



# DISTRICTS 4 & 5 MEETING MINUTES

JUNE 7, 2021 | DISTRICT 5 HOSTED | CLARK'S FAMILY RESTAURANT, SHELBY, MT

## COUNTIES IN ATTENDANCE

### District 4

Blaine  
 Chouteau  
 Hill  
 Liberty

### District 5

Cascade  
 Glacier  
 Pondera  
 Teton  
 Toole

## CALL TO ORDER

Chair Mary Ann Harwood, Toole County, called the districts 4 & 5 meeting to order at 10 a.m. on June 7, 2021, and commenced with the Pledge to the flag followed by roll call. A quorum was present.

**MACo Staff in Attendance:** Eric Bryson, Executive Director; Jason Rittal, Deputy Director; Shantil Siaperas, Communications Director; Art Pembroke, IT Training Coordinator; and Dan O'Malley, Senior Public Safety Loss Control Specialist; McKenzie McCarthy, General Counsel (via Zoom)

**MACo Officers in Attendance:** No officers present

**Guests in Attendance:** Senator Bruce Gillespie, SD 9; Senator Russ Tempel, SD 14; Representative Ross Fitzgerald, HD 17; Representative Llew Jones, HD 18; Representative Wendy McKamey, HD 19; Robert Bruskotter, Senator Daines' Office (via Zoom); Caitlin Avey and Cheryl Ulmer, Senator Tester's Office; Rob Cook, Pondera Regional Port Authority

## DISTRICT BUSINESS

**Approval of Previous Meeting Minutes:** June 22, 2020

Commissioner Frank DePriest, Blaine County, moved to accept the minutes, which was then seconded by Commissioner Mark Peterson, Hill County. Motion carried unanimously.

**Next MACo Districts 4 & 5 Meeting:** Summer 2022 Host & Location

District 4 will host the next meeting: Liberty County – Chester

### District Chair/Vice Chair Elections:

- District 4 Chair: Commissioner Larry Hendrickson, Liberty County, was nominated by Commissioner Joette Woods, Liberty County. With no further nominations, Commissioner Hendrickson was elected via acclamation.
- District 4 Vice Chair: Commissioner Mark Peterson, Hill County, was nominated by Commissioner Woods. With no further nominations, Commissioner Peterson was elected via acclamation.
- District 5 Vice Chair: Vacancy created when Chair retired, which was then filled by the Vice Chair, leaving a vacancy in the Vice Chair position. Commissioner Jim Morren, Pondera County, was nominated by Commissioner Tom Kuka, Pondera County. With no further nominations, Commissioner Morren was elected via acclamation.

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

Communications Director Siaperas announced the opening of nominations for MACo 2<sup>nd</sup> Vice President and Fiscal Officer (FO) and explained that the FO holds a two-year term to be elected on odd-numbered years, as per the bylaws. The 2<sup>nd</sup> Vice President elected this year will serve as president during a non-legislative year. She concluded stating that nominations remain open until the close of the MACo business meeting at the September Annual Conference and that there had been no nominations as of yet, because this is the first meeting of the tour.

There were no nominations made during the districts 4 and 5 meeting for MACo's 2<sup>nd</sup> Vice President nor for the Fiscal Officer.

**MACo UPDATES & FY 2022 PROPOSED BUDGET****Budget**

Director Bryson reported on MACo's FY 2022 proposed budget and cost centers. MACo is not adding new positions but is reallocating costs. There is 1.2 COLA built into the budget.

**Staffing**

Director Bryson provided an update on MACo staffing. MACo previously had 41 FTE's prior to WCT no longer doing policy. We now have 31. We are being more efficient and minimizing the cost of administering Work Comp year after year.

**Staffing Changes:**

1. Joanne Romasko – New HCT Administrator
2. Art Pembroke – New IT Training Coordinator
3. Chris Holling – Moved from WCT Claims to MACo Admin to assist with administrative duties.
4. Dennis Jupka – Retired from PCT, and Carol Gleed, moved into his place.
5. Stephanie Spokas – New Paralegal for Defense Services
6. Shelley Murphy – Moved on.
7. MACo PCT is hiring a new Land Use Attorney and bringing them in-house. The new position will work with Tara DePuy over the coming years to build that capacity. We will look at renewing her contract before the next legislative session. We expect the transition to take approximately 3 years.

**Internal Operations**

Deputy Director Rittal provided an update on MACo's internal operations. MACo has downsized the vehicles in the MACo fleet. We previously had 13 cars. Many of them were underutilized, so we traded, sold, and/or sold a few of the older ones, and we now have 7 that we share.

During the height of the COVID-19 pandemic, we closed the office to the public and many employees worked remotely or a hybrid of remote and in-person. MACo is now fully back in the office, and we have shuffled offices around. Building 1 is now Defense Services. MACo Admin, MACo HCT, and MACo PCT Claims staff are all in Building 2.

