



# Montana Association of Counties

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www.mtcounties.org

## DISTRICTS 1, 2 & 3 MEETING MINUTES

Miles City, MT – Town & Country Golf Club House

June 1, 2015

### District 1

- Daniels
- Phillips
- Roosevelt
- Sheridan
- Valley

### District 2

- Dawson
- Garfield
- McCone
- Prairie
- Richland
- Wibaux

### District 3

- Carter
- Custer
- Fallon
- Powder River
- Rosebud
- Treasure

**MACo Staff:** Harold Blattie, Executive Director; Sheryl Wood, Associate Director; and Shantil Siaperas, Legislative Analyst & Communications Specialist

**MACo President & Officers:** Dave Schulz, Madison County Commissioner, MACo President

**Guests:** Stephanie Verhasselt, Richland County Clerk & Recorder; John Dynneson, Richland County Sheriff; Joan Duffield, Rosebud County Clerk & Recorder; Ruth Baker, Treasure County Clerk & Recorder; Ken Holmlund, Representative, House District 38

### Pledge to Flag

**Roll Call & Introductions:** Gary Macdonald, Roosevelt County, welcomed everyone, called the meeting to order, and conducted roll call.

### Approval of Previous Meeting Minutes: August 12, 2014 Minutes

- **CORRECTIONS:** Name correction under “Welcome & Roll Call:” Doug Martens; name correction under “Approval of Previous Meeting Minutes:” Bob Lee.
- **MOTION:** Bill Nyby, Sheridan County, moved to accept the August 12, 2014 minutes. Richard Dunbar, Phillips County, seconded the motion. Motion carried unanimously.

### District Chair/Vice Chair Elections:

The counties broke into their respective districts for elections.

- **District 1: 2-Year Terms**
  - Chair: Gary Macdonald was re-elected as Chair.
  - Vice Chair: Richard Dunbar was re-elected as Vice Chair.
- **District 2: No elections until 2016**
- **District 3: 2-Year Terms**
  - Chair: Bob Lee, Rosebud County, was elected as Chair.
  - Vice Chair: Doug Martens, Rosebud County, was elected as Vice Chair.

### Next MACo Districts 1, 2 & 3 Meeting: May 2016

- Janet Wolff, McCone County: District 2 will host the next meeting in Circle.

**MACo Officer Nominations:** 2<sup>nd</sup> Vice President

Harold Blattie announced that Bill Barron, Lake County, was nominated at other district meetings.

- MOTION: Richard Dunbar moved to nominate Bill Barron for MACo President. There were no further nominations. Nominations remain open up until the floor session at the Annual Conference.

**MACo FY2016 Proposed Budget:** Harold Blattie & Sheryl Wood

Note: We have a new Accountant who brought in GAP/Accrual Accounting.

- Revenue
  - Ended year with \$38,000 more than budgeted
  - Conservative in our estimates; always higher than we anticipate
  - Advertising: Newsletter & Directory
    - Directory down a bit; resisting putting it online, as it is a significant revenue source
  - Conferences & Workshops Income: Registrations and sponsors from Annual Conference, Elected Officials Training Certification, Midwinter Conference (DES is included this year), Miscellaneous Workshops/Training
  - Dues Income: Member Dues, PILT Dues Special Assessment
    - Member Dues: 17 tiers based on taxable values; 1.6% CPI recommendation; find it's better to do incremental than one big increase every now and then
  - NACo Programs: Caremark Rx Card, CRS Inmate Medical, Nationwide Deferred Compensation, US Communities
    - Projected revenue a little higher
  - Grant Income: No longer, One-time Grant
  - Interest Income: Bank & QCI—generating a fair bit of interest income
  - Miscellaneous Income: Pins sales, name badges, photo ID cards, other
  - Pooled Investment Fee: Managing investments of the three pools (HCT, WCT, PCT)
    - Projecting higher than last year
  - Rent Income: Conference room—pretty popular
  - Scholarship Contributions: 50/50 tickets at conferences
- Expenses
  - Very conservative, no surprises
  - MACo administrative costs split four ways
    - Admin-100
    - Legislative -200: Not a legislative year, so a little bit is budgeted for the Interim
    - Annual Conference -300: Last few years, revenues have exceeded expenses
    - Midwinter Conference-400: Budgeted more this year, as it will include DES (DES contributes to luncheon)
  - Admin-100 Expenses
    - Auto: Fuel, Repairs, Maintenance
    - Building Remodel: Chip seal parking lot; back stairs deteriorating
    - Contracted Services: Flex will be outsourced to Allegiance; Commissioner Handbook—the Local Government Center is funded this legislative session; they are looking for additional staff, so this will be done soon
    - Convention Workshops: Elected Officials' Training, Phase 2, not as big participation-wise, as it's just commissioners, not all elected officials
    - Data Imaging System
    - Dues: PILT Dues—pay WIR Dues offset by PILT revenue coming in
    - Education & Training—Staff
    - Equipment Purchase (Under \$5,000) & Repairs: Big printer plotter needs replacing
    - Grant Administration: Board of Crime Control for Jail Advisory Group—won't get this year
    - Health Insurance: MACo pays 100% of employee portion—no increase this year
    - Land Lease: Lease from airport—no increase
    - Maintenance & Service Agreements: Computer systems (DIS works with staff)

