability/controllability, feasibility, completed August 2017 by SHA/SHIP coalition); State Health Improvement Plan, 2018-2022 (get feedback on priorities

4 to 6 health priorities, objectives, strategies, implementation/workgroups, publish March 2018)

How to Get Involved: Sign-up to be a stakeholder; receive email updates. To sign-up visit the Healthier Montana Website (http://ahealthiermontana.mt.gov/shaship) and submit your name and email through the comment box. In the comment box please state that you’d like to be a Stakeholder.

SHA/SHIP General Information: Jessica Miller, Plans Coordinator, JMiler5@mt.gov, 406-444-5968
SHA Comments: Laura Williamson, State Epidemiologist, lwilliamson@mt.gov, 406-444-0064

Presentation: Road to 2020 Census – How Counties Can Prepare

Sonny Subia, Partnership Specialist, US Census Bureau

Census 2020 is upon us, and it’s not too early to start preparing for the upcoming Census count. Join the US Census Bureau to learn about the new strategies that will be utilized to help ensure that your county receives the best and most accurate count. Learn how to ensure your county receives its fair share of federal monies. The Census Bureau will discuss participation in geographical programs to update the master address file that will be used in Census 2020. Presenters will also share strategies to involve your community and trusted voices to help with Census awareness. Local voices are very important to successfully spread the importance of the 2020 Census. Census data directly affect how more than $589 billion per year in federal and state funding is allocated to communities for neighborhood improvements, public health, education, transportation, and much more. The Census count happens only once every ten years so make sure you and your counties are prepared to make this a successful 2020 Census count.

• What We Do the Other Years: American Community Survey (ACS)—annual data, current demographic (social, economic & housing data), previously the “long form” of decennial; other surveys—current population survey (provides unemployment rate), National Health Interview Survey, National Crime Victimization Survey (reported and unreported crime), Consumer Expenditure Survey (feeds into the CPI), Survey of Income and Program Participation
• Why We Do a Census: Article 1, Section 2 of the US Constitution—the actual Enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.

• The Decennial Census: Conduct a census of population and housing disseminate results to the President, the States and the American People
  - Uses of Census data: apportion representation among states; draw congressional and state legislative districts, school districts and voting precincts; enforce voting rights and civil rights legislation; distribute federal dollars to states; inform planning decisions of federal, tribal, state and local government; inform organizational decisions (e.g., where to locate, size of market, etc.) of businesses and non-profits

• New ability to self-respond starting March 23, 2020: Internet, phone, paper form, or traditional in-person interview

• Three main reasons people are missed: don’t have an address (can’t send a form; if a response comes in, can’t “match” it to the ground); can’t get a response (have an address but can’t determine occupancy); get a partial response (children, multiple families, unrelated individuals)

• The Local Update of Censuses Addresses is a partnership opportunity for 2020 because it’s required under Public Law 103-430. It allows the Census Bureau to share our Title-13 address list with local government officials who agree to sign a confidentiality agreement. It does NOT allow local governments to use the address information for anything other than census purposes. Why Participate? Probably the most important thing to know about LUCA is that if an address is not included in the census for whatever reason, we cannot go back and add it in (or the population associated with that housing unit) after the census has been completed. By law, we must deliver the apportionment counts to the President by December 31, 2020, and we cannot change those counts once they have been finalized.

• Boundary & Annexation Survey (BAS): An annual survey of governments to collect legal boundaries in effect on January 1st of the BAS year. Why Participate? Accurate boundaries are used to tabulate data for: Decennial Census, Economic Censuses (years ending in 2, 7), Population Estimates Program, American Community Survey (ACS)

• 2020 Participant Statistical Areas Program (PSAP): What is it? A decennial opportunity for regional planners to review and update Census Tracts, Block Groups and Census Designated Places (CDPs) in preparation for 2020 data tabulation and publication in 2021. Program begins in Spring of 2018. Basic program goals: encourage states as well as Regional Commissions and Councils to participate in this once-a-decade data review and update; facilitate our dissemination of data for small geographies.

• Geographic Support System (GSS): The Geographic Support System Initiative (GSS) is an on-going program that supports the 2020 Census by leveraging local address and GIS information where available. Program goals: improve our address coverage; continuously update spatial features; enhance the quality assessments and measurements of the Master Address File/Topologically Integrated Geocoding and Referencing System (MAF/TIGER) database

• Community Partnership and Engagement Program: Enroll community partners to increase participation in the 2020 Census of those who are less likely to respond or are often missed (educate people about the 2020 Census and foster cooperation with enumerators; encourage community partners to motivate people to self-respond; engage grass roots organizations to reach out to hard to count groups and those who aren’t motivated to respond to the national campaign).

• Critical Next Steps: Participate in the Local Update of Census Addresses (LUCA); consider what you might want to invest as Local Funding for 2020 in 2019/2020; think about establishing State, Local and Tribal Complete Count Programs

Commissioner John Ostlund, Yellowstone County
Mike Black, PE, Senior Civil Engineer, Yellowstone County;
Tim Miller, Road and Bridge Director, Yellowstone County;
Eric Griffin, Public Works Director, Lewis & Clark County;
Christal Ness, Land Use Ombudsman, Lewis & Clark County;
Mike Divish, Road and Bridge Foreman, Gallatin County; and
Erin Howard, Road and Bridge Office Manager, Gallatin County

Panel presentation and discussion to listen and share what works in the County Road Right-of-Way Permitting process.

- Background: No Permit was needed, handshake, paper, NCR (triplicate form), fill out printed form, database (computerized, tracking), online (going there next)
- Yellowstone County
  - Who: Public Works, issued by courthouse staff (secretary, engineer, cross train others); inspected by courthouse staff (engineer), road & bridge staff (area operators, sign tech, cross train others)
  - What: Approach (driveway), utility (sewer, water, power, cable TV, phone, gas, other), moving (house)/oversize loads, encroachment license, other
  - When: Before construction
    - Approach (driveway for house, etc.): start with getting an address with GIS (e911); then to Public Works (told to mark location desired—can be owner or contractor; check to see if in floodplain; pay fees; staff evaluates site within 5 business days; permanent address (we have done some by phone, then mailed permit after fees paid and site visit)
      - Then to County Health: If septic system is also being constructed
      - Inspection: By Public Works staff (take picture with tablet and give to GIS/tracking); 1 year later – reinspection by Public Works
- Utility (Public): Sewer, water, power, cable TV, phone, gas, other
  - Start with Public Works: Pay fees
  - Inspection: Can be done by Public Works staff; verify road surface is returned to prior condition or better; asphalt patched; gravel road re-graded (compacted); area outside of roadway (re-seeded, etc.)
- Encroachment License: Usually private utility (water, sewer, etc.)
  - Start with Public Works: Create a legal document that is recorded in the Clerk and Recorder’s office; execute the document (with Notary); Pay fees
  - Notify that One Call will not locate any private utility
  - Inspection: Can be by Public Works staff; one year later – reinspection can be by Public Works Staff; verify road surface is returned to prior condition or better; asphalt patched, gravel road re-graded (compacted); area outside of roadway (re-seeded, etc.)
- Moving (house), Oversize Loads: Start with State of Montana Moving Permit; then to County Public Works (Road & Bridge Sign Tech. to drive route before move); pay fees
  - Inspection: Road & Bridge Sign Tech. to drive route after move (notice any damage and contact moving company; resolve and see that damage is corrected, mitigated, etc.)
    - Why: Safety—Control and allow access to property; manage the road system (allowing multiple approaches in close proximity on collector or arterial roads can cause unsafe conditions to the flow of traffic); Other (referred in subdivision regulations referenced in MCA)
    - Where: All roads under county jurisdiction—petitioned county roads; plated subdivision roads (dedicated to the public); plated COS roads (deeded to county and accepted by the county); private roads (Yellowstone County does not issue any permits on such); basically, any work done in the PUBLIC right-of-way of roads in the county needs to be permitted (the only exception to this is work done by county forces)
    - How: By permit and payment of fees—residential driveway ($75), commercial driveway ($150), road construction (per road connection, $150), work in right-of-way (residential, $75), work in right-of-way (commercial, $150), utility service connections ($150), utility service installation & maintenance ($150, and $0.10 per foot up to one mile, then $0.05 over one mile), utility pole (each, $50), all road crossings (bored, trenched, overhead, culverts, cattle guards, $75), moving ($100)
- Lewis & Clark County
  - Background: No Permit was needed, handshake, paper, fill out printed form, database (computerized, tracking), online (Trakit system going life fall 2017), public works manual, fees, on the website
  - Who: Lewis and Clark County inspects and approves all road permits; public works manual controls
all permits on roads
- What: Approaches: Residential and commercial driveways; New roads onto existing roads
  - Excavation Permits: utilities installed by private contractor
  - Encroachment Agreements: Improvements located in county road and public access easements
- When: Subdivision Approval—newly proposed subdivision roads accessing county road and public access easements, must obtain approach permits for those new road connections prior to installation, and are required to be engineered.
  - Before Construction (existing lots or old subdivisions)
    - Residential Approach/Combined applications (all fees paid when submitted):
      - Address: to address coordinator, assigned w/in 24 hours
      - Site evaluation for septic site, to Environmental Health
      - Septic Permit Application, after site inspection
      - Approach application: Application submitted, flag issued w/instructions to flag, certified installer program; to Community Development and Planning for review of recorded documents, setbacks, easements, no access restrictions, floodplain, etc.; to Public Works for initial inspection and conditions report; after installation, final inspection.
    - Before Construction (new subdivisions)
    - Residential Approach/Combined applications (all fees paid when submitted):
      - Addresses already assigned, must correspond with approach location.
      - Septic Permit Application
      - Approach application: Application submitted, flag issued w/instructions to flag, certified installer program; to Community Development and Planning for review of recorded documents, setbacks, easements, no access restrictions, floodplain, etc.; to Public Works for initial inspection and conditions report; after installation, final inspection.
    - Before Construction (existing lots or old subdivisions)
    - Commercial Approach/Combined applications (all fees paid when submitted):
      - Address: To address coordinator, assigned w/in 24 hours; site evaluation for septic site, to Environmental Health; septic permit application, after site inspection
      - Approach application: Application submitted, flag issued w/instructions to flag, certified installer program, engineer design; to Community Development and Planning for review of recorded documents, setbacks, easements, no access restrictions, floodplain, etc.; to Public Works for initial inspection and conditions report; after installation, final inspection.
    - Before Construction (new subdivisions)
    - Commercial Approach/Combined applications (all fees paid when submitted):
      - Addresses: Already assigned, must correspond with approach location.
      - Septic Permit Application.
      - Approach application: Application submitted, flag issued w/instructions to flag, certified installer program, engineer design; to Community Development and Planning for review of recorded documents, setbacks, easements, no access restrictions, floodplain, etc.; to Public Works for initial inspection and conditions report; after installation, final inspection.
- Excavation Permit: All excavations in or across the county right of way or a public access easement needs an excavation permit (unless work is performed by the public utilities with supervision from Public Works)

- Encroachment Agreement: All Encroachments in the County right of way or a Public Access Easement needs an Encroachment Agreement. Application submitted, relevant documents gathered, Contractual Agreement is drafted by the Ombudsman. Inspection performed by Public works, comments attached; if approved, Director of Public Works signs the agreement, and it is recorded with the Clerk and Recorder; if denied, applicant can appeal to the Board of County Commissioners for consideration. If Board of County Commissioners approves, Chair signs the agreement, recorded with Clerk and Recorder. If denied, the Board of County Commissioners conditions the removal of the encroachment.

- Why: Safety
- Where: All roads under the county’s jurisdiction; when in doubt call Christal
- How: Permit and payment of fees; permit applications and our fee schedule is on our website.

Galatin County

- Encroachment Permit Process
  - Person desiring an encroachment permit completes application and submits it to the Gallatin County Road Office (different applications for utility and approach encroachments)
  - A supervisor reviews application and inspects the requested encroachment location.
  - Preliminary Permit is written, with site specific requirements, and sent to the Applicant for review and signature(s) (the preliminary Permit must be signed by all parties involved – including the Contractor and Owner—if the Applicant is not the owner).
  - County signs the Preliminary Permit and returns a copy to the Applicant. Permit is no longer considered “Preliminary.”
  - After work is completed, the site is inspected again and if work was completed satisfactorily, the permit is considered complete and filed at the Gallatin County Road Office.

