



Montana Association of Counties

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www.mtcounties.org

DISTRICTS 8, 9 & 12 MEETING MINUTES

Helena, MT – MACo Building #1

August 22, 2014

District 8

- Broadwater
- Jefferson
- Lewis & Clark

District 9

- Gallatin
- Meagher
- Park

District 12

- Anaconda-Deer Lodge
- Beaverhead
- Butte-Silver Bow
- Granite
- Madison
- Powell

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

MACo President & Officers: Joe Briggs, Cascade County Commissioner, MACo President; Dave Schulz, Madison County Commissioner, MACo 1st Vice President; Mike McGinley, Beaverhead County, MACo Fiscal Officer & MACo Past President (2008-2009)

Guests: Eric Bryson, Lewis & Clark County Chief Administrative Officer

Pledge to Flag

Welcome & Introductions: Mike Murray, Lewis & Clark County, welcomed everyone and called the meeting to order. Everyone introduced themselves.

Approval of Previous Meeting Minutes: May 14, 2014 Minutes

- MOTION: Bob Mullen, Jefferson County, moved to accept the May 14, 2014 minutes. Dan Happel, Madison County, seconded the motion. Motion carried unanimously.

District Chair/Vice Chair Elections: District 8, 9 & 12 Chairs & Vice Chairs, 2-year terms

- District 8
 - MOTION: Leonard Wortman, Jefferson County, was nominated for Chair at the Spring District Meeting. With no further nominations, Leonard Wortman elected Chair via acclamation.
 - MOTION: Laura Obert, Broadwater County, was nominated for Vice Chair at the Spring District Meeting. With no further nominations, Laura Obert elected Vice Chair via acclamation.
- District 9
 - MOTION: Marty Malone, Park County, was nominated for Chair at the Spring District Meeting. With no further nominations, Marty Malone elected Chair via acclamation.
 - MOTION: Steve White, Gallatin County, was nominated for Vice Chair at the Spring District Meeting. With no further nominations, Steve White elected Vice Chair via acclamation.
- District 12
 - MOTION: Tom Rice, Beaverhead County, was nominated for Chair at the Spring District Meeting. With no further nominations, Tom Rice elected Chair via acclamation.
 - MOTION: Jim Hart, Madison County, was nominated for Vice Chair at the Spring District Meeting. With no further nominations, Jim Hart elected Vice Chair via acclamation.

MACo Officer Nominations: 2nd Vice President and Fiscal Officer

Harold Blattie announced that Ron Stoltz, Ravalli County, and Andy Hunthausen withdrew, leaving Todd Devlin as the remaining nomination for MACo 2nd Vice President; Mike McGinley, Beaverhead County, was nominated for MACo Fiscal Officer. Districts 4 & 5 nominated Mike Wendland, Hill County, for MACo 2nd Vice President; no other nominations were made at the previous district meetings. Nominations remain open up until the floor session at the Annual Conference. (No further nominations were made at the Districts 8, 9 & 12 Meeting.)

MACo Updates from Staff

- Sheryl Wood, MACo Associate Director
 - MACo Health Care Trust PPACA Pay or Play Workshop: September 3-4, Great Falls
 - MACo Annual Member Survey
 - MACo Biography Forms: Committee Appointments by President
- Shantil Siaperas, Legislative Analyst & Communications Specialist
 - Resolution Committee Meeting/Conference Call: August 29 at 10 a.m.
- Harold Blattie, MACo Executive Director
 - Annual Conference
 - Two NACo Staff: Emilia Istrate, Research Director to present on NACo's new innovative research tools; and Julie Ufner, Association Legislative Director and staffer of the Environment, Energy, and Land Use Steering Committee, to raise awareness on EPA's rules for Waters of the U.S.
 - Deadline for comments extended to October 19; NACo has some draft comments on their website as well as a wealth of information.
 - COMMENT: Steve White, Gallatin County: Comment letter from MACo—CC Congressional Delegation
 - COMMENT: Joe Briggs, Cascade County: With help of Julie Ufner and get to counties at Annual Conference
 - Volunteer Firefighter Work Comp Coverage: Roster of Service--on record before the injury
 - INPUT: Joe Briggs, Cascade County, MACo President - Recent fire company accident/death
 - Additional FTE Positions Approved by Board for MACo: 1 legislative position, 1 Health Care Trust position, 1 claims adjuster, 1 assistant for legal—would likely replace Mike Sehestedt upon his retirement