**Dan O'Malley, MACo PCT/WCT Senior Public Safety Loss Control Officer**

Mr. O'Malley introduced himself to the group and provided his credentials in law enforcement as a previous detective who worked violent crimes, narcotics, violence against women and children, and more, for 20 years. He then reported on Lexipol, which is an online policy manual created for law enforcement and molded for each county. The 46 county sheriffs utilizing it seem to value it.

### **MACo Communications**

Communications Director Siaperas spoke to the members about enhancements to MACo's mobile app and updates on the MACo website.

- MACo Mobile Application Enhancements on the Horizon: The app has a directory of county officials, staff directory, events, news, and resources. New additions will include more county contacts to the digital directory, county seats and courthouse addresses, county websites, days commissioners meet, and congressional delegation contact information. The app can be downloaded in Apple and Android app markets.
- MACo Website Additions:
  - Townhall recordings added and are accessible through the "Events" section with land use trainings coming soon – <https://www.mtcounties.org/events/>
  - ARPA Information – <https://www.mtcounties.org/coronavirus-covid-19-information/>
  - Policy Section Updates – Interim info and easy access to the legislature's streaming platform added – <https://www.mtcounties.org/policy/>
  - Resources for Budget Season – Updated and accessible through the "Resources & Data" section under "Fiscal Information & Forms" – <https://www.mtcounties.org/resources-data/>

### **Reminders**

Communications Director Siaperas reminded the members about the MACo Annual Conference, committees, and the association's annual performance evaluation.

- MACo Annual Conference: Kalispell – September 26 thru 30. This will be Karen Houston's last Conference, as she is retiring at the end of the year.
- MACo Committees & Committee Bios: Flyer in packet gives a broad overview of MACo committees, which are essential to the development of MACo's policy package. Committees thoroughly vet the resolutions that in turn become MACo Legislation, and they create the policy statements that help guide staff on how to proceed regarding other legislation and issues county face. Members were encouraged to mark the committees that interest them when the biography survey is distributed, as the survey assists the MACo President when making committee appointments.
- MACo Annual Performance Evaluation: MACo's annual performance evaluation is sent in August, and counties were asked to fill it out to let MACo staff know what the Association does right as well as what needs improvement. The survey results are taken seriously, and the Association makes adjustments based on member feedback.

### **MACo CYBERSECURITY PROGRAM**

Art Pembroke, MACo IT Training Coordinator, presented MACo's new, free cybersecurity program and spoke about the importance of the NIST assessments. MACo is providing the program through a grant received through MT DES and Homeland Security. Training staff is of utmost importance when it comes to cybersecurity.

### **LEGISLATIVE REPORT**

Director Bryson, Deputy Director Rittal, and Communications Director Siaperas reported on the happenings of the 2021 Legislative Session and impacts of various legislation on Montana's counties. The final *Legislative Update* is available on the MACo website and includes all study bills, interim committee appointments, ARPA Advisory Council members, and bills undergoing the veto-override polling process.

**MACo Bills**

- [HB 104](#), Revise county leasing authority (Marty Malone, HD 59)
- [HB 201](#), Revise prevailing wage district laws and dispatch city designations (Ken Holmlund, HD 38)
- [HB 220](#), Allow special district to receive funds from federal revenue sharing programs (Brian Putnam, HD 9)
- [HB 268](#), Revise laws related to maintenance district assessments (Bob Phalen, HD 36)
- [HB 318](#), Clarify definition of bison (Ken Holmlund, HD 38)
- [HB 346](#), Revise renewable energy laws (Tom Welch, HD 72)
- [HB 561](#), Generally revise involuntary commitment hearing requirements (Jim Hamilton, HD 61)
- [SB 123](#), Allow a county to locate a county office outside of a county seat (Keith Regier, SD 3)
- [SB 154](#), Revise collection of delinquent coal gross proceeds taxes (Jason D Small, SD 21)
- [SB 193](#), Revise appraisal requirement for tax-deed land that did not sell at auction (Steve Hinebauch, SD 18)
- [SB 214](#), Revise laws related to temporary tribal property tax exemption (Greg Hertz, SD 6)
- [SB 221](#), Provide process to dissolve a rural special improvement district (Terry Gauthier, SD 40)
- [SB 355](#), Revise payments related to state school trust lands (Mike Lang, SD 17)
- [LC1319](#), Generally revise pre-hearing detention for involuntary commitment (Jim Hamilton, HD 61)

**Gravel**

- [HB 599](#), Generally revise opencut laws (Steve Gunderson, HD 1)
- [SB 284](#), Generally revise county gravel pit permitting (Russel Tempel, SD 14)

**Elections**

- [HB 176](#), Close late voter registration on Friday before the election (Sharon Greef, HD 88)
- [HB 530](#), Require SOS to adopt rules governing election security (Wendy McKamey, HD 19)
- [SB 15](#), Revise election laws related to disabled voters (Janet Ellis, SD 41)
- [SB 108](#), Authorize elected official approval of health board rules (Doug Kary, SD 22)
- [SB 169](#), Generally revise voter ID laws (Mike Cuffe, SD 1)
- [SB 196](#), Generally revise polling place hour laws (Mike Cuffe, SD 1)
- [SB 351](#), Revise ballot tabulation dates for counties (Bryce Bennett, SD 50)