- Encroachment Permits—Approach
  - Approaches are classified: agricultural (typically less than 12 trips per year and no structures involved); residential (structure, access is either daily or intermittent)
  - Commercial (multiple accesses per day); road access (a new road intersecting with the County Road); Change in driveway classification requires a new permit – cannot have a residential access point change to a subdivision road without a new permit.
  - Standard Conditions for Approach Permits: Driveway is no wider than 24 feet (exceptions granted for agricultural and commercial access) and the crown of the approach is at least 4” below the shoulder of the road; address must be issued by the Gallatin County GIS Department; application is reviewed for compliance with no access strips (typically on Subdivision plats), zoning regulations, ownership, location (safety, line of sight, distance from intersections), etc.; if a culvert is required (as determined by drainage) the culvert must be a corrugated steel pipe (csp) – no plastic allowed; second access points are not always allowed - must have an explanation from the Applicant approved by the Department; commercial and road access requires installation and maintenance of a stop sign.
▪ Standard Conditions for Utility Permits: Utility is placed at the outside edge of the right of way; road crossings are bored only – no road cuts allowed except in extreme circumstances i.e. water/sewer lines; adequate signage for work within the right of way, certified flaggers for lane closures, road closures are not allowed; cables and conduit must be buried a minimum of 36 inches deep; the county is not responsible for damage that occurs as a result of routine maintenance (grading); any right of way disturbed must be re-sloped and re-seeded; insurance naming Gallatin County as an additional insured is required; every road and each bridge is permitted separately.

▪ Permits—Other: Cattleguards crossing a county-maintained road (landowner is responsible for the maintenance and repair when needed; cattleguards are considered an extension of a fence, not a road or bridge department justifiable expense); road improvements (used when a landowner wishes to improve a county-maintained road to a gravel or paved standard); applicant must have the right of way surveyed and the written survey submitted to the road department; road must be brought to a gravel standard or paved standard; all costs are the responsibility of the applicant.

▪ Purpose of Encroachment Permits: Maintain transportation system (drainage – allow adequate water flow to reduce flooding; integrity of road surface; maintain construction standards); safety for the traveling public and residents (insure adequate sight distance; control number and density of access points; properly marked and regulated work zones; no obstructions in the “crash zone”); compliance with zoning district regulations (vary by district)
  - Problems Encountered: Non-permitted work in the right of way has created unauthorized work zones and road closures (public and emergency services not notified); destroyed roads (torn up shoulders and traveled surfaced, punched through culverts); live electric lines attached to bridges; multiple approaches to close together or on curves; cables buried only inches beneath the gravel resulting in broken lines; no culverts (or to small of culverts) causing blocked water flow and flooding; obstructions (brick, rock, concrete, steel, etc.) creating a hazard to the traveling public and obstacles for snow removal; complaints from the public.

Presentation: MDT Fuel Tax Allocations & Field Inventory

Brian Anderson, Geospatial Information Supervisor, Montana Department of Transportation

Each year the Montana Department of Transportation (MDT) is required to determine fuel tax allocations distributed to Montana’s cities, counties, and consolidated city-county governments. This presentation walked through the steps MDT takes to calculate the allocations and conduct field inventory reviews while working with counties. Topics covered included timelines, definitions, contacts, processes, and how to get your hands on some informational county maps.

- Introduction to fuel tax allocations: Each year MDT is required to determine fuel tax allocations distributed to Montana’s cities, counties, and consolidated city-county governments set forth in MCA 15-70-101, as amended.
- Timeline: February 1st, MDT starts working on county maps and data; through the first week in March, maps and certification letters are sent out when they are completed; last weekday in March, county maps are due back to MDT signed by the county.
• Certification Process: MDT distributes sets of maps and certification form to the county commissioners (GIS files are available if requested); counties review maps for completeness and accuracy (road additions, deletions, names, or surface type updates should be identified on the map and returned with the signed certification form); MDT reviews the returned information from the county (a field review of new roads may be done); changes are incorporated into MDT database and on maps.

• Fuel Tax Calculations—the amount of $6,306,000 must be divided among the various counties in the following manner: 40% in the ratio that the rural road mileage in each county, exclusive of the National Highway System and the primary system, bears to the total rural road mileage in the state, exclusive of the National Highway System and the primary system; 40% in the ratio that the rural population in each county outside incorporated cities and towns bears to the total rural population in the state outside incorporated cities and towns; 20% in the ratio that the land area of each county bears to the total land area of the state.

• Road Mileage: Valid road mileages for counties consist of any road exclusive of the National Highway and Primary Systems within the county boundary and outside any incorporated city limits that meet the criteria of “open to public travel” (defined as a segment of road available for public use except during periods of extreme weather or emergency conditions, passable by a 2-wheel drive passenger car and open to the general public; these routes do not indicate public access, ownership, or maintenance responsibility; maintenance is not a factor in fuel tax allocations nor are the local governments required to maintain these routes).

• Restrictions: Not passable by 2-wheel drive passenger car, primitive trails, driveway to a single residence, field access roads, parking lot, restrictive gates, roads in cemetery, orange markings on post (MCA 45-6-201), “no trespassing” sign (MCA 45-6-201)

• Field Inventory: Inventory is based on changes sent to MDT during the fuel tax allocations process. If you have questions or concerns about the roads being inventoried, please contact MDT prior to the inventory date (an email will be sent out to county contacts before we collect in your area informing you of the dates MDT will be inventorying)

• What can the money be spent on? All funds allocated by this section to counties, cities, towns, and consolidated city-county governments must be used for the construction, reconstruction, maintenance, and repair of rural roads or city or town streets and alleys or for the share that the city, town, county or consolidated city-county government might otherwise expend for proportionate matching of federal funds allocated for the construction of roads or streets that are part of the primary or secondary highway system or urban extensions to those systems.

• How to Spend the Money: All funds allocated by this section to counties, cities, towns, and consolidated city-county governments must be disbursed to the lowest responsible bidder according to applicable bidding procedures followed in all cases in which the contract for construction, reconstruction, maintenance, or repair is more than the amounts provided in 7-5-2301 and 7-5-4302. Contact your local attorney for questions about spending.

• New Fuel Tax Laws: Effective July 1, 2017, HB 473, the Bridge and Road Safety and Accountability Act (BaRCAA) increases Montana’s fuel tax rates and allows for additional allocations to local governments; these additional allocations will be handled separately from the existing allocations described here; further
details will become available on MDT’s website starting in late 2017/early 2018; if you have any questions about the new allocations, you can contact MDT Accounting Controls at 406-444-6025.

- More Information: To access maps, GIS data, or see more information about fuel tax allocations, go to www.mdt.mt.gov/business/fueltax/allocations.shtml; Brian Andersen, Supervisor, 406-444-6103, brandersen@mt.gov; Corey Richardson, Project Manager, 406-444-6404, corichardson@mt.gov

Presentation: Montana Interactive – Burn Permits

Bob Drake, Fire Chief of the Tri Lakes Volunteer Fire Department;
Carol Arkell, Stillwater County DES Coordinator;
Greg Coleman, Park County Fire Warden; and
Becki Kolenberg, Montana Interactive General Manager

Many counties across the state of Montana are operating on limited resources, often relying on volunteers to perform essential duties. Of the 435 fire departments in the state, over 400 rely on volunteers. With limited resources comes a great need for efficient processes that ease the burden on county officials and volunteers, allowing for streamlined communications and a single source of information. This panel discussed the County Burn Permit service, which has diverted over 236,000 calls from county personnel since launching in 2009. The online service allows citizens to purchase, renew, and activate burn permits in a convenient manner, while also allowing county officials to track controlled burns in surrounding areas and open or close burning within their county based on weather conditions. Topics discussed included how to start using the County Burn Permit service, how counties currently using the service decided on permit pricing, and the benefits realized from the service. With very few exceptions, all the State’s money is invested by the Board.

- Benefits to Citizens: Citizens can purchase a burn permit 24 hours a day, 7 days a week; burn permits can be activated by the citizen via the website or using the automated phone system; permits can only be activated on approved burn days as dictated by each county; citizens no longer need to contact dispatch or fire department personnel to activate their burn permit (this prevents long delays for burn permit holders looking to activate their permit quickly).

- Benefits to Emergency Personnel: This service helps track the locations of all approved burns in the county. County personnel can more easily determine whether a smoke plume or fire is an emergency such as a wildfire or structural fire. By tracking approved burns, the fire department may not have to be dispatched each time smoke or fire is reported. This service helps provide county personnel with more tools to help determine if a report of smoke or fire is a controlled burn or a true emergency. It helps to manage the sheer volume of burn activity within an integrated county. With thousands of permits issued each year and the potential for hundreds of activations in a single day, counties simply cannot handle the volume of non-emergency calls without interfering with true emergency traffic. It helps reduce the amount of time spent by county personnel responding to non-emergency calls and allows them to focus on true emergencies. This service helps to prevent the unnecessary use of emergency vehicle running lights and sirens. Emergency lights and sirens put the public at a greater risk of potential accidents.

- How to Integrate Your County into this Service: Contact Megan Gretch with Montana Interactive; sign a work order - an agreement between the Montana Interactive, the requesting county and the Department of Administration; schedule time for development (development generally takes between
3-6 weeks once the county requirements are identified and development can begin); launch the service in your county.


**WEDNESDAY, SEPTEMBER 20, 2017**

**GENERAL SESSION**

**MACo Committee Reports**

**MACo Agriculture Committee**

**Committee Chair, Commissioner Larry Hendrickson, Liberty County**

- DNRC Water Rights, Jan Langel, Administrator, Water Resources Division, DNRC: Jan Langel and Kerri Strasheim gave a water rights update including rule making changes and exempt wells. The Water Rights Council interim meetings will be in October. There will be a reduction in DNRC services due to cuts in the state budget.
- Stricks Ag Pulse Processing, Jillien Streit, Owner/CFO, Stricks Ag: Jillien Streit discussed Pulse crop production in Montana. Pulse crops include Chickpeas (Garbanzo Beans), Lentils, Dry Peas, and Beans. Jillien described the development of the Stricks Ag Pulse Processing company in Chester, MT.
- Fire Update, Jerry Collins, Commissioner, Garfield County: Jerry Collins discussed the Lodgepole Complex Fire in Garfield County that burnt 270,723 acres in Garfield county and a small portion in Petroleum county. He explained the process involved with the Incident Command Center and the roles of the BLM, the DNRC, the CMR, Congressman Gianforte, Senator Daines, Senator Tester, Secretary of Interior Zinke, and Governor Bullock. Volunteers and donations of food, hay, fencing materials, and money were also instrumental in the fire event.
- Montana Weed Control Association Update, Amy Adler, MWCA Representative: Amy Adler gave a weed legislation update, information about MWCA trainings, and discussed invasive species. The MWCA Annual Meeting will be January 10-12, 2018 at the Heritage Center in Great Falls, MT.

**NACo Agriculture & Rural Affairs Steering Committee**

**Committee Member, Commissioner Maureen Davey, Stillwater County**

- Fourth year on committee; conference held in Columbus, OH (heartland of corn and soybeans); the committee did a platform change on GMOs to encourage congress to establish regulatory standards based on science; came about from Virginia member; new resolution calling for congress to keep integrity of USDA loan program
- The Agriculture and Rural Affairs (AgRA) Steering Committee met in two sessions. The first session addressed the committee adoption of platform changes and resolutions. The only platform change made two previously AgRA standing resolutions on genetically modified organisms (GMO) into one. The language encourages Congress to establish regulatory standards for GMO cultivation and labeling. The only new Resolution adopted called for...
Congress to preserve the structural integrity of USDA Rural Development grant and loan programs while finding opportunities to streamline the application process. There were two Cross-Jurisdictional Resolutions passed by the committee. One urged Congress to reauthorize the Volunteer Responder Incentive Protection Act which would waive federal income taxes on normal recruitment and retention incentives provided by local jurisdictions to volunteer firefighters and EMS personnel. The second urged the President and Congress, through the proposed infrastructure spending bill, to create dedicated funding allocated directly to local government for the improvement and maintenance of local road and bridge infrastructure in America. The only Cross-Jurisdictional Platform change originated in the Human Services Committee and was previously considered and passed - by the AgRA Committee last year as a cross-jurisdictional resolution. This platform change clarifies NACo’s stance on the Supplemental Nutritional Assistance Program - a major part of the Farm Bill.

