



# DISTRICTS 8, 9 & 12 MEETING MINUTES

JUNE 25, 2020 | VIRTUAL MEETING | MACo HOSTED VIA ZOOM

## COUNTIES PRESENT

### 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:** Eric Bryson, Executive Director; Jason Rittal, Deputy Director; Shantil Siaperas, Communications Director; McKenzie McCarthy, General Counsel; Shannon Chamberlain, PCT/WCT Trust Administrator

**MACo President & Officers:** Commissioner Shane Gorder, Richland County, MACo President; Commissioner Doug Martens, Rosebud County, MACo 1<sup>st</sup> VP; Commissioner Jason Strouf, Custer County, MACo 2<sup>nd</sup> VP; Jim Hart, MACo Past Immediate Past President; Commissioner Carl Seilstad, Fergus County, MACo Past President (2009-2010); Commissioner Mikel Lund, Daniels County; Commissioner Mike McGinley, Beaverhead County, MACo Fiscal Officer & Past President (2008-2009); Tammi Fladager, Daniels County Clerk of District Court/Superintendent of Schools

### Pledge to Flag

Commissioner Don Seifert, Gallatin County, called the meeting to order and commenced with the Pledge.

### District Business

- **Approval of Previous Meeting Minutes:** June 3, 2019

Commissioner Tom Rice, Beaverhead County, moved to accept the minutes. Commissioner Susan Geise, Lewis & Clark County, seconded the motion. The motion carried unanimously.

- **District Chair/Vice Chair Elections:**

- District 8 Chair & Vice Chair

- District 8 Chair: Commissioner Geise nominated Commissioner Andy Hunthausen, Lewis & Clark County. With no further nominations, Commissioner Hunthausen was elected via acclamation.
- District 8 Vice Chair: Commissioner Hunthausen nominated Commissioner Cory Kirsch, Jefferson County. With no further nominations, Commissioner Kirsch was elected via acclamation.

- District 9 Chair & Vice Chair

- District 9 Chair: Commissioner Seifert nominated Commissioner Bill Berg, Park County. With no further nominations, Commissioner Berg was elected via acclamation.
- District 9 Vice Chair: Commissioner Seifert nominated Commissioner Scott MacFarlane, Gallatin County. With no further nominations, Commissioner MacFarlane was elected via acclamation.

- District 12 Chair & Vice Chair
  - District 12 Chair: Commissioner Hart nominated Commissioner Rice. With no further nominations, Commissioner Rice was elected via acclamation.
  - District 12 Vice Chair: Commissioner Dan Sager, Powell County, nominated Commissioner Ralph (Rem) Mannix, Powell County. With no further nominations, Commissioner Mannix was elected via acclamation.
- **Next MACo Districts 8, 9 & 12 Meeting:** Spring 2021  
District 9 will host the next meeting: Park County—Livingston.
- **MACo Officer Nominations:** 2<sup>nd</sup> Vice President & Fiscal Officer  
Ms. 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. MACo's bylaws also state that this position is to be elected every odd-numbered year. Commissioner Mike McGinley, Beaverhead County, has served two-years, so the FO position is up for election again this year. The FO will then go through another election in 2021 to get MACo back into accordance with the bylaws.  
We believe these elections went off track in 2012 when a previous Commissioner couldn't complete her term in 2012. After the election to complete that term, that position instead continued with a two-year term. Nominations remain open until the close of the MACo business meeting at the September Annual Conference.
  - Districts 8, 9 & 12 Nominations:
    - Commissioner Rice nominated Commissioner McGinley for MACo Fiscal Officer.
    - Commissioner McGinley nominated Commissioner Roman Zylawy, Mineral County, for MACo 2<sup>nd</sup> Vice President.

### **Resolutions**

Ms. Siaperas explained MACo's resolutions process. Counties may submit resolutions up until the Resolutions Committee meets in August to assign resolutions to MACo Committees. MACo Committees will then convene during the MACo Annual Conference to make recommendations to the membership, and the membership will vote on the recommendations (pass, do not pass, incorporate into policy statements) and adopt MACo's legislative package for 2021.

Ms. Siaperas then spoke about the resolutions from MACo Committees that are already in the hopper, and Daniels County explained about their resolution.