MACo President's & Officers' Report:

- Joe Briggs, Cascade County, MACo President
 - Succession Planning: Document almost complete; starting to put money aside for search and for a dual role to have successor work with Executive Director for a while (it's in the budget)
 - SIGB: Talking about using E-9-1-1 "stranded funds" (no "excess funds" really--provider money not being claimed by some providers); we've been trying for six months to get information on who is using the system (Lewis & Clark and Flathead Counties so far); highway patrol would like counties to pay
 - INPUT: Harold Blattie - E-9-1-1 fee paid by cell user is then split between provider and PSAPs; providers need to apply and provide their subscriber base to get their money; smaller telcos are doing it, but the larger providers are not—growing pot of money. There was a bill passed to distribute some of the money, but it's still growing. The Energy & Telecommunications Interim Committee is looking at this issue.
 - FirstNet: Federally mandated first responder data network - real time data & medical records; SIGB put forward first version of survey responses to federal government (waiting for response); years away from deployment; we're in the last 5% to get it
 - Bylaw Amendments
 - Conference Site Selection: Rotation based on who can handle the conference; if new facility built, it can be reviewed for inclusion in the rotation

- Executive Director: Executive shall set the salary of the Executive Director—removing requirement that there be a survey done, as it’s not effective for professional performance review; survey will still be distributed, but won’t be the primary tool for the review of the Executive Director
 - Recent Performance Evaluation of Executive Director: 3% increase in salary
 - Council of County Officials: Reconvene to continue discussion on elected official compensation
- Dave Schulz, Madison County, MACo 1st Vice President
 - MACo Staffing Levels
 - Mike Sehestedt, MACo General Counsel, retiring and transitioning out
 - Job Descriptions for MACo employees have all been updated
- Mike McGinley, Beaverhead County, MACo Fiscal Officer
 - Health Care Trust has had growth this year
 - Workshop in September is important

Legislative Report

- Shantil Siaperas, Legislative Analyst & Communications Specialist, Montana Association of Counties
 - Interim Committees
 - Legislative Council: Use of electronic devices
 - Education & Local Government: Oil & Gas Impacts and Electronic Records Management
 - Energy & Telecommunications Interim Committee: 9-1-1 and impacts of oil & gas on local government
 - Environmental Quality Council: Federal Land Transfer
 - State Administration & Veterans’ Affairs: Elections study—revising codes
 - Legislative Calendar
 - Legislative Orientation: November, caucus and leadership; December, rules and committees
 - Legislative Council: House Local Government possibly being moved to Monday, Wednesday, Friday, which is when Senate Local Government meets—problem for MACo being in these two committees as well as other places on Monday, Wednesday, Friday
 - Bill Draft Requests
- Sheryl Wood, Associate Director, Montana Association of Counties
 - Interim Committees
 - Law & Justice: POST and criminal justice status; Office of Public Defender—who determines “indigency,” what constitute a “household,” flat-fee contracts
 - Children, Families, Health & Human Services: Mental health funding; HB 130 grants \$2 million more a year; HB 131 \$600,000 for more crisis beds; forensic unit discussion
 - State Administration & Veterans Affairs: Pension trigger bill; MPERB televised meetings; GASB 68; Sheriffs’ Retirement System not sound
- Harold Blattie, Executive Director, Montana Association of Counties
 - Interim Committees
 - Education & Local Government and Revenue & Transportation: Oil and gas impacts and infrastructure
 - Revenue & Transportation: Entitlement Share growth and oversized loads/transportation corridor
 - Environmental Quality Council: SJ15, Study of Public Lands—regarding the transfer of public lands, NACo “states’ rights” policy and no MACo position; also there is no fiscal impact statement
 - Workers’ Compensation Study
 - Ballot Initiatives: All failed
 - Federal Lands Access Program: Hire professional for application
 - Montana Contractors Association, “Hegreblog:” Local governments and Public Works Specifications
 - State Budget

- MACo Omnibus Resolution: Generally revise/cleanup bill
- Sunset Bills: 9-1-1 and Historic Right-of-way