- The AgRA Business meeting in the afternoon listened as NACo staff provided a comprehensive breakdown of the county priorities in the upcoming farm bill. Using NACo’s AgRA Platform and staff, committee members discussed critical programs aimed at local government that were authorized through the farm bill. Committee members also received an update on the reorganization of Rural Development at the USDA. There are significant cuts in USDA rural development under the present administration. Sonny Perdue, Agriculture Secretary, spoke to the whole NACo body during the week. NACo leadership had sent a letter to the secretary about the cuts to Rural Development.

- The committee attendance grew this year at the conference. I personally have talked to state delegations with large numbers of agriculture acres and have encouraged them to send a representative to the AgRA Committee. It is important to have producers on the committee.

- Thank President Devlin for appointing me to the committee; next year Larry Hendrickson and I will tag team the committee meetings.

MACo Community, Economic Development & Labor Committee
Committee Chair, Commissioner Joe Briggs, Cascade County

- Liz Ching, Governor’s Office of Economic Development: Liz gave an overview of GOED budget, issues affecting economic development in the state, as well as staffing changed within the department.
- MEDA Update, Sarah Converse: Sarah discussed the NADO conference and how Montana compares with the region and nation. Sarah and Jason discussed the necessary program changes for the 2019 legislative session and asked that the plan that is being formulated be discussed at the Midwinter MACo Conference.
- Roundtable discussion: Areas of concern and progress in Montana Counties; discussion of coal and natural resource issues, federal changes that need to be made regarding lawsuits, tax abatement,

Other Business:
- Musselshell: Social services building project
- Flathead: TIGER grant to allow for expansion, transportation alternative around Kalispell
- Cascade: From excess workforce and lack of industrial infrastructure to housing and workforce shortage
- Gallatin County: Biotech company purchased, and now there is an expansion at 4 corners; Recruit and retain for county employees, possible daycare for county employees connected to the nursing home
- Fallon: Hoping for Keystone, and looking at expansion from the south for CO2 transmission with Denbury. Facilities follow. Drained the lake from the tornado, and FEMA is sharing the cost. The county will dredge the lake now since it’s drained and double the capacity of the lake.
Column 1

- Senator Daines: High Tech job summit, October 8-9
- Senator Tester: Meeting with MEDA board on Thursday
- Congressman Gianforte: Broadband question as infrastructure and barriers

Select USA Conference

NACo Telecommunications & Technology Steering Committee

Committee Chair, Commissioner Joe Briggs, Cascade County

- Chair of Committee for last three years; the full report is in the MACo newsletter (September 2017)
- The majority of our time was spent on the FirstNet issue as a great deal has happened since the committee met in February—FirstNet is a congressionally mandated creation of a 1st responder’s cellular network that stretches across the nation.
- Unlike the existing commercial networks, this network was envisioned to be for 1st Responders exclusively. The system would be built with a combination of Federal funds coming from the sale of frequency spectrum, private investment by the carrier selected to build the network, and user fees.
- Each state is required to either “opt-in” to the FirstNet system or build their own system that meets the FirstNet requirements. It is important to note however that the congressional mandate does not require anyone to use the system; it simply mandates that it has to be built. Each agency would decide whether to subscribe to the system.
- Since the plan was that FirstNet would be on a different frequency band than a normal cell phone, it meant that 1st responders would not be able to use standard cell phones. Instead, they would need a special device for this purpose and, since there would be relatively few users on this system, the user fees as well as the device costs might create a burden on 1st responder agencies.
- The Federal Government issued an RFP to solicit bidders on the project and following a legal challenge by another bidder, AT&T was awarded the bid. The primary focus of our T&T meeting was on the nature of the AT&T bid and how it has affected the planned deployment of FirstNet.
- AT&T proposed to harden and expand their existing network as well as adding preemption for 1st responders to their existing system starting in January. This means that in areas already having good AT&T coverage, the first phase of FirstNet will go on line in January. The use of existing AT&T infrastructure reduces the cost of deployment in those areas where AT&T already has good coverage and should free up more funding for deployment in less well served areas like Montana.
- Since the NACo meeting, several important events have occurred involving First Net in Montana. The Montana State Interoperability Governance Board (SIGB), which is charged with advising the Governor on First Net, recommended that Montana “Opt-in” to the specific Montana state plan proposed by AT&T. Governor Bullock acted on that recommendation and has formally “Opted-in” to the First Net plan so the project can begin to move forward here in Montana.
• It now appears that Verizon will be offering an alternative to the AT&T supplied First Net system. Although many questions remain regarding both of these offerings, I view both of these developments as very positive for Montana counties.
• Finally, I would like to express my appreciation to all of you for allowing me to represent you on the NACo Board of Directors and on the various NACo committees on which I am privileged to serve. This meeting of the T&T Committee marked the completion of my third year as Chairman of the committee. Typically, Chairmanships are rotated every two years, so I was blessed to have served in this capacity for three years. I am now assuming the role of a vice chair of the Telecommunications and Technology Committee.

NACo Community, Economic & Workforce Development Steering Committee Committee Member, Commissioner Mike McGinley, Beaverhead County

MT DOL reimburses MACo for my travel costs to go; sit on state workforce board and sit on NACo Workforce Subcommittee

• Focus at national level is on housing; platform change on need for affordable workforce housing; platform change on federal homeless housing assistance
• Resolutions:
  o Affordable Housing
    ▪ Issue: Support an increase in the supply of affordable housing through the expansion of tools such as the Low-Income Housing Tax Credit program.
    ▪ Proposed Policy: The National Association of Counties (NACo) urges Congress to increase the allocation of Low Income Housing Tax Credits (LIHTCs) by 50 percent and enact a permanent 4 percent credit rate floor for acquisition and bond-financed projects, allowing the program to create and preserve more affordable homes in the United States. Additionally, NACo urges Congress to provide enhancements and increased funding levels to all programs aimed at increasing the supply of affordable housing.
  o Housing First Approach
    ▪ Proposed Policy: The National Association of Counties (NACo) strongly supports retaining Housing First as a best practice approach to homeless assistance that prioritizes providing permanent housing to people experiencing homelessness.
  o Reauthorization and Appropriations for the Department of Commerce’s Economic Development Administration
    ▪ Issue: Appropriations and reauthorization legislation for the U.S. Department of Commerce’s Economic Development Administration (EDA)
    ▪ Proposed Policy: The National Association of Counties (NACo) urges Congress to support reauthorization and appropriations for the U.S. Department of Commerce’s EDA to keep communities strong and economically viable at this critical time in the history of our nation.
  o FY 2018 Appropriations for the Workforce Innovation and Opportunity Act (WIOA)
    ▪ Issue: Support FY 2018 Appropriations for the Workforce Innovation and Opportunity Act Funding
    ▪ Proposed Policy: The National Association of Counties (NACo) urges Congress to provide adequate resources for Workforce Innovation and Opportunity Act (WIOA) programs and fund the Title I and Title II accounts at the level authorized by the Act.
MACo Registered Apprenticeships Program Flexibility

- Issue: Support flexibility for registered apprenticeships, academic and hands-on training.
- Proposed Policy: The National Association of Counties (NACo) urges Congress to provide more flexibility for the Registered Apprenticeships Program to allow for more hours to be achieved through relevant college and workshop classroom instruction, rather than all hours having to be recorded working with a journeyman.

MACo Energy Committee
Committee Chair, Commissioner Doug Martens, Rosebud County

- Renewable Energy in Montana, Jeff Fox, Montana Policy Manager, Renewable Northwest

  - Mr. Fox spoke generally about the state of renewable energy and renewable energy projects in the state. Some specific details included:
    - Cost declines continue for both wind and solar. Under optimum circumstances the costs can be as low as $40 per megawatt hour unsubsidized.
    - Renewable Portfolio Standards (RPS) in other states impact Montana’s ability to export renewable energy. For instance, the only way Washington state will accept Montana’s power is if it is “Dynamically Transferred”.
    - The Public Utility Renewable Policy Act (PURPA) was the next topic. This Act allowed standard offer contracts at $60, which is viable for solar, so NW Energy saw an influx. As a result, NW Energy asked for PURPA to be suspended, and the PSC took action. The PSC slashed the cost rate to about half of the $60 and also reduced the contract length to 10 years with only 5 years of price certainty. This action has reduced the number of new projects to 6 and put all others on hold. This has been made these types of projects more difficult.
    - Projects noted that are in the works are an 80 MW solar facility outside of Billings; a 25 MW wind project in Sweetgrass County; a 240 MW project in Carbon County working with Pacific Corps of Wyoming on a contract; the Clearwater Project near Colstrip which would be 300 MW to 1GW; the Absaroka Energy proposed hydro at Martinsdale which has been issued a FERC license; and two others that got in ahead of the PURPA price change.
    - The Puget Sound rate case settlement on Colstrip and Renewable Northwest’s participation was discussed. They are a party to it along with several other interveners. Renewable NW wants transmission studies to be completed to assess carrying renewable energy. The settlement, pending further approvals, includes $10 Million for Colstrip, reporting and remediation, and a new depreciation schedule for Units 3 and 4. The Washington Utilities Commission has the final say.
    - To fully qualify for renewable subsidies the projects have to start in 2018. After that they would not get the full subsidy but could get partial. The threshold to have “started” is minimal.
    - Question Asked: With the decrease in wind energy cost can a homeowner now justify the capital cost? Mr. Fox’s response: A ranch or farm maybe because the equipment requires maintenance and ranchers and farmers are generally more adept at dealing with equipment. Solar, if net metering is available, is more doable for homeowners.
    - Asked about storing wind power in the ground? Mr. Fox responded with an affirmative and that it is called Compressed Air Energy Storage. It is limited to certain types of geography.

  - The group had a short discussion on forest management as a fuel source. Transportation costs can be prohibitive.
  - Legislative Updates: Legislative updates were given and discussion followed. Some specifics and a letter were presented by Duane Mitchell, Richland County, addressing concerns in HB 215 (revise oil and gas tax laws). Doug Martens gave an update on Senator Ankney’s Colstrip and coal bills. Nathan Adams briefed us on Senator Daines work on venting and flaring rules as well as the stream...
protection rule changes. Greg Moore with Montana Magistrates gave an update on some of their concerns.

**NACo Environment, Energy & Land Use Steering Committee**  
*Committee Member, Commissioner Doug Martens, Rosebud County*

- New to the committee; we had several resolutions:
  - Resolution to force EPA and WOTUS to include local government if it resurfaces;
  - Resolution to ACOE to speed up 404 permits;
  - Resolution on water quality effluent limits definition – any water used and treated can be discharged at quality level that it started at;
  - Resolution to support liquid natural gas export facilities;
  - Resolution to support woody bio-mass as an energy source;
  - Resolution to support the Keystone XL;
  - Resolution opposing EPA tightening Ozone standards;
  - And finally they had a long discussion on the Paris Climate Accord and passed a resolution that indicated that if a county wanted to support it they could and if not, then don’t.