- Member Travel & Committees: Committee meetings and Board of Directors meetings
  - Miscellaneous: Credit card fees, bank fees, investment fees
  - National Association of Counties: NACo Delegation Travel
  - Payroll: 1.6% COLA increase for all staff—some Executive Director merit requests to be decided at Board of Directors meeting
  - Pooled Investment Fee: MACo doesn't have expense
  - President's Scholarship: Has been awarded
  - Printing: Directory is main portion—offset by sales and advertising
  - Professional Services: Auditors for 990
  - Rent
  - Server System: In-house server
  - Staff Travel: For staff to travel to things like District Meetings
  - Subscriptions: Significantly reduced—Newspaper Association Clippings went to online version; they send us about 400 electronic copies and have to retype them for "Around the Counties" in the newsletter; Shantil is putting a feed on the website
  - Taxes & Assessments
  - Telephone: Phone system contract--\$500 increase, which includes replacement of phones (would be \$350 per handset; saves us money)
  - Training & Marketing Materials
  - Utilities
- Board of Directors will meet June 24<sup>th</sup> to review the budget.

**MACo Updates from MACo Staff:** Harold Blattie & Sheryl Wood

- Proposed Short Term Investment Pool (STIP) Resolution—Montana Board of Investments: Need resolution adopted stating who is authorized to do what
- Pool/Trust Name Changes—Joint Powers Insurance Authority (JPIA) to Property & Casualty Trust (PCT) and Joint Powers Authority (JPA) to Workers' Compensation Trust (WCT): Trustees approved name change of entities (effective July 1<sup>st</sup>)
- State Contribution—County Attorney Services: Does not set salary; this is a contract with the state; the state is paying you for the work that the County Attorney does for the state and neglect and abuse cases; there is an article on our website explaining it thoroughly; 50% of 85% of District Court Judge's salary; the salary is set by you on recommendation of County Compensation Board
- Property & Casualty Trust's Model Personnel Policies: Posted on the website; free to PCT members; \$500 for non-members; this is just a model; do not just adopt; go through it and edit to fit your county; help get you in legal compliance
- FY 2016 County Matching Grants for Crisis Intervention, Mental Health Grants & Jail Diversion
- Affordable Care Act (ACA) and County Jails
- Inmate In-Patient Exception: Admitted to hospital for 24 hours, Medicaid pays
- Public Employees Retirement System (PERS)—GABA Lawsuit: PERS Employer Contribution will go up 0.1% (making it 8.37%); if we go back to actuarial soundness, it will go back to 6.9%
- MACo Annual Survey: Need your input on how we are doing and what we can do better to better service you
- MACo Annual Conference: September 20-24 in Missoula
- Committee Appointments—Biographies for Requesting Committee Appointments: Helps MACo President make appointments and helps us with the Directory of County Officials; Committees help set policy at state and national level
- Workshops—July 27-30: Monday, Opencut; Tuesday, Road Law; Wednesday, Budget; Thursday, Hiring, Recruitment, Discipline (basically, everything that needs to be done from posting a job to terminating a job); can sign up for just one block or all blocks
- Health Care PPACA Workshop: Repeat of the one that was done in Lewistown