MACo Resolutions

- Resolutions Presented at Previous District Meetings, Shantil Siaperas
 - Proposed Resolutions from Midwinter
 - Access Conveyance Fees for Easements Across State Trust Lands, MACo Land Use & Development Committee, adopted at MACo Midwinter Conference
 - Establish Development Agreements Under Montana Law, MACo Land Use & Development Committee
 - Endangered Species Act, MACo Public Lands and Energy Committees, adopted at MACo Midwinter Conference
 - Equal Access to Justice, MACo Public Lands and Energy Committees, adopted at MACo Midwinter Conference
 - Public Lands Management, MACo Public Lands and Energy Committees, adopted at MACo Midwinter Conference
 - Proposed Resolutions from Spring District Meetings
 - Tax Increment Financing Districts, Jim Reno, Yellowstone County, District 7 (not adopted by county as of yet, but presented preliminarily)
 - Livestock Loss, Dave Schulz, Madison County, District 12
- Introduced Resolutions at the Districts 6 & 7 Meeting
 - Contracting for the Confinement of Prisoners, Carbon County, John Prinkki
 - AG Opinion; Plan B is to address with legislation; strike third “whereas”
 - Resolutions Committee and Justice & Public Safety Committee to work on additional amendments
 - Support Proposal from the Private Lands/Public Wildlife Council Regarding Support to Counties, Chris King, Petroleum County
 - Help to clarify legal rights-of-way
 - Wind Generation Impact Fee, Richard Moe, Wheatland County
 - Clarify that payment is to be each year for 3 years
- Introduced Resolutions at the Districts 1, 2 & 3 Meeting
 - Oversized and Overweight Vehicles Permit Fee, Roosevelt County, Gary MacDonald
- No Resolutions introduced at the Districts 4 & 5 Meeting.
- Introduced Resolutions at the Districts 10 & 11 Meeting
 - Veterans’ Interment, Jean Curtiss, Missoula County
 - Assignment of Road/Street Addresses by Local Government, Jean Curtiss, Missoula County
 - Clarify implied authority; mainly for public health & safety
 - Support Funding for County Attorney/Deputy County Attorney Positions, Jean Curtiss, Missoula County
- Introduced Resolutions at the Districts 8, 9 & 12 Meeting
 - Clarify Eligible Voters in Certain Elections, Leonard Wortman, Jefferson County
 - Not clear if LLCs can vote
 - MOTION: Leonard Wortman moved to support the proposed resolution. Cele Pohle, Powell County, seconded the motion. Motion carried unanimously.
 - County Ordinance for Compression Brakes, Bob Mullen, Jefferson County
 - Disturbing to subdivisions neighboring highways; would allow law enforcement to ticket
 - MOTION: Bob Mullen moved to support the proposed resolution. Susan Good Geise, Lewis & Clark County, seconded the motion.
 - DISCUSSION:
 - Steve White, Gallatin County: May be resistance from law enforcement; find that signs work well; mainly on hills
 - Susan Good Geise: Signs don’t work here
 - Jim Hart, Madison County: There is no authority to enforce

- VOTE: Motion died on a 4-4 vote.
- MOTION: Cele Pohle moved to send the proposed resolution to the Resolutions Committee and Membership. Leonard Wortman seconded the motion. Motion passed with 1 nay vote (Gallatin County).
- Support Montana Weed Control Association Legislation Regarding Vehicle Fees, Dave Schulz, Madison County
 - Enhance/expand maintenance weed program in Montana; intent is not to increase fees; reduce amount general fund retains (diversion)
 - MOTION: Dave Schulz moved to support the proposed resolution. Laura Obert, Broadwater County, seconded the motion. Motion carried unanimously.
- MACo Policy: Large Predator Working Group Policy, Dan Happel, Madison County
 - MACo Agriculture Committee to review; seat at the table with state/federal agencies
 - MOTION: Dan Happel moved to forward the Large Predator Working Group Policy to the MACo Agriculture Committee for consideration in the MACo Policy Statements. Joe Skinner, Gallatin County, seconded the motion. Motion carried unanimously.
- Possible Resolution: Tax Credit for Volunteer Firefighter & EMTs, Susan Good Geise
 - Not introduced; not ready yet

Other District Business

- Discussions
 - Department of Revenue—County Treasurers taking over special assessments (SB 56 from 2013 Legislative Session)
 - Department of Revenue—DOR has total appraisal authority; MCA 15-16-603, refund, 5 tax years

Meeting Adjourned