**NACo Finance, Pensions & Intergovernmental Affairs Steering Committee; and County & Tribal Government Subcommittee**  
*Subcommittee Vice Chair, Commissioner Sidney Fitzpatrick, Big Horn County*

- No Report

**MACo Health & Human Services Committee**  
*Committee Vice Chair, Commissioner Deb Brandon, Toole County*

- Ravalli County Veterans Services: Mike Warner, Ravalli County Veterans Services Officer provided an overview of his office and the services they provide. Through his office, the veterans in the area have access to a full-time counselor, peer support groups, access to medical and mental health services, and access to nursing homes and assisted living. Mr. Warner urged all counties to consider implementing a veteran’s services program.
- Mental Health: Extensive discussion was held regarding the Governor’s proposal to reduce funding in the Department of Public Health and Human Services to meet statutory guidelines.
- Public Health Officers: Matt Kelley provided an overview of recent public health issues such as a pertussis outbreak, smoke from the fires, and flu season. He expressed concerns over the federal issue of repealing or replacing the Affordable Care Act and the possible loss of health care coverage.
- Agencies on Aging: Jerilee Wilkerson thanked MACo for their support on funding for Area Agencies on Aging at the legislature. She reported that they receive pass through funding of federal state and local dollars. She noted there will be a 60% increase in the need for caregivers for the elderly in the next 10 years.
- Proposed Governors Budget Reductions to DPHHS Programs: Extensive discussion was held regarding the impacts of the proposed budget cuts. Commissioner Mosness and Commissioner Borner discussed the closing of job service offices and offices of public assistance, and the negative impact on the communities. Commissioner Geise requested the issue be taken to MACo Leadership to have a presence and to bring public attention to the issues through an ad campaign. Commissioner Hoppes recommended the League of Cities and Towns be engaged also. Commissioner Slaughter expressed his frustration with the Administration and the Legislature, noting that if Community Mental Health Centers are forced to close, the county detention facilities will again become the holding facilities.
MACo Human Services & Education Steering Committee
Commissioner Todd Devlin, Prairie County

- Worked on a policy for sexual abuse in families. The committee tabled this resolution until the Legislative conference in 2018. The committee could not be convinced that we were not asking for any money only the dialog to start between local, state and the federal government to gather information and start educating. The committee felt the resolution was not specific enough. We will be working with those individuals to either bring forth another resolution or put something in policy that addresses sexual abuse.
- The committee had some presenters on the opioid epidemic that is running wild in the United States. Counties are reporting deaths skyrocketing from in the 100’s in 2010 to into 1000’s in 2016. This is putting a real strain on first responders and county governments. They are working diligently to slow the epidemic. Tools being used are education, tracking down where they are coming from, and setting up services.

NACo Health Steering Committee
Committee Member, Commissioner Andy Hunthausen, Lewis & Clark County

- The NACo membership supported a resolution regarding the opioid epidemic (Urging Continued Federal Support for Local and State Efforts to Reduce Rates of Opioid Dependence, Overdose and Fatalities), and our committee spent a lot of time on this topic; discussion on focusing not just opioids; it’s not the drug (coke, heroin, meth, opioids, etc.) necessarily—it’s the addiction; we need to deal with addiction
- Committee Supported Several Resolutions (just to name a few):
  - Resolution on the Importance of the ACA and Medicaid Expansion
  - Proposed Resolution to Extend Federal Medical Payments to Detainees in County Jails who are Pre-adjudicated
  - Resolution to Prohibit Insurers from Denying Health Benefits to Preadjudicated
  - Resolution on the National Health Service Corps Loan Repayment Program
  - Resolution Urging the Federal Government to Suspend, Instead of Terminate, Medicaid Coverage for Incarcerated Individuals
  - Resolution Supporting Local Efforts for Mobile Support Teams

MACo Justice & Public Safety Committee
Committee Chair, Commissioner Laura Obert, Broadwater County

- Update from Dave Armstrong, CEO of Alternatives, Inc. and President of the MT Community Corrections Association
- MT Board of Crime Control Update: Deb Matteucci was not available to attend this meeting, and that Ms. Matteucci has accepted a position as Executive Director of the Behavioral Health Alliance of Montana, effective next month. The MT Board of Crime Control (MBCC) is dedicated to promoting public safety, crime prevention and victim assistance. The MBCC was created in 1968 from the Omnibus Crime Control and Safe Streets Act which required the state to have a state administering agency (thus the formation of the Board of Crime Control). The Omnibus Crime Control Bill set requirements for MT to set policies for crime prevention. The organization has 18 employees who oversee program development, including the victim witness program. The board has been an autonomous, policy-making, decision-making board and has served as the “gold standard” in the nation. It has been governed by a board of directors of public and private professionals with expertise in the justice system (local governments, county attorneys, and victim witness advocates). The agency is 49 years old this year.
The Montana Board of Crime Control administers state and federal criminal justice grants to local subgrantees, supporting criminal and juvenile justice initiatives (JDC reform, shelter-care services, victim services, and more). Much of the grant funding goes to counties or non-profit organizations (ie. Boys and Girls Club). The 2017 MT State Legislature moved the MT Board of Crime Control to a Bureau within the Department of Corrections. Approximately $30 million/year in grants will likely be transitioned and there remains concern whether programming will remain in compliance with the Juvenile Justice and Delinquency Act and the Violence Against Women’s Act, once the agency is moved to the Department of Corrections. There is also some question regarding whether the legislature acted legally in making their decision to move the MBCC to the DOC – specifically did the legislature violate the MT Constitution and/or open meeting laws when enacting SB 95 and HB 650. Mike Meloy, a Constitutional Attorney, reviewed the legality and impacts of this legislatively mandated shift to the DOC and reviewed whether the legislative action complies with federal law.

- Update from Brian Hopkins, General Counsel/Personnel Services, MACO on Marsy’s Law: Brian Hopkins provided a brief history of the Marsy’s Law appeal. In Spring 2017, the ACLU asked MACo to sign onto an appeal of Marsy’s Law. Leo Gallagher, Lewis and Clark County Attorney had already signed on as a petitioner. In June 2017, MACo joined the ACLU’s appeal of CI-116 (Marsy’s Law) and became lead party in the lawsuit. Marsy’s Law was scheduled to go into effect on July 1, 2017 however; a group petitioned the Supreme Court asking for a judgment voiding the enactment of CI-116 due to its apparent non-compliance with the Montana Constitution. Although MACo has taken the lead on this petition, it will pay no legal fees. Amicus organizations (Friends of the Court) include: MT Newspaper Association, Constitutional Convention delegates, Law Professors, and retired Supreme Court Justices. Summary of Impacts: 18 new rights for victims – added rights that are source of the litigation; definition of a victim is more broadly defined – exponentially expands who is considered a victim; creates a huge financial burden to counties. Marsy’s Law was prevented from going into effect on its implementation day of July 1, 2017. The basis for the litigation is violation of the MT Constitution: Separate Amendments, Separate Votes.

Association Reports & Updates

- Montana Sheriffs and Peace Officers Association, Brian Gootkin, Sheriff, Gallatin County: Sheriff Gootkin serves as the lead for MSPOA in the legislature. He thanked the counties for supporting the sheriff’s retirement. Gootkin reported that the MSPOA was not as active in the 2017 legislature as in previous sessions because the retirement decision “held them hostage.” Sheriff Gootkin is concerned that some grants/federal funding could disappear in coming years. He reported recently meeting Reginald Michael, new Director of Department of Corrections. In response to Dave Armstrong’s presentation on alternatives to incarceration, Gootkin said: DOC inmates are state inmates. It is the sheriff’s decision whether to accept DOC holds in their local jails States will likely proclaim the local authorities are putting citizens at risk if they do not accept state inmates State DOC is worried about overcrowding the state prison, but not concerned about overcrowding local jails.

- Montana County Attorneys Association, Leo Gallagher, County Attorney, Lewis and Clark County: Gallagher reported on the difficulties with the 2017 legislative session. Gallagher thanked the county commissioners for their support during the session. During the legislature, it became an issue over who is going to pay for public safety – an abrogation by the state to protect the citizens and pushback to local governments. Gallagher reported that the state needs 500 additional beds now. Counties do not have the ability to raise funds. Criminals with co-occurring issues (mental health and chemical dependency) cannot be adequately monitored with probation officers have 80-100 active cases. Gallagher reported that under the Justice Reinvestment program, the objective is to eliminate long prison sentences, revise the probation and parole system, and ultimately reduce the number of state beds by either releasing convicted criminals or shifting them to county jails. There is currently an interim committee preparing a series of bills for the 2019 legislative session. This process is being
Driven by an out-of-state think tank. Funding in the amount of $1.5 million has been established for the development of five models for pre-trial systems. Lewis and Clark County is part of the prototype with: increase in pre-release, housing vouchers, streamlining PSI (pre-sentence investigation reports). Gallagher advised commissioners to watch SB 63 (Probation) and SB 64 (Parole). SB 63 changed probation and sanctions and will have an effect on counties in order to drive down the number of state inmates. He said the DOC is in the driver’s seat on these bills. The MT County Attorneys Association opposed HB 133 which was an overhaul of Title 45 relating to decriminalization of first offense property offenses ($1500 bounced checks have no jail time) and graduated penalties for drug offenses; and elimination of maximum penalties for those charged with 10+ DUI offenses. HB 133 also lowers the cost-share with counties, requiring counties to cover additional costs. As a consequence of opposing HB 133, the County Attorneys lost their expert witness funding.

**NACo Justice & Public Safety Steering Committee**
**Committee Member, Commissioner Bill Barron, Lake County**

- This committee has taken a more liberal view; have to make some noise to be heard.
- One platform change on domestic violence recognizing alternative lifestyles: NACo supports federal legislation that encourages a comprehensive approach to domestic and intimate partner violence against women that incorporates offender accountability and programs for victims’ services. County governments are urged to develop a broad-based system of response to domestic violence including financial support for shelters, crisis lines, and other programs offering advocacy, support and counseling, public education and prevention activities, safety for victims of crime and emergency medical services. County officials are also urged to examine the response of various criminal justice agencies to cases of domestic violence. Law enforcement and prosecutorial policies and practices should ensure the protection of the victim and reflect the serious criminal nature of acts of domestic violence. County governments are encouraged to incorporate non-gender specific language regarding both the victim and the perpetrator to recognize that domestic and intimate partner violence knows no bounds of sexual orientation, gender identity, or gender expression.

- **Resolutions:**
  - Facilitating Diversion of Individuals struggling with Substance Use Disorder from Jails to Treatment by Promoting Parity in Health Information
  - Restoring Equity in Medicaid Coverage to Pretrial Inmates in County Jails
  - Supporting Adequate Funding for Civil Legal Services
  - Urging Continued Federal Support for Local and State Efforts to Reduce Rates of Opioid Dependence, Overdose and Fatalities
  - Supporting the Emergency Management Performance Grant Program
  - Fair Restructuring of Homeland Security and Emergency Management Grants
  - FEMA’s Deobligation of Approved Disaster-Relief Funds
  - Modify the “Individual Assistance” Criteria Used by the Federal Emergency Management Agency (FEMA) to Ensure that Rural Residents are Treated in a Fair and Equitable Manner
  - National Flood Insurance Program and the Endangered Species Act
  - National Flood Insurance Program Reauthorization and Program Improvements
  - Supporting Continued Provision of Mitigation Funds for Certain Areas Affected by Wildfires
  - Executive Order Establishing a Federal Flood Risk Management Standard
  - Supporting the Reauthorization of the Assistance to Firefighters Grant Program, Including the Safer Grant Program

MACo
- Reauthorization of the Juvenile Justice Delinquency Prevention Act
- Urging Federal, State and Local Adoption of a Presumption against the Use of Indiscriminate and Unnecessary Restraints of Juveniles in Court
- Supporting the Stopping Tax Offenders and Prosecuting Identity Theft Act (Stop Identity Theft Act) and Similar Legislation
- Urging Congress to Provide Full Funding for the Mentally Ill Offender Treatment and Crime Reduction Act
- Support Programs Preventing Human Trafficking
- Improving Pretrial Justice
- Support National Standards for Emergency Management Programs and the Emergency Management Accreditation Program

MACo Land Use, Planning & Development Committee
Committee Chair, Commissioner Joe Skinner, Gallatin County

- Part 1 Zoning Report, Tara DePuy, MACo PCT Land Use Attorney: Tara DePuy reported on Part 1 Zoning issues and ongoing cases in the state. Part 1 Zoning is citizen-initiated zoning, and discussion of several parts of statute ensued. Timelines for protests and protest provisions, definitions for public interest and convenience, and specifically who are considered affected property owners with regard to mineral rights owners were each of the topics reported on. Ms. DePuy made reference to ongoing cases involving Part 1 Zoning issues and will inform the committee of outcomes in those cases.