**MACo President's Report:** Dave Schulze, Madison County, MACo President

- Commissioner Biographies for MACo Committee Placements: Had the help of 1<sup>st</sup> Vice President, Maureen Davey, Stillwater County Commissioner; Agriculture and Public Lands are very popular committees
- Presidential Initiative: Didn't pick one, no time with legislative session and the many things going on with MACo
  - December: 5-state North West Presidents & Executives Retreat in Big Sky; it was our turn, and being President, thought "my backyard" was the place to do it; we share many of the same issues as other states
  - January: 50-state Presidents & Executives in Washington, DC
  - MACo Midwinter Conference
  - Testified in front of Congress: Litigation and lack of planning in fire prone forests
  - WIR in Hawaii: ESA, Waters of the US, Forest Health
    - Lesley Robinson, Phillips County Commissioner, just completed her year as the Western Interstate Region (WIR) President at the recent WIR Conference. She is running for NACo's Western Region Representative, which would give us a seat on NACo's Executive Committee. Also, Mike Murray, Lewis & Clark County Commissioner, received the Dale Sowards Award; he is the first Montana Commissioner to receive the award.
  - Legislative Session: In Helena 2-3 days a week at least testifying on bills and helping represent MACo; amazing staff; Harold & Sheryl have tremendous respect; Shantil is a great lobbyist, there at 7 a.m. to organize us and standing in front of committees explaining MACo processes as well as testifying on bills; MACo is still number one.
- Public Surplus Auction—Zach Corbett: Online auction program; we had an excavator that we wanted to get rid of, and we put it on the auction program for about three weeks, and it sold for \$46,000.
- MACo 2<sup>nd</sup> Vice President, Prairie County Commissioner, Todd Devlin: In Washington, DC at the County Leadership Institute Training; MACo has sort of made it an objective to encourage 2<sup>nd</sup> VPs to go

**MACo Legislative Report:** Harold Blattie, Sheryl Wood, and Shantil Siaperas

We had a hole in the health and human services area this year, with Sheryl taking over more of the office duties. We hired John Esp, former legislator with a background in mental health, taxes, and local government; he was a great asset. Shantil went from a legislative coordinator to carrying a huge bill load while keeping the website generally updated and doing legislative updates—heard good things about her from legislators. With Sheryl at the office more, Harold was free to be at the Capitol more and behind the scenes.

**MACo Bills**

- HB 112, Extend sunset on enhanced 9-1-1 fund distribution – Passed
- HB 187, Clarify laws pertaining to assignment of road/street addresses – Passed
- HB 193, Revise board of adjustment appeal process related to county zoning – Passed
- HB 334, Generally revise laws applicable to county government – Passed
- SB 111, Clarify wind generation facility impact fee for local governmental units – Passed
- SB 119, Clarify eligible voters in certain local government elections – Passed
- HB 145, Revise laws related to livestock loss – Passed
- SB 229, Extend historic county road or utility right-of-way application dates – Passed
- SJ 20, Interim study on historic road right-of-way acquisition – Passed
- HB 534, Allow county commission to regulate compression brake usage – Died, Missed Deadline for General Bill Transmittal
  - Motor Carriers to take care of situation
- SB 121, Revise what employment by a PERS retiree is considered active member service – Died, Missed Deadline for General Bill Transmittal
- LC1554, Establish process to allow counties to enter into development agreements – Draft Died in Process
  - Pulled it; Basically, legislative leadership didn't approve