**Recording**

- [HB 49](#), Revise recording fees to support county/state GIS (David Bedey, HD 86)
- [HB 139](#), Revise death certificate fees to fund funeral services (Tom Welch, HD 72)

**9-1-1**

- [HB 50](#), Redistribute 9-1-1 funding to state library (Frank Garner, HD 7)
- [SB 14](#), Provide for tribal participation in 9-1-1 grant program (Janet Ellis, SD 41)
- [SB 81](#), Include prepaid wireless in 9-1-1 tax (Keith Regier, SD 3)

**Land Use**

- Tara is working on updates and understanding consequences. Land use trainings will be posted on the website.

**Public Health & Local Control**

- [HB 121](#), Require elected official approval of local health board and officer actions (David Bedey, HD 86)
- [HB 257](#), Revise laws relating to government mandates and businesses (Jedediah Hinkle, HD 67)

### Interim Studies

- [HJ 36](#), Interim study on residential property taxes (Dave Fern, HD 5)
- [HJ 8](#), Provide for a study of pension laws (Frank Garner, HD 7)
- [HJ 27](#), Study the funding of conservation districts (Kenneth L Holmlund, HD 38)
- [SJ 13](#), Interim study of prevailing wage laws (Steve Hinebauch, SD 18)
- [SJ 23](#), Interim study on allowing public notice via certain electronic publications (Tom Jacobson, SD 11)

### CARES Act Funding Recap

Local Government—counties, cities, and towns—were able to procure a grand total of approximately \$173,245,257. There was considerable work done behind the scenes by MACo Staff in regard to working with Treasury, which led to getting money into your communities as quickly as possible. The state managed the reporting requirements and financial responsibility with CARES in terms of saying what was and wasn't an allowable expense; however, the same won't be the same for ARPA.

### ARPA Process, Funding, Eligibility

The deadline to Obligate Funds is December 1, 2024. Patience is important. We have time and there are many questions about usage—the guidance is coming out continuously.

There are three buckets of funding:

1. Federal Direct Allocation from Treasury: Comes directly to counties (and cities over 50,000) upon registering through their system.

The direct allocation has no deadline to ask for the money; they will give half now and half at the end of the year. Everyone should ask for the first half if they haven't already. Because allocations are direct as opposed to state-managed, the counties are responsible for the reporting requirements. Usage must be for COVID-related response expenses.

Examples: Money can be used for vaccination program sites, congregate living facilities, foster care, behavioral health, mental health, job training, expenses for technical assistance, ventilation systems, helping small business (loans/grants), hiring someone to manage the accounting for ARPA.

Districts don't receive a direct allocation; only counties (and cities over 50,000) receive the direct allocation from Treasury. Counties may sponsor the districts. Cities under 50,000 must go through the state for their federal funds.

2. State Grants: [HB 632](#) (Implement receipt of and appropriate federal stimulus and COVID recovery funds [Frank Garner, HD 7]) – There were numerous programs created by the money the state received, one of which is \$150 million in grant dollars set aside for local government (counties and cities/towns) to be used for water/sewer projects. There was also a communications grant program created with \$275 million for broadband infrastructure. A local government must provide the lesser of a 1:1 match or 25% match of the amount received in coronavirus local fiscal recovery funds provided by ARPA.
3. Competitive Funding: Part of [HB 632](#) – \$250 million intended for large projects (still limited to water/sewer and broadband for local government).

### New MACo Whitepapers (on MACo's website under "Resources & Data" section)

- [Weapons in Public Buildings](#)
- [Marijuana](#)

### Legislators

Legislators who were present gave brief reports regarding the 2021 Legislative Session:

1. Representative Llew Jones, HD 18, Chair of the Appropriations Committee – Spoke about the impacts of COVID-19 on the session and the “antigovernment” theme.
2. Representative Wendy McKamey, HD 19, Chair of House State Administration Committee – Spoke about elections. The intent was to make them as simple and secure as possible.
3. Senator Bruce Gillespie, SD 9 – Spoke about the frustration and bills passing that may not have passed in a normal session and stressed that folks should let legislators know what isn’t working.
4. Senator Russ Temple, SD 14 – Spoke about education legislation and the recruitment and retention issues in rural schools.
5. Representative Ross Fitzgerald, HD 17 – Forfeited his time for lunch.

### **FORESTRY UPDATE**

Steve Kimball, Local Government Forest Adviser with the Montana Department of Natural Resources, provided a forestry update and spoke about the 2021 Forest Counties Summit.

### **FLAP, STIP & SECONDARY ROADS PROGRAM**

Andy White with the Montana Department of Transportation spoke to the counties about FLAP, STIP, and the Secondary Roads Program as well as their individual projects.

### **ADJOURNMENT**

The districts 4 & 5 meeting adjourned.