- Montana Weed Control Association Update, Pam Converse, MWCA Representative: Pam Converse spoke regarding crafting language for upcoming legislation with DNRC and MDT. Upcoming training dates are Oct. 10-12, 2017, in Butte. Next January 10-12, 2018 is the MWCA Annual Conference. Possibility of money to help with fire repair reseeding was mentioned.

- Ag Exemption Statute & Reporting, Tara DePuy: Tara DePuy reported on Ag Exemption and Reporting with respect to Exempt wells. At this time exemptions are limited to 1 well per subdivision. An interim study will revisit exempt wells. DNRC intends to put forth rules as written in 1987.

MACo Public Lands Committee
Committee Chair, Commissioner Greg Chilcott, Ravalli County

- Update by Leanne Marten, Regional Forester, Region One USDA, Forest Service: Leanne reported that Chief Tom Tidwell has retired and a new Chief of Forest Service, Tony Tooke assumed the role on August 1, 2017. Chief Tooke, is a Mississippi State University graduate who had most recently been the Regional Forester in the Southern Region, Region 8. He visited and toured Region One in August.
  - Stats on the 2017 Fires -- fires began in early July. In the geographic area, there were 2893 total fires and 1.5 million acres affected. Of this total, within the National Forest System there were 669 fires which impacted 735,000 acres - 700,000 acres were impacted by lightning- caused fires and 35,000 acres by human-caused fires (188 fires). Regional Forester Marten thanked the county commissioners for their patience and support this past summer considering the excessive smoke, poor air quality, and multiple evacuations that occurred in communities. The loss of two fire fighters was a significant impact on families and fellow crew members; and these men will be long remembered for their service. The fire season work is not yet completed with a tremendous amount of equipment that needs to be cleaned and returned to stations; the work of the BAER (Burned Area Emergency Response) teams; salvaged timber; and hazard tree removal. Region One has requested assistance from neighboring Regions to help with salvage work. Marten reported Interior Secretary Ryan Zinke and Secretary of Agriculture Sonny Perdue visited the Lolo Peak Fire complex.
o NEPA and Farm Strike Teams – the teams are adjusting their priorities, considering the fire recovery work. Regional Forester Marten is in discussions with the DNRC regarding whether (under Good Neighbor Authority) the state can work on National Forest System land where the Forest Service does not have the capacity. Looking at an effort to use the funds to rehabilitate watersheds and keep funding cycling in the system.

o Success Stories – Copper King Fire work was implemented within nine months. Leanne appreciates the County Commissioners being part of the process. When asked about the criteria for salvage, Leanne explained that once the BAER Assessment is signed, the process remains a public process, and overrides the 45-day objection step. The agency is trying to use technology to prepare the analysis to expedite the decisions/project implementation.

o Forest Management Program – social media is hyping that if more logging was done, less acres would burn. There is a considerable amount of inaccurate information on social media. Regional Forester Marten offered to discuss the specifics of any fire with the county commissioners and invited them to call her directly. Region One’s timber program has been pro-active this past year:
  ▪ 321 million board feet – assigned to the Region
  ▪ 340 million board feet – accomplished by the Region

o The agency is having bi-weekly calls with industry representatives. There are approximately seven timber sales (sold) that were impacted by fire activity this season. This is not as many sales as anticipated, considering the 735,000 acres of NFS land burned.

• Update from Jon Raby, State Director of the BLM: Director Raby reported that Mike Nedd is Acting Deputy Director of Operations for the BLM. Unlike the Forest Service, the national Director of the BLM requires a presidential appointment and this process takes longer than when a new Chief of the Forest Service is selected. BLM Emphasis Areas: jobs and security issues in southern offices. Joe Balash of Alaska has been named as the Department of the Interior’s Assistant Secretary for Land and Minerals Management, and Mr. Balash was going through conference hearings on the very day the MACO Public Lands Committee was meeting. Postscript Note: Balash was confirmed to this post by the Senate in early December 2017.

o Fire Summary – BLM experienced 101 fires, eleven were human-caused, 90 fires were lightning-caused. Fires burned 350,000 acres of BLM land with the Lodgepole and July Fire being the largest (271,000 acres burned in Garfield Co. and 11,000 acres in Phillips Co.). BLM has dedicated $700,000 toward rehabilitation work and used drones to assess steep side slopes in their post-fire assessments. And additional $300,000 has been allocated to the Lodgepole Fire, making a grand total of $1 million for fire rehabilitation. BLM is looking for long-term range restoration and noxious weed management. BLM experienced no fatalities. Seventeen structures were lost, but no primary residences. At one point in the fire season, 34 different states were represented in the fire-fighting effort. Director Raby complimented Commissioner Teddy Robertson of Garfield Co. for assisting in relaying accurate information. Congressman Gianforte visited the fire areas.

o Sagebrush Focal area – Director Raby reported there are policy decisions that can be implemented without altering the BLM Management Plans.

o Streamlining National Policy Analysis – BLM attempting to streamline EIS documents by limiting the number of pages in the documents.

o Keystone XL Pipeline – 875 miles total, 50 locations on federal land, 48 locations on BLM, 2 areas of ACOE land. The analysis is completed and decision expected within two months (November/December). Protests are anticipated.

o American Prairie Reserve – Request received by BLM to convert 16 range allotments from cattle to bison grazing. BLM currently exploring public process and foresees future “scoping” sessions.
• Update from Wayne Noem, Montana Department of Transportation: Noem spoke about the Federal Lands Access Program (FLAP). Next call for projects will be the end of 2018 or early 2019. Noem reminded the commissioners that a 13.42% match is required on projects. Noem discusses several other funding programs: Forest Highway Program with the Forest Service; Public Highway Lands Access Program; Federal Lands Transportation Program with NPA, BLM, ACOE, FWS, Bureau of Reclamation; Tribal Lands Transportation Program

• Update from Matt Arno, Local Government Advisor, DNRC: Matt provided a slideshow demonstrating where forest management reduced wildfire impacts. Arno encouraged counties to work with landowners to urge land management practices on private land. Slides of private property in the Florence, MT area in the vicinity of the Lolo Peak Fire showed where past forest practices (10 years ago) allowed crews to conduct safe burnouts in advance of the Lolo Fire. DNRC is currently visiting with the BLM about establishing partnerships similar to the Good Neighbor Authority. Arno mentioned the success from the collaboratives and county commission involvement on the Superior Ranger District where 114 million board feet has been harvested in the last couple of years. DNRC granted funds to help several counties with litigation involving the Forest Service: Park-Meagher Co. - $4500 for Smith Shields Project; Powell Co. - $6000 for Telegraph Vegetation Project; Lewis and Clark Co. - $5000 for the Stonewall Vegetation Project

NACo Public Lands Steering Committee
Committee Vice Chair, Commissioner Greg Chilcott, Ravalli County

• The Public Lands Steering Committee adopted three platform changes and 11 policy resolutions.
• Adopted Platform Changes:
  o Platform Change on Funding for Public Lands Infrastructure—Stacy Corless, Chair, Board of Supervisors, Mono County, California
  o Platform Change on Federal-County Receipts Sharing Under Stewardship Contracting—Association of Oregon Counties; Gil Ridell, Policy Director and Mike McArthur, Executive Director
  o Platform Change to Clarify County Cooperation Under the Endangered Species Act—Robert Corn, Commissioner, Chaves County, New Mex.

• Adopted Policy Resolutions
  o Resolution on Amendments to PILT Population Caps—Todd Devlin, Commissioner, Prairie County, Mont.
  o Resolution on Amending the Recreation and Public Purposes Act—Clint Hickman, Supervisor, Maricopa County, Ariz.; Tommie Cline Martin, Supervisor, Gila County, Ariz.
  o Resolution on Wildland Fire Suppression Funding—Liz Archuleta, Supervisor, Coconino County, Ariz.
  o Resolution Urging Congress to Support the Return of 40% of Federal Mineral Lease Revenue to The County in Which it Was Generated—Shawn Bolton, Commissioner, Rio Blanco County, Colo.
  o Resolution on Salt Cedar Removal—Clint Hickman, Supervisor, Maricopa County, Ariz.; Tommie Cline Martin, Supervisor, Gila County, Ariz.
  o Resolution to Repair and Maintain the Public Land Survey System-- National Association of County Surveyors (NACS); Reid Demman PLS, Salt Lake County Surveyor, Utah and Board Member NACS
Resolution on Secure Rural Schools; Approval of Members for Resource Advisory Committee—Liz Archuleta, Supervisor, Coconino County

Resolution Opposing the Bureau of Land Management’s Duplicative Hydraulic Fracturing Regulation, and Supporting the Department of the Interior’s Intention to Rescind the Rule—Joel Bousman, Commissioner, Sublette County, Wyo.; Loren Grosskopf, Commissioner, Park County, Wyo.

Resolution to Cease Wilderness Characteristic Inventory in Alaska—Todd Devlin, Commissioner, Prairie County, Mont.

Resolution to Allow the Public and Public Entities to Comment on Wilderness Characteristics Cataloging and Inventory by Federal Land Management Agencies —Todd Devlin, Commissioner, Prairie County, Mont.

Resolution to Amend and Update the Endangered Species Act of 1973—Robert Corn, Commissioner, Chaves County, New Mex.

Commissioner Devlin spoke with Mr. Tryon on "wilderness characteristics inventory". Mr. Tryon concurs with the resolutions on the books both at NACo and MACo.

Randy Phillips from the US Forest Service also presented on recent local engagement efforts and gave some background on Secure Rural Schools.

Cynthia Moses-Nedd from the US Department of the Interior spoke about PILT and other land payment programs.

Members of the Steering Committee then held a discussion session on collaborating on county land use plans, as well as speaking in a unified voice to the federal government.

MACo Transportation Committee
Committee Chair, Commissioner John Ostlund, Yellowstone County

New Gas Tax & Application Process: Mike Tooley, Director, MT Department of Transportation: HB 473, Revise highway revenue laws (New Gas Tax): Effective July 1 at 4.5 cents—will gradually increase to 6 cents by 2023; counties may request funds in March through website reporting; FY 2018 allocations will be March 2018; 65% goes to local governments; can save up to 5 years; funds and are obligated via resolution. There was a brief discussion regarding rumble strips and the noise they create in close proximity to houses.

Secondary Roads Program: Wayne Noem, MT Department of Transportation: Mr. Noem gave an update on the Secondary Roads Program: He went over each district’s projects and where they were on the priority list. He contacts counties before programming to see if that project is still their number one project. Mr. Noem then discussed SB 333, Generally revise laws concerning paved secondary roads (1999), which had a clause for the state to take over maintenance of gravel roads that were paved; with budget cuts, the takeover will be done on a case-by-case basis. Lastly, Mr. Noem let everyone know that the Off-systems Bridge Program list is available; the Federal Lands Access Program is behind on getting projects out the door, and the next call for projects is late 2018.

BNSF Updates and Q & A: Ross Lane, Regional Director of Public Affairs for BNSF Railway, explained BNSF rail territory and how they move their cargo to markets; Montana had 1.8 million carloads. He also explained the use of drones to inspect the track. He then gave a presentation on the expansion efforts and how the rail system works; they invested $500 million in track improvements. There was a discussion regarding weeds next to railroads.
The NACo Transportation Committee met July 21st in Columbus, OH to discuss policy and platform issues important to all counties. Counties play a huge role in America’s transportation system. We own and maintain 45% of all public roads, 39% of the nation’s bridges and one third of the nation’s transit systems and airports. In November of 2016 President Trump announced his intent to introduce a one trillion-dollar infrastructure package. NACo believes that counties should be recognized as major owners of transportation infrastructure and wish to have more local authority in the way funds are distributed and spent out of any new transportation bill.

Without a new transportation bill to review, the committee focused on legislative policies and priorities. The transportation committee reviewed the platform and added one change to include unmanned aerial system regulations. The discussion around the benefits and problems of drones was quite lengthy. While many productive uses for drones could include inspections of bridges, slide areas, and traffic congestion that may help county officials, some of the down sides are drug smuggling, interference with airport traffic patterns and unauthorized surveillance of private property. The discussion about benefits and problems could have gone on all day and Congress will have much work in sorting out the regulations needed to manage the new unmanned drone fleet.