- MACo Land Use, Planning & Development Committee: Public Notice & Participation Criteria for Requests for Extension of Subdivision Preliminary Plat Approvals
- MACo Community, Economic Development & Labor Committee: Establishing a More Equitable Number & Geographical Distribution of Dispatch Cities (Originated from Custer and Richland Counties)
- Daniels County: Public Land Use Sustainability Resolution
  - Commissioner Lund and Ms. Fladager explained that there are 20 counties that are in excess of 6% of state lands. They are unable to collect taxes on those lands. State lands bring in \$63-67 million a year, and Daniels County believes there should be some proportionate relief.
- **Districts 8, 9 & 12 Resolutions**
  - Gallatin County: Local Option Fuel Excise Tax
  - Gallatin County: Involuntary Commitment of Individuals in Mental Health Crisis—Allow for 72 hours of temporary detention

- Gallatin County: Requirement of Physical Presence in Involuntary Commitment Proceedings
- Lewis & Clark County: Dissolution of Rural Special Improvement Districts

### **MACo Updates**

- **Mobile Application**

Ms. Siaperas spoke about MACo's new mobile application and explained how to download it in the Apple and Android app markets. The app has a directory of county officials, staff directory, events, news, and resources. With the introduction of this new app, MACo's print directory is going on a hiatus, due to staff reduction and reorganization.

- **Reminders**

Ms. Siaperas reminded the members about MACo's Annual Conference, committee appointments, and the association's performance review:

- Annual Conference: The Executive Committee met and decided to have the conference be in-person in September.
- Committee Appointments: MACo's committees set policy for the organization. To get involved, remember to fill out the biography form we send and let us know what committees interest you. The information provided helps the MACo president make appointments.
- Association Performance Review/Survey: It's important that we get meaningful feedback, especially now with the reorganization. We make adjustments and plans for the following year based on our annual performance review.

- **Staff**

Director Bryson provided an operations update and reported on the nine positions MACo lost in the reorganization due to the loss of the Workers' Compensation Trust revenue. We are asking for patience as well as regular feedback.

- **Covid Impacts**

Director Bryson then spoke about the impacts of the COVID-19 pandemic on office operations. MACo staff are not fully physically in the office; however, MACo isn't closed for business. The office isn't a high-volume traffic entity, so there were no issues transitioning. During the transition, Defense Services moved into Building 1 and MACo Admin Staff and Health Care Trust (HCT) Staff moved into Building 2.

- **Townhalls**

Director Bryson reported that MACo's Townhalls are being well-received and said to be helpful and great in terms of information sharing. MACo will continue with this new service for as long as the members find value in it. Previous Townhalls are posted on our website.

- **Budget**

Director Bryson provided an update on MACo's FY 2021 budget.

- There is a net loss of \$800,000, mainly in staff.
- Anomalies
  - Cyber Security Grant: \$125,000, expected in October – Look forward to some products MACo plans to roll out (threat assessments, onsite employee training, potentially some software, and more).
  - MACo is down significantly in revenues due to the reorganization.

- MACo Dues: Preliminary budget did not have a COLA; however, we are asking for it this year at 1.8% to go toward funding depreciation at MACo.
- Health Care Trust
  - Trust Administrator: We have a strong candidate.
  - Open Enrollment: Online this year.
  - Wellness: Eliminated the wellness position and are contracting with a company.
- Workers' Compensation Trust
  - Transition to the safety group with State Fund is going well. If you're interested in joining or have questions, please don't hesitate to call.
- Property & Casualty Trust
  - Challenging renewal season given insurance industry right now; thank you to everyone for flexibility and understanding.

### **MACo President's & Officers Report**

- **MACo President, Commissioner Shane Gorder, Richland County:** Thank you to everyone over these last few months; commend all the counties over the last few months for your continued efforts.
- **MACo 1<sup>st</sup> Vice President, Doug Martens, Rosebud County:** Echo President Gorder's remarks; there is no roadmap, but we'll eventually get through this. Stay the course.
- **MACo 2<sup>nd</sup> Vice President, Jason Strouf, Custer County:** Reiterating what Commissioners Gorder and Martens have said. Thank you across the state for all your hard work and dedication. And thank you to MACo staff.
- **MACo Fiscal Officer, Mike McGinley, Beaverhead County:** MACo budgets have been complex in the past. I commend MACo staff for simplifying. It is more readable and understandable to commissioners across the state. If there are questions, do not hesitate to contact me. Thank you for your supporting me as your Fiscal Officer and thank you to MACo Staff.
- **MACo Immediate Past President, Jim Hart, Madison County:** Thank you to all the staff. Not much to add. Keep up the fight. Thanks for allowing me to have served as your president.

### **Legislative Report**

#### **Interim Committees, General Election, 2021 Legislative Session**

Ms. Siaperas reported on Interim Committees, the General Election, and the upcoming Legislative Session.