### Other Pertinent Legislation

- HB 2, General Appropriations Act – Passed
  - Included funding for Local Government Center (\$180,000 in extension base)
- HB 10, Long-Range Information Technology Appropriations – Passed
- HB 33, Appropriate money for new or expanded mental health crisis intervention – Passed
- HB 34, Appropriate money for additional secure psychiatric detention beds – Passed
- HB 35, Appropriate money for short-term voluntary mental health treatment – Passed
- HB 37, Revising laws regarding domestic violence and child abuse evidence admissibility – Died in Standing Committee
- HB 47, Appropriate money for youth crisis diversion pilot projects – Passed
- HB 84, Generally revise election laws – Passed
- HB 101, Generally revise administrative laws of the MPERA retirement systems – Passed
- HB 123, Generally revise public records laws – Passed
  - Closed meeting minutes: Sign and date, put in personnel file; only open by district court order
  - Access to Info: Safety and security exceptions
- HB 211, Require POW/MIA flag be displayed at certain times and places – Passed
  - Order of flags when flown on a single pole: National Flag, then POW/MIA, then State
- HB 223, Revise cost of death certificates and use for funding board of funeral service – Passed
  - \$15 for first certified copy and \$6 for each additional if ordered at the same time
- HB 228, Increase coal board funding until June 30, 2017 – Passed
- HB 241, Clarify definition of commercial motor vehicle for emergency vehicles – Passed
- HB 330, Establish standards for law enforcement use and acquisition of certain equipment – Passed
  - Post on publicly accessible website
- HB 342, Allow for electronic address confirmation for biennial absentee ballot list – Passed
  - Email/Website
- HB 366, Revise county district court clerk and justice of peace compensation laws – Passed
- HB 389, Require department of revenue review of tax exempt properties – Passed
  - One-time, establish base, up to homeowner to update
- HB 430, Provide for an interim judicial redistricting commission – Passed
  - Our representative will be Dave Schulz
- HB 463, Revise laws related to asset forfeiture – Passed
- HB 483, Raising pension benefit in VFCA – Passed
  - From \$150 to \$175
- HB 504, Revise laws related to consolidation of rural fire districts and areas – Passed
- HB 512, Establish an eastern Montana crime laboratory – Passed
- HB 557, Revise laws regarding legal fences – Passed
- HB 627, Task force to study the office of public defender – Passed
- HJ 29, Study membership-based health services to determine insurance, cost impacts – Passed
- HJ 7, Study next-generation 9-1-1 – Passed
- SB 5, Establish all-hazard incident management teams and provide funding authority – Passed
  - Teams have access to Governor's emergency funding immediately; the idea is the soon the mitigation the smaller the incident
- SB 20, Reallocate metal mines license tax – Passed
- SB 90, Revise penalties eliminating jail time for certain misdemeanors – Died in Standing Committee
- SB 124, Require certain boards to record and publish meetings in video or audio format – Passed
- SB 139, Revise jury selection laws – Passed
- SB 157, Generally revise tax reappraisal laws – Passed
  - From 6-year to 2-year reappraisals; eliminated phase-in and exemption amount for residential properties; homeowner-assessed value will be slightly higher; will have significant effect on taxable value

in different areas (Eastern Montana will see huge increases; dry land will go down somewhat; irrigated ag land will go up)

- SB 224, Create a commission to study criminal justice system – Passed
- SB 249, Generally revise energy performance contracting laws – Passed
- SB 259, Revising workers' compensation and occupational health and safety assessments – Passed
- SB 335, Adjust remuneration for county tax appeal boards – Passed
- SB 405, Creating the Healthy Montana Act to Expand Health Care Coverage – Passed
- SB 411, Plan for the closure of Montana developmental center at Boulder – Passed
- SB 418, Authorizing transfers to implement provisions of House Bill 2 – Passed
- SJ 9, Resolution on Medicare/Medicaid expansion – Passed
- SR 46, Confirm appointees to public employees' retirement board – Passed

#### Additional Legislative Notes

- Land Use Bills: We have Tara DePuy, MACo JPIA Land Use Attorney, covering land use issues for us at the Capitol. This is the first session since the inception of the subdivision and platting act that it was not amended—there were attempts but nothing passed. Tara did a good job derailing bad bills.
- There were several bills related to “attorney’s fees” and “public’s right-to-know;” the bills that passed say “may recover attorney’s fees” instead of “shall”
- Some bills that did not pass included study on transportation, major infrastructure bills, work comp fraud, sheriffs’ pension funding, and eliminating jail time for certain misdemeanors.

#### **Other District Business**

- Eastern Montana Infrastructure & Possibility of Special Session
  - Meeting with Governor
- Oil & Gas Meeting in Lewistown on June 23<sup>rd</sup>
- Representative Holmlund: Special Session
  - We sine died two days early—chances are pretty good for a special session—if it goes beyond two days, it comes out of the Governor’s budget
  - A special session can be designated as one specific thing, but things can change
  - Infrastructure is a big deal, but bonding was a big deal as well

#### **Secondary Roads Program, FLAP & STIP:** Wayne Noem, Montana Department of Transportation

- Federal Lands Access Program
- Secondary Roads
- STIP

#### **Meeting Adjourned**