The committee also voted on and approved all of the last year’s resolutions and reintroduced a resolution in support of fully funded mandated local airport security, a resolution supporting Indian school bus routes, a resolution in support of direct funding to local governments, a resolution in support of reducing regulatory impediments for effective delivery of federal aid projects and a resolution to support innovative and automated technology for transportation solutions. The last resolution came after much discussion on the use and delivery of automated driverless vehicles. Research is moving along, and driverless cars are on the roads now as testing continues to improve their ability to navigate our roads and bridges. Like drones we may see many benefits from driverless vehicles; however, I remain old school and am more comfortable with the wheel in my own hands. My friend Richard Dunbar, however, may want a driverless one-ton Chevy with a bail load-er to feed hay on those cold January days, feel free to ask him at the September convention.

Thanks for allowing me to represent you at the NACo conference.

Presentation: The Next Best Thing – Retirement Readiness

Carlos Greene, NACo-FSC Senior Program Director of Retirement Services; and Jared Williams, Nationwide Retirement Specialist

- Online Enrollment Kit
- Answer four easy questions upon login: Current gross annual income; years of service with current employer, current job category, desired retirement age
- Can see if you’re on track for your retirement goals
- “My Interactive Retirement Planner:” Helps you plan for retirement—pension estimator; social security estimator, outside assets
- Retirement Readiness Report helps you prepare for retirement: True holistic view; available online anytime; generates awareness and provides next steps
- Get engaging messages encouraging you to save throughout the year
Presentation: New Solutions & Efficiencies Through US Communities

Carlos Greene, NACo-FSC Senior Program Director of Retirement Services

- National Cooperative Purchasing Program
  - No cost to use; no commitments or minimum order requirements
  - Operates on the same principles as local and regional cooperatives
  - National structure for public agencies to aggregate collective purchasing power
  - Improves the overall effectiveness of the purchasing processes
  - Nonprofit organization: partnership dedicated to establishing solutions to save time and money
  - Dedicated team of field and administrative professionals to ensure supplier performance and public agency benefit

- Our Mission: To help government agencies save time and money in the competitive solicitation process.

- Advisory Board: Professional Oversight: Advisory Board of well-respected public procurement professionals to ensure responsible and ethical best practices; Advisory Board Program Purchased Over $161 Million in 2016

- Eligible Agencies: Cities, counties, special districts, K-12 (public or private), universities and colleges (public or private), nonprofit organizations, state agencies

- Accountability and Transparency:
  - Lead Public Agencies to ensure open and competitive solicitation process
  - Supplier audits and verification to ensure pricing integrity and public agency benefit
  - Strict contract compliance and supplier commitments to ensure public agencies interests are served
  - Integrity of procurement standards
  - Founded and owned by our distinguished sponsors
  - Oversight from national advisory board of purchasing professionals
  - Innovative resources: online shopping portal, educational webinars and trainings

- Solicitation Process: Lead Public Agency Model
  - Solicitations are run by a Lead Public Agency (LPA)
    - The RFP or ITB is issued by the LPA and posted online
    - National evaluation team - public procurement officials from 3 to 5 public agencies across the country
  - Evaluation is performed, and award is made
  - Contracts are held and managed day to day by LPA
  - All RFP/ITB and Contract documents are available on www.uscommunities.org
  - LPA’s are available for questions about solicitation

- Solutions: Focus on providing full solutions to public agencies; contracts include ability to purchase products and services accompanying them—facilities, office & school, specialty, technology

- How to Participate: www.uscommunities.org/register
Presentation: PILT & SRS Funding Status

Jonathan Shuffield, Associate Legislative Director for Public Lands, NACo

- Political Landscape in Congress:
  - 40 days remain this legislative session to accomplish the following:
    - Debt Ceiling
    - FY 2018 Appropriations
    - Budget Resolution (Sept. 30)
    - Federal Aviation Administration Reauthorization
    - National Flood Insurance Program Reauthorization
    - Health Insurance Programs (i.e.: S-C HIP)
    - Hurricane Relief
    - Tax Reform
- PILT was created to offset the costs of providing essential services to federal public lands and their users
- Management of Public Lands (635-640 million total acres in the U.S.)
- The Purpose of PILT is to Offset Losses in Tax Revenue
  - Land owned by the federal government, referred to as federal or public land, is exempt from local property taxes
  - The Payments in Lieu of Taxes (PILT) program provides payments to counties and other local governments to offset losses in tax revenues due to the presence of tax-exempt federal land in their jurisdictions
  - Nearly 28 percent of land in the U.S. is federally owned land
  - Montana is 29 percent federally owned.
- Counties Often Provide Services on Public Lands: In addition to the services traditionally provided by counties across the country to their residents, counties with public lands in their jurisdictions often provide services on those lands that are crucial to their operation and maintenance, including the following:
- Full Funding:
  - If Congress does not act, funding for PILT will expire on September 30, 2017.
  - PILT funded at $465 million for FY 2017.
  - The President’s FY 2018 Budget requested $397 million—the 10-year average of PILT funding. $68 million cut compared to FY 2017.
  - The FY 2018 House and Senate Interior Appropriations Bills include one year of discretionary funding for the PILT program at $465 million.
  - A Continuing Resolution will not fully fund PILT. Continuing resolutions generally provide level funding only.
  - Congress asked the Administration to recalculate PILT amount so that a full funding number can be appropriated.
  - Permanent Mandatory Funding: Discretionary funding is not flexible and does not adjust to variables in the PILT formula such as changes in Federal acreage, prior year payments or county population; we ask Congress find a bipartisan, permanent solution to fully fund PILT (President’s Budget, $465M; Authorized, $465M; Appropriated, $465M)
- Secure Rural Schools
  - The SRS program was enacted in 2000 to provide funding for counties and schools to compensate for steep reductions in revenues from timber harvests
Like PILT, the SRS program supports critical transportation, education and other vital county services for residents and visitors alike.

For FY 2015, the SRS program provided $278 million to over 700 rural counties, parishes, and boroughs across the United States.

SRS payments are deducted from PILT payments due to their status as prior year federal payments.

Without SRS, more counties are eligible for PILT, spreading PILT thinner.

H.R. 2340 (Rep. McMorris Rodgers) and S. 1027 (Sen. Hatch)—Two Year SRS Reauthorization

Other SRS Legislation

H.R. 2898—RAC Reform Act, Rep. Tom O’Halleran (D-AZ-01): Reduce committee size from 15 to 9 members; localize appointment approvals from the Secretary of Agriculture/the Interior to the Regional Forester/State BLM Director; eliminate term limits for RACs with a budget under $1,000,000.

S. 1508, Sen. Jeff Merkley (D-OR): Amend Title III SRS to allow counties to use funds for search/rescue preparedness training; capital equipment purchases for maintenance for search/rescue services; development of County Wildfire Protection plans.

Forest Management Reform: NACo actively supported H.R. 2936, the Resilient Federal Forests Act of 2017; streamlines environmental regulations for consensus driven projects; reduces the threat of wildfire; promotes equitable forest revenue sharing; H.R. 2936 has been reported favorably from the House Natural Resources Committee; Senate may unveil a package of forestry reforms as well.

National Monuments: Executive Order signed April 26, 2017; 22 national monuments to be reviewed; Designated or expanded after January 1, 1996—greater than 100,000 acres

Secretary recommends reductions to: Cascade-Siskiyou, Grand Staircase-Escalante, Bears Ears, Gold Butte

Annual PILT Fly-In: 28 County Officials, 70 Meetings with Key Members of Congress—Congressional leadership, chairmen and ranking members, members of key committees, non-western members, constituent meetings

Tools You Can Use: PILT Advocacy Toolkit, NACo Resources, County Explorer

Save The Date: Western Interstate Region Board Meeting, October 9-11, Pinedale, Sublette County, Wyoming; NACo Legislative Conference, March 3-7, 2018, Washington, DC

MACo BUSINESS SESSION

Roll Call

Commissioner Mike McGinley, Beaverhead County, Fiscal Officer

After roll call was taken, Commissioner McGinley announced a quorum was present to conduct business (see roll call attachment, page 40).
Presentation: Department of Revenue

Mike Kadas, Director, DOR

- A lot of good fact-based conversations with Harold Blattie; the association is losing a real star and asset; Eric will do a great job
- Reductions DOR and how it will affect counties: 95% General Fund-funded; if you do the 10% cuts; we can’t be as available as we have been in the past; we will try; we’re in a situation where we have to look seriously at some big changes
- Won’t be surprised if there is a special session; hoping to get some decisions by mid-to-late October, but if there’s a special session, the mid-to-late November, with implementation hopefully by January 1st. The sooner we get things implemented, the lesser the impacts will be

Introduction: Local Technical Assistance Program Director (Video Introduction)

Matthew Ulberg, Director, LTAP

- Montana LTAP Program Areas: Safety (48%), Workforce Development (22%), Infrastructure Management (18%), Organizational Excellence (12%)
- Coordinate stakeholders to meet training needs; integrate training and technology transfer resources and services; accelerate distribution of information on training opportunities
- Program Highlights:
  - 70 workshops and trainings per year; monthly webinars (loss of FHWA hosting); quarterly newsletters; starting quarterly visits to MDT; County Road Supervisor visits; annual MACRS program 2018
  - Roads Scholar Program: 2,674 participants; total scholars to date, 329; total road masters, 15; March 2017, 28 road scholars awarded
  - 2016/17 Webinar Topics: Winter Safety for Montana Roadways; Hearing Safety; Best Practices for Cattle Guards; Weed Mowing Safety & Mobile Operations; Slips, Trips, and Falls; Hand, Eye Safety; PPE
- Program Direction: Leverage increased in-house capabilities; more use of developed resources and internet-based trainings available; improved remote delivery of content
- Training Programs: Over 100 Current In-house training programs—safety, workforce development, infrastructure management, organizational excellence
- Increased Capabilities: In-House Subject Matter Experts (SME); WTI Centers—Center for Health and Safety Culture, National Center for Rural Road Safety, National Winter Maintenance Peer Exchange, Western States Rural Transportation Technology Implementers Forum
- Program Content Partners: Leverage and partner with WTI to increased in-house capabilities—National Center for Rural Road Safety, National Winter Maintenance Peer Exchange, Center for Health and Safety Culture, Western States Rural Transportation Technology Implementers Forum
- Partnering: Education of Stakeholders via road-trip visits to their offices; more use of developed resources and internet-based trainings available: WTI Transportation Centers (deliver on the “Tech Transfer”
portion of our mission); leveraging neighboring LTAP’s training development; partnering with vendors (excited to provide in-field training for public agencies); use of TLN resources

- Relationships: Maintain focus on counties; improve service to cities and towns; improve relationship with MDT and FHWA; training coordination and participation at FHWA and MDT events; utilization of MDT/FHWA subject matter experts

Unfinished Business

Commissioner Todd Devlin, Prairie County, MACo President

There was no unfinished business from the opening general session.

Resolution of Appreciation

Commissioner Todd Devlin, Prairie County, MACo President

Whereas, the 2017 Annual Conference of the Montana Association of Counties 108th such meeting; and

Whereas, attendance of member counties marks its success; and

Now, therefore, be it resolved that the 108th Annual Conference of the Montana Association of Counties expresses its sincere appreciation for the sponsorship of this conference to the Gallatin County Commissioners and staff:

Commissioner Don Seifert
Commissioner Steve White
Commissioner Joe Skinner

Motion/Vote: A motion to pass the Resolution of Appreciation was made by Commissioner Maureen Davey, Stillwater County, and seconded by Commissioner Greg Chilcott, Ravalli County. The motion passed unanimously.