- Interim committees are now permitted to choose between remote and in-person meetings. Lawmakers who prefer not to attend in-person meetings may continue attending meetings remotely, according to the new regulations.
- General Election: Counties are under deadlines required by law. We are beginning discussions with the Governor's Office regarding the General Election and possible scenarios should the pandemic continue to grow. They have asked us for the latest announcement deadline that would work for the election, should a mail ballot option be the remedy. Our response was that ideally Clerk & Records/Election Administrators would know by August 20th; however, August 28th (the day the SOS certifies the ballot) would be the absolute last day if they were to effectively run a mail ballot General Election. The Clerk & Records are assembling a workgroup to review what did and didn't work for the Primary Election, which had a larger turnout than normal.

- 2021 Legislative Session: Legislative Council, a bipartisan committee of six legislators, has been appointed to consider rules for a potential remote session.

### **Tax & Local Government Funding Studies**

Director Bryson reported on the HJ 35 Interim Study as well as the HB 715 fiscal studies.

- [HJ 35](#), Interim study of state and local tax policy
  - The study is being conducted by the Revenue Interim Committee. It was brought forward by the House Tax Committee during the 2019 Legislative Session. The study includes a variety of members, including MACo and the Montana League of Cities & Towns (MLCT). The meetings have been well attended until COVID-19; however, there is still enough motivation within the group for a larger and longer conversation about a statewide sales tax. There likely won't be a bill for this next session.
  - There has been discussion about the cap in 15-10-420, MCA, and many agree that it didn't do as intended when it was put in place.
- [HB 715](#), Generally revise laws related to state finance and provide for fiscal studies
  - The study is being conducted by the Legislative Finance Committee. The Premise was to prove that local governments have been creative and abused special districts to get around the caps. We will continue to educate the legislature about how local government functions.

### **CARES Act Reimbursements**

Director Bryson and Deputy Director Rittal provided updates regarding CARES Act Reimbursements.

- Montana received \$1.25 billion from the CARES Act and has distributed approximately \$43 million so far. Reimbursements for eligible COVID-19 expenses goes through December 30th. The remainder of the CARES Act funds go back to Treasury December 31st.
- Reimbursements for sworn sheriff's officers/deputies, public health, and first responder costs: We are having continued discussions about detention and dispatch/911 folks.
- Spreadsheet: Try to keep things at a level of detail so that if something gets rejected, we can track it and work on it. Recommend doing sheriffs in one line, sheriffs' benefits in another line, and then do the same thing with the other major categories.
- "The 45%:" Direct allocations only go to states and population centers with over 500,000. Treasury has recognized that 45% going to local governments WAS the intent, and states should do so.

### **MACo Wildland Fire Ad Hoc Committee: Montana DNRC State/County Cooperative Fire Program**

Deputy Director Rittal, Commissioner Martens, and DNRC folks, Mike DeGrosky, and Sonja Germann, provided an update on the MACo Wildland Fire Ad Hoc Committee's work.

- During the 2019 Legislative Session, there was proposed legislation to enhance revenue for fire protection through the coop programs with DNRC. There was lots of consternation with how the money was collected (parcels) and how the money was to be used. MACo opposed the legislation and committed to working toward solutions in the interim.
  - Sonya Germann, DNRC, Forestry Division Administrator: We are pulling into fire season right now; the relationship with the counties through the county coop program is outstanding and very important. The program is about 50 years old, and we have not collectively looked at it to see what could be improved/updated.
  - Doug Martens, Co-Chair: We met in Billings several times and had robust discussion with fire wardens, chiefs, volunteers, DNRC folks, and commissioners. We talked about the

shortfalls/holes, mainly in Eastern Montana, and what we would like to see done to fill those holes. We will have something to present to the membership (policy statement) at the Annual Conference, and it will likely go to Appropriations in the 2021 session.

**Other District Business**

- Lewis & Clark County: Motor Vehicles  
Experiencing a registration bottleneck; significant lines and the system doesn't seem to be working. There is a growing number of transactions, and our population is growing. The County wrote a letter to the Attorney General. Counties need to unite and find new ways forward. In the short term, maybe a statement in conjunction with AG Fox and the Governor—a moratorium on plates and tags.
- Broadwater County: Received a new exclusion regarding communicable diseases.  
Shannon Shanholtzer: We are working with the insurer and hope by the end of today/tomorrow, we will have something to distribute. We are expecting large insurers across the country to do this.

**Adjournment**

Districts 8, 9 & 12 meeting adjourned at 12:00 p.m.

DRAFT