Nominations Committee Report

Commissioner Todd Devlin, Prairie County, MACo President

The Board of Directors, acting as the Nominations Committee, brings forth the candidates for the 2018 year as follows:

- Office of Immediate Past President: Commissioner Todd Devlin, Prairie County
- Office of President: Commissioner Bill Barron, Lake County
- Office of 1st Vice President: Commissioner Jim Hart, Madison County
- Office of 2nd Vice President: Commissioner Shane Gorder, Richland County
- Office of Fiscal Officer: Commissioner Mike McGinley, Beaverhead County (2-year term, so no election needed this year)

President Devlin asked for any other nominations. No further nominations were made.
Election of Officers

Commissioner Todd Devlin, Prairie County, MACo President

- Election for MACo President, 1st Vice President, 2nd Vice President, and MACo Fiscal Officer:
  - Motion/Vote: Commissioner John Ostlund, Yellowstone County, motioned to close nominations and cast a unanimous ballot for Commissioner Barron as MACo President, Commissioner Hart as MACo 1st Vice President, and Commissioner Gorder as MACo 2nd Vice President. Commissioner Gary Macdonald, Roosevelt County, seconded the motion. The motion passed unanimously.
- Election for MACo Immediate Past President:
  - Motion/Vote: Commissioner Greg Chilcott, Ravalli County, motioned to close nominations and cast a unanimous ballot for Commissioner Devlin as MACo Immediate Past President. Commissioner Doug Martens, Rosebud County, seconded the motion. The motion passed unanimously.

Proposed By-Law Amendments

Commissioner Todd Devlin, Prairie County, MACo Immediate Past President

- Proposed Amendment to Section 1. Duties & Responsibilities:
  The Executive Director shall perform such duties as are assigned by the Board of Directors for implementing Association policy and shall be responsible to the Board. The Executive Director shall supervise the Association office and staff. The Board of Directors shall be responsible for an annual evaluation of the Executive Director.

  The Executive Director shall compile, publish and maintain a “Staff Policy and Procedures Manual”, which shall be reviewed annually by the Board of Directors. The Executive Director shall maintain detailed job descriptions for all positions.

  The Executive Director shall maintain a policy manual, containing all Board and operational policies.

  The Executive Director shall be responsible for the hiring and termination of staff personnel consistent with the “Staff Policies and Procedures Manual”. The Executive Director shall receive approval from the Board of Directors prior to creating any new permanent employment positions.

  The hiring of an Associate Director shall be by the Executive Committee and the Executive Director with confirmation by the Board of Directors.

  The Executive Director shall develop transition plans for the replacement of Key Executive Management Positions.

  Motion: Commissioner McGinley, Beaverhead County, moved to amend the bylaws as presented. Commissioner Greg Chilcott, Ravalli County, seconded the motion. Motion passed unanimously.

  Discussion
    - There was discussion on perhaps separating the two amendments, but it was decided that they were not amendments independent of each other.

  Vote: Motion passed unanimously.

- The bylaw amendment is effective upon passage and approval by the membership.

Congressional Reports/Videos

Senator John Tester and Congressman Steve Daines

- Videos were played
- NOTE: Congressman Greg Gianforte spoke during lunch on Monday, September 18th.
Other Business

Commissioner Laura Obert, Broadwater County: I have three requests
• Executive Committee task MACo staff to put together an analysis of how the legislative acts and budget cuts will affect local governments
• Put together an ad-hoc committee/group (Communication Committee), take that data, get together with our partners and use that to talk to our legislators now before they get busy with elections and a new session
• I’d like to be involved.

Commissioner Jerry Collins, Garfield County: Two things
• We had a fire in our county; there was an article in a paper that said Garfield County wouldn’t accept any more hay; that’s not true, we had hay and wanted to share it with others because we had an abundance of people helping us, so we wanted to help them; it was a busy weekend, emotions were high; there is negativity on Facebook, some posts were hurtful; it split sisters-in-law; some of the news orgs took advantage of the turmoil; they sensationalized it; I was glad that Northern Ag called and talked to me; that was a problem we had; hopefully people don’t take this sensationalism as true
• MACo: I’ve only been here about three years; it’s amazing the comfort level in talking to all of you; thank you to you and your constituents; it’s humbling

Commissioner Carol Brooker, Sanders County:
• We always have a fire flood; what we’ve done to calm things down in the public is hired an information officer that speaks for us or anyone in the county. I encourage the county commissioners to go to all the agency meetings during a fire and every public meeting. You need one person speaking for all of you; it works for us.

Commissioner Janice Hoppes, Pondera County:
• We fought Facebook with Facebook; we made a page with daily posts; lots of people watched it, and it seemed to work

Commissioner Nicole Borner, Musselshell County
• Urge board to consider Laura’s request; when we get information from MACo and I can talk to my legislators it really helps. We also have to go to our constituents and explain what’s happening.

Commissioner Bill Barron
• When we were going over commissioners we’ve lost, we need to do all of the elected positions; they all have a seat on our board.

Harold Blattie
• In response to Commissioner Barron: In order to do that we need to have you; we can’t scrounge every newspaper all the time. Plead with you, we need your help to do that, to compile all of the names.
BOD hires ED; it’s the EDs responsibility to hire all other positions. The Board adopted a succession plan, and on Sunday they amended those two documents. When I provided a date certain of my retirement, it started a process that involves the board and the trusts. Nothing is circumventing the approval from the board of the ED. The succession plan says that the Deputy Director can act to the affairs of the association except in personnel issues. The BOD meets tomorrow morning. Leadership will follow the process and there is an option for a role that the ED would play in the selection, and I recommend none.

Adjournment

The General Session of the MACo 108th Annual Conference adjourned with the installation of officers occurring at the evening annual banquet.

MACo’s 2017-2018 Executive Committee

From Left to Right: MACo 2nd VP, Commissioner Shane Gorder, Richland County; MACo Immediate Past President, Commissioner Todd Devlin, Prairie County; MACo Urban Counties Representative, Commissioner Andy Hunthausen, Lewis & Clark County; MACo President, Commissioner Bill Barron, Lake County; MACo 1st VP, Commissioner Jim Hart, Madison County; MACo Fiscal Officer, Commissioner Mike McGinley, Beaverhead County
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<th>County</th>
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**MONTANA ASSOCIATION OF COUNTIES**  
**BY-LAWS**

**ARTICLE I**  
**NAME, MISSION AND OBJECTIVES**

Section 1. **NAME**  
This organization shall be known as the Montana Association of Counties (MACo), hereinafter referred to as the “Association.” The principal office shall be in Helena, Montana.

Section 2. **MISSION**  
The general purpose of this organization is to promote the voluntary cooperation and coordination of the sovereign counties of the State of Montana.

Section 3. **OBJECTIVES**  
The objectives of the Association will be to:

a) Do all things necessary and proper for the benefit of the counties of this state;

b) Provide a forum for discussions of subjects vital to the operation of county government;

c) Establish and maintain lines of communication with the executive and legislative branches of both the state and federal government;

d) Present and promote legislation which county officials believe to be beneficial to citizens, counties, and the state and oppose legislation which county officials believe to be detrimental thereto;

e) Maintain a permanent organization dedicated to securing cooperation among counties;

f) Maintain a statewide central office, with staff to coordinate the programs of the association;

g) Collect, compile, and distribute information about county government to county, state, federal officials and Montana League of Cities and Towns;

h) Initiate litigation in the name of the Association and its members to determine rights or liabilities of county officials under any constitutional provision or statute, and appear as a friend of the court (amicus curiae) in any court proceedings wherein such rights or liabilities are to be determined;

i) Appoint or employ counsel for the purpose of furthering any of the objectives of this Association mentioned herein.

**ARTICLE II**  
**MEMBERSHIP**

Section 1. **MEMBERS**  
Members shall be the elected officials of those counties, which have paid their annual dues in accordance with a schedule of dues or assessments adopted by the Board of Directors and ratified by the membership. Members shall be entitled to all services offered by the Association.

Section 2. **VOTING**  
Each member county, pursuant to Section I, has one vote. The Board of County Commissioners shall appoint one county delegate and one alternate to have the authority to vote for that member county at membership meetings of the Association. The voting delegate and alternate must be elected county
officials. A member county’s registered voting delegate may vote by proxy at any meeting of the membership. The proxy must be in writing and signed by the voting delegate or alternate and shall name the person to whom the proxy is delegated and the subject for the vote(s). The proxy must be delivered to the President prior to voting action being taken.

Section 3. **AFFILIATE MEMBERS**
Affiliate members are organizations and agencies that make proper application, are approved for membership by the Executive Director, and pay dues adopted by the Board of Directors. Affiliate members shall be entitled to receive services as determined by the Board of Directors. They shall have no floor or voting privileges.

Section 4. **ASSOCIATE MEMBERS**
Associate members are individuals and businesses that make proper application, are approved for membership by the Executive Director, and pay dues accordingly. Associate members shall be entitled to receive services as determined by the Board of Directors. They shall have no floor or voting privileges.

Section 5. **TERMINATION**
Any member county that fails to pay its annual dues or assessment within 45 days of the billing date, July 1, shall have its membership terminated, unless prior written request for payment at a later date has been approved by the Board of Directors.

**ARTICLE III**
**OFFICERS AND EXECUTIVE COMMITTEE**

Section 1. **OFFICERS**
The officers are the President, First Vice President, Second Vice President, Urban County Representative, Fiscal Officer and the Immediate Past President, all of whom must be qualified and acting commissioners of member counties. The officers shall serve as the Executive Committee. These officers will be elected at the annual conference by the membership. They shall hold office until their successors are elected and qualified, so long as they shall remain in county office as county commissioners.

Section 2. **DUTIES AND RESPONSIBILITIES OF THE OFFICERS**
a) **PRESIDENT**
The President shall:
   1. preside at all general and special meetings of the Association, the Board and Executive Committee;
   2. provide the general supervision of all business of the Association in conjunction with the Executive Committee;
   3. appoint all committee members that shall serve during his/her administration;
   4. serve as an ex-officio, non-voting member of all committees.

b) **VICE PRESIDENTS**
The Vice Presidents shall consult with, counsel, and advise the President; and, in the absence of the President, his or her duties shall be performed successively by the First and Second Vice Presidents.

c) **FISCAL OFFICER**
The Fiscal Officer shall:
   1. oversee the financial affairs of the Association;
2. make a complete report to the membership at each conference;
3. make monthly reports available to members on request;
4. recommend appropriate investments for the Association's idle funds;
5. counsel with the Executive Director and the budget and finance committee on the framing of the Association’s budget;
6. review proposals for public or private grants to assure that the fiscal needs of the Association are met.

The fiscal officer shall be elected to a two-year term following nominations and elections in odd numbered years.

d) **URBAN COUNTY REPRESENTATIVE**

A county having a taxable value of over $50,000,000 and a population of over 35,000 shall be designated as an Urban county. The Urban County representative shall consult with, counsel and advise the president. The current Urban county representative shall call a caucus of the Urban counties during the annual conference, for the purpose of selecting an Urban County Representative.

Section 3. **OFFICERS’ VACANCIES**

a) **PRESIDENT** - A vacancy in the Presidency shall be filled by the First Vice President. The First Vice President shall serve out the unexpired portion of the previous president’s term plus the year representing that in which he or she would have succeeded to the Presidency; or

If the First Vice President declines the appointment, then the past president shall make an appointment to fill the vacancy subject to the approval of the Board of Directors. Said appointee shall serve out the unexpired portion of the President's term and then move into the past presidency.

The First Vice Presidency shall be filled by the appointment of the Second Vice President. The Second Vice President shall serve out the unexpired portion of the previous First Vice President’s term plus the year representing that in which he or she would have succeeded to the First Vice Presidency; or

If the Second Vice President declines the appointment to First Vice President, then the Past President shall make an appointment to fill the vacancy subject to the approval of the Board of Directors. Said appointee shall serve out the unexpired portion of the First Vice President's term. Said appointee may be nominated and run for the office of the President at the next annual conference.

The Second Vice Presidency shall be filled by appointment by the Past President subject to the approval of the Board of Directors. Said appointee shall serve out the unexpired portion of the Second Vice President's term. Said appointee may be nominated and run for the office of the First Vice President at the next annual conference.

b) **FIRST VICE PRESIDENT** - A vacancy in the First Vice Presidency shall be filled by the Second Vice President. The Second Vice President shall serve out the unexpired portion of the First Vice President's term and then move into the Presidency; or

If the Second Vice President declines the appointment to First Vice President, then the President shall make an appointment to fill the vacancy subject to the approval of the Board of Directors. Said appointee shall serve out the unexpired portion of the First Vice President's term. Said appointee may be nominated and run for the office of the President at the next annual conference.

The Second Vice Presidency vacancy shall be filled by appointment by the President subject to the approval of the Board of Directors. Said appointee shall serve out the unexpired portion of the
Second Vice President’s term. Said appointee may be nominated and run for the office of the First Vice President.

c) SECOND VICE PRESIDENT - A vacancy in the Second Vice Presidency shall be filled by appointment by the President, subject to the approval of the Board of Directors. Said appointment may be nominated and run for the office at the next annual conference.

d) FISCAL OFFICER - A vacancy in the office of Fiscal Officer shall be filled by appointment by the President, subject to the approval of the Board of Directors.

e) IMMEDIATE PAST PRESIDENT - A vacancy in the Immediate Past Presidency shall be filled by the appointment by the President of the next most immediate Past President.

f) MEMBER RATIFICATION OF APPOINTMENTS - All of the above referenced appointments are subject to approval at the next annual conference by the membership of the Association.

g) URBAN COUNTY REPRESENTATIVE – An Urban County Representative vacancy shall be filled by appointment by the President subject to a recommendation made by a majority of the Urban Counties.

Section 4. DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE

a) The Executive Committee shall have general supervision, management and control of the business and property of the Association subject to the by-laws and to the policy established by the Board of Directors and the voting membership.

b) The Executive Committee shall have the power to determine Association policy on all legislative matters of concern within the guidelines established by the voting membership or the Board of Directors.

c) The Executive Committee shall serve as an Evaluation Committee for purposes of annually evaluating the performance of the Executive Director. Such evaluation shall be reported to the Board of Directors.

d) The Executive Committee shall set the salary of the Executive Director, with the concurrence of the MACo Board of Directors.

Section 5. EXPENSES

The members of the Executive Committee shall receive their necessary expenses incurred in their attendance of meetings approved by the President, with the exception of the meetings held at the annual conference or special meetings of the full Association.

ARTICLE IV
BOARD OF DIRECTORS

Section 1. MEMBERS

a) The Board shall consist of the four elected officers, the Immediate Past President, the Urban County Representative, Past Presidents of MACo who are serving as elected county officials, and the elected chairperson from each of the twelve regional districts specified in Article VIII.

b) In addition to the members identified in Subsection (a), other county elected official associations approved by the Board of Directors with no fewer than 29 county members may each designate a member to serve as a voting member on the Board.
Section 2. **MEETINGS**
The Board shall meet at least semi-annually on a date and at a time and place set by the Board, or on the call of the president. The Board may meet upon the written request of any five members of the Board. The request must state the purpose of the meeting and be mailed to all other Board members two weeks prior to the date for the meeting. A majority of the voting Board shall constitute a quorum.

Section 3. **DUTIES AND RESPONSIBILITIES**
The Board shall have the powers and duties to:

a) develop the policies of the Association within the guidelines set by the voting membership;
b) establish a central office;
c) employ an Executive Director;
d) remove the Executive Director at any time after allowing adequate due process;
e) view and approve annually the Executive Director’s Staff Policy and Procedures Manual;
f) review and approve annually a budget sufficient to meet the needs of the Association;
g) prepare a schedule of services for members and affiliate members with recommended dues and assessments for each;
h) present recommended dues increases and assessments, if any, to the membership for approval and adoption;
i) at its discretion, increase the dues schedule in an amount up to the annual COLA in any one year. Any increase above the annual COLA must be approved by the membership.
j) authorize an annual independent audit of the Association by a firm of certified public accountants;
k) function as the nominating committee and select candidates for the office of Second Vice President and Fiscal Officer. No candidate can be nominated and run for two offices simultaneously. Nominations may be made at district meetings of county commissioners and submitted to the Board;
l) amend the approved budget by a majority vote of the Board of Directors.
m) immediately disclose any conflict of interest prior to acting in any manner that may impinge upon their duty as a Board member, they shall also recuse themselves from any vote or decision involving said conflict.

Section 4. **EXPENSES**
The Board members and designees shall receive their necessary expenses incurred in their attendance of meetings, with the exception of those meetings held at the annual conference or special meetings of the full membership.

**ARTICLE V**
**EXECUTIVE DIRECTOR**

Section 1. **DUTIES AND RESPONSIBILITIES**
The Executive Director shall perform such duties as are assigned by the Board of Directors for implementing Association policy and shall be responsible to the Board. The Executive Director shall supervise the Association office and staff. The Board of Directors shall be responsible for an annual evaluation of the Executive Director.

The Executive Director shall compile, publish and maintain a “Staff Policy and Procedures Manual,” which shall be reviewed annually by the Board of Directors.
The Executive Director shall maintain detailed job descriptions for all positions.

The Executive Director shall maintain a policy manual, containing all Board and operational policies.

The Executive Director shall be responsible for the hiring and termination of staff personnel consistent with the “Staff Policies and Procedures Manual.”

The Executive Director shall receive approval from the Board of Directors prior to creating any new permanent employment positions.

The Executive Director shall develop transition plans for the replacement of Key Executive Management Positions.

ARTICLE VI
STANDING COMMITTEES

Section 1. RESOLUTIONS AND LEGISLATIVE COMMITTEE
The Resolutions and Legislative Committee shall consist of at least five members. Members (one of whom shall be a member of the Board of Directors) are appointed by the President. The President shall select the chairperson. It shall be the duty of the Committee to develop resolutions and to receive resolutions from the Regional Districts and MACo staff. The Committee may consult other elected county officials to determine resolutions beneficial to county governments, and work with those officials to promote beneficial resolutions. The Committee shall examine resolutions to be placed before the membership for proper form and content and recommend priorities.

The Committee shall have legislation drafted as directed by resolutions approved by the membership at the annual conference or special meetings; and assist the Executive Director in securing sponsorship for the legislation. The Committee, together with the Executive Director, shall recommend to the Officers and the Board the response of the Association to all legislation affecting county government.

Section 2. TAX, BUDGET AND FINANCE COMMITTEE
The Tax, Budget and Finance Committee shall consist of at least five members. Members shall be appointed by the President subject to the approval of the Board of Directors. The Fiscal Officer shall serve as chairperson of the Committee. The Committee shall prepare and submit to the Board of Directors a proposed budget for the Association. The proposed budget shall provide adequately for all planned activities of the Association.

Section 3. EXPENSES
Members of Standing Committees shall receive their necessary expenses incurred in their attendance of meetings, as approved by the President, with the exception of meetings held at the annual conference or special meetings of the full membership.

ARTICLE VII
OTHER COMMITTEES

Section 1. ESTABLISHMENT
Special interest, ad hoc or problem-solving committees may be formed by the President, the Board of Directors or the general membership as needed.
Section 2. **EXPENSES**
Members of committees may receive their necessary expenses incurred in their attendance of meetings, as approved by the President, with the exception of meetings held at the annual conference or special meetings of the full membership.

ARTICLE VIII
DISTRICTS

Section 1. **DISTRICTS IDENTIFIED**
The counties of the state shall be grouped into twelve districts in conformance with the Governor’s Administrative Districts, as follows:

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Section 2. **DUTIES AND RESPONSIBILITIES**
A Regional District shall have the authority and responsibility to call district meetings and adopt resolutions directed to the attention of the Association. No District shall take action of record in the name of the Association on any question involving the welfare of counties outside the Regional District except in the form of a resolution to the Association.

Section 3. **DISTRICT OFFICERS**
The district officers shall be a chairperson and vice-chairperson elected by a majority vote of member counties in each district. They shall be elected to an annual term at a district meeting prior to the annual conference and take office immediately following the annual conference.

Districts shall be represented at Board of Directors meetings by the district chairperson, or the vice-chairperson in the chairperson’s absence, or the chairperson’s designee when both the chairperson and vice-chairperson are unable to attend a Board meeting, and that person shall have the power to vote on issues at that meeting.

ARTICLE IX
ANNUAL CONFERENCE AND PROCEDURES

Section 1. **DATE AND LOCATION**
The date of the annual conference of this Association shall be in September. The location shall rotate among counties with eligible facilities. Eligibility is to be confirmed by a physical visit by the Association staff. The Conference Planning Committee shall make a recommendation to the Board of directors at their June Board meeting, two (2) years prior to said conference.
Section 2. **ANNUAL CONFERENCE SITE SELECTION ELIGIBILITY GUIDELINES**

The Conference Planning Committee shall develop requirements and guidelines for eligibility for Annual Conference sites.

Section 3. **REPORTS**

The following individuals shall make their reports at the annual conference:

a) The President;
b) The Fiscal Officer;
c) The Executive Director;
d) All committee chairpersons of standing committees and special committees;
e) NACo steering committee members.

Section 4. **CONDUCT OF OFFICIAL BUSINESS**

The official business of the Association shall be conducted in accordance with the most recent edition of “Robert’s Rules of Order.”

Section 5. **NOMINATIONS**

a) The Nominating Committee (see Article IV, Section 3 (K)) shall make its nominations report to the membership in the opening general session of the annual conference.
b) The report shall not require a seconding motion but shall be adopted along with additional nominations made from the floor.
c) All nominations will remain open until the time of the election during the closing general session.

Section 6. **ELECTIONS**

The election of officers shall occur at the annual conference and be governed by the rule of majority – over 50% of the entire votes cast. The ballot will be repeated in the event of the failure of a candidate to receive a majority with the nominee receiving the lowest number of votes removed from the ballot for purposes of the subsequent vote of the members.

Section 7. **AMENDMENTS TO THE BY-LAWS**

These by-laws may be amended by a majority vote of the membership at a regular or a special meeting, a quorum being present. Proposed amendments must be submitted in writing to the President of the Association to be read and acted upon at a meeting for the full membership. Copies of said proposed amendment or amendments shall be made available to the general membership at least ten days prior to the convening of the meeting.

Section 8. **EFFECTIVE DATE**

These by laws having been duly amended by a majority vote of the members cast at the 108th Annual Conference, held in Bozeman, MT on September 20, 2017. These by-laws will be effective upon the adjourning of the annual conference with all provisions for compliance in regard to the elected officers of the Association having been provided for by action on the floor of the Association.
September 18, 2017

MACo Executive Committee, Board of Directors and Members,

Thank you for giving me the opportunity to serve MACo as an officer from 1998 through 2001, then as the MACo Assistant Director from 2002 – 2005, and currently as the MACo Executive Director since July 2005.

However, Betty and I have reached a point in our lives that we know it is time for a change - for both MACo and our family. Accordingly, it is my intent to retire on April 30, 2018. While the fire of passion for what I do still burns strong, I am finding the batteries in the “Energizer Bunny” just aren’t quite what they used to be - so it is time for new adventures, perhaps at a bit slower pace.

The changes MACo has undergone during my years as an officer and employee are nothing short of profound. The level of service to our members has grown measurably and the financial health of MACo has become secure. However, our pools continue to experience the ebbs and flows of providing cost effective, long term solutions to their insurance needs. It will take strong leadership and steady hands to help guide their futures.

A succession plan is in place that sets the wheels in motion for the selection of my replacement. Thanks to the foresight and planning of our leadership, I believe you will find a very smooth transition to the next MACo Executive Director, the fifth in MACo’s history. It is my hope that you will give the new executive director the same support that I have been able to enjoy.

I have often stated and will do so again, that I have had the wonderful good fortune of pursuing what has truly become a life’s passion, county government. The list of incredibly talented and dedicated elected officials and co-workers I have been able to work with over the years is long - far too long to begin to list. You know who you are. However, one person must be singled out. Without Sheryl Wood’s work, that is often behind the scenes, MACo would not be what it is today. Sheryl very often is the one who is “keeping the wheels on the wagon”. Her role in the changes at MACo since 2005 cannot be overlooked, nor diminished.

At the very top of the list of those who have enabled me to serve you is my family, especially Betty who has put up with far more than most of you will ever know. I cannot even begin to tell you how much it has meant to me that you have gone above and beyond to make her feel welcomed as a part of the MACo family. It is now time for me to give my greatest attention to her, our sons and grandchildren so we can pursue things that have been on hold for many years.

I can look back and say with a great deal of pride that I have been able to be a part of MACo for the past 20 years. It has been the most humbling and rewarding experience anyone could hope for.

Sincerely,

L Harold Blattie
Executive Director