



DAWSON COUNTY HOSTS MACo'S 92nd ANNUAL CONFERENCE

WORKSHOPS OFFER VARIETY

Special speakers and workshops at the 92nd Annual Conference cover a wide variety of pertinent topics.

During the General Session on Monday, Susan Fox, a research analyst for Legislative Services, will present Requirements for Adjusting Commission District Boundaries. Following her presentation, Professor Terry Fleck from Bismarck State College will speak on Attitude Virus.

NACo President-elect Kenneth Mayfield, Dallas, Texas County Commissioner, will address the conference during lunch.

After lunch, Mike McCourt, Energy Coordinator with the Local Government Energy Office, speaks on What is Happening With Energy in Montana?

Tuesday features a general session presentation by the Bicentennial Executive Director, Clint Blackwood on County Responsibilities for Lewis & Clark Bicentennial, followed by two sessions of workshops with three workshops in each session:

HIGHLIGHTS—INSIDE THIS ISSUE

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NOTICE: Conference changes in locations:

- 1. Board of Directors' Meeting—Sunday**
BEST WESTERN JORDAN INN
- 2. President's Reception and Banquet**
BEST WESTERN JORDAN INN
- 3. Prayer Breakfast**
BEST WESTERN JORDAN INN
- 4. Spouse Activities**
BEST WESTERN JORDAN INN

SESSION ONE

Developing County E-mail & Internet Policies
Representing Parties in Grievance Proceedings
Everything You Wanted to Know About County Road Law

SESSION TWO

Adopting a Large Event Ordinance
Representing Parties in Grievance Proceedings
How to Write a Good Request-for-Proposal

MARK YOUR CALENDARS

September

- 16-8 Sheriffs and Peace Officers, West Yellowstone
- 18-20 Clerks and Recorders, Polson
- 23-26 **MACo Annual Conference**, Glendive
- 24-28 Treasurers, Chico Hot Springs
- 26 Growth Policy Forum; MACo Conference Room

October

- TBA Council of County Officials**
- 8-10 Workforce Investment Boards, Billings
- 15-19 Association of State Executives; Lake Tahoe

November

- 27-29 JPIA / JPA Joint Trustees meeting**

Dear County Commissioners and Friends:

If you haven't already marked your calendar and turned your thoughts to MACo's Annual Convention, now is the time to do it. This year's annual convention will be held at the Eastern Plains Event Center, 313 South Merrill Avenue, Glendive, Montana, from September 23 through September 26, 2001. The telephone number at the Center is 406-365-5601. We encourage everyone to gather up spouses, friends and children for 2 ½ days of stimulating workshops, challenging speakers, important business meetings, and last, but not least, great food and entertainment.

We are your host commissioners this year and we plan to make this a memorable experience for all. There will not be an actual golf tournament. However, tee times will be set for those who wish to golf on Sunday.

Spouses will be treated to a variety of workshops and a fun-filled tour.

Hope to see you in Glendive! Come and enjoy some Eastern Montana hospitality.

Sincerely,
DAWSON COUNTY
BOARD OF COUNTY COMMISSIONERS
Kathleen Alley, Chair

MACo News

Published Monthly

Montana Association of Counties
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E-mail: maco@maco.cog.mt.us

Webpage: <http://maco.cog.mt.us>

Subscriptions are \$25 per year.

SPECIAL ENTERTAINMENT AT CONFERENCE

MACo President Gary Fjelstad arranged for outstanding Nashville entertainment at the Sunday night President's Reception at Best Western Jordan Inn.

With the generous sponsorship of Brentwood Services of Tennessee, Country Music Artist Margo Smith will perform.

Margo recorded many country music hits in the 70's and early 80's such as "Don't Break the Heart that Loves You", "Shuffle Song", "It Only Hurts For a Little While", "Save Your Kisses For Me". She has played at fairs throughout Montana and currently has a theatre in Branson, Missouri.

In addition to Margo Smith, President Fjelstad's daughter, Patricia Ryan, will also perform selections from her latest Nashville CD, which includes new songs as well as old country favorites.

James Devine of Wibaux, Montana, will perform at the Tuesday evening B-B-Q at the Dawson County Fairgrounds. Devine is an accomplished songwriter and will perform a number of songs he has had published in Nashville. Devine's songs are country with a twist of humor and will provide for a fun evening for everybody. Tuesday night's entertainment is sponsored by Intermountain Administrators, Inc. of Missoula, Montana.

Success comes from good judgment.
Good judgment comes from experience.
Experience comes from bad judgment.

Arthur Jones

DELEGATE ASSEMBLY RULES

Resolutions and/or Bylaws

- Rule 1 Any resolution or bylaw changes from a member district or county not submitted at the District meeting must be submitted to the Resolutions Committee no later than the Sunday before the Annual Convention in order to be presented to the Board of Directors for their approval to be presented to the delegates.
- Rule 2 Any resolution or bylaw changes not submitted pursuant to Rule 1 will not be considered by the Delegate Assembly unless two-thirds of the delegates present and voting elect to suspend the rules to consider late proposals. Late proposals shall be accompanied by sufficient copies for all delegates and shall be available immediately prior to the Introduction and Consideration of Bylaw Changes or Resolutions.

Voting Procedures

- Rule 3 Each regular member has one vote. (Regular members shall be those counties which contribute annually to the financial support of the Association (Bylaw Article II, Section 2a)) There shall be one county delegate and one alternate with the authority to vote. The delegate and the alternate must be elected county officials.
- Rule 4 In speaking to a motion, a delegate will be limited to three minutes except in cases wherein this rule has been suspended by a delegate vote.
- Rule 5 All voting shall be either by show of hands or voice vote, subject to the call of the chair. A roll call vote will be conducted upon a request by a delegate from the floor.
- Rule 6 Debate is considered privileged, and a "call for the question" cannot be used to limit debate. A vote to close debate requires a two-thirds vote of the delegates present and voting.

Suspension of Rules

- Rule 7 Any of these rules may be suspended by a two-thirds vote of those present and voting.

PROPOSED BYLAW AMENDMENT

ARTICLE VIII SECTION 3 DISTRICT OFFICERS

The district officers shall be a chairperson and a vice-chairperson elected by majority vote of member counties in each district. They shall be elected to (delete "an annual") **a two-year** term at a district meeting prior to (delete "the") **an** annual conference and take office immediately following the (delete "annual") conference.

SUGGESTED AGENDA ITEMS DISTRICT MEETINGS

Sunday, September 23
4:30 pm Event Center

1. Election of District Chair and Vice Chair
2. Presentation of Resolutions
3. Nominations for MACo Officers
4. Other Business

MACo BOARD OF DIRECTORS MEETING

Sunday, September 23, 2001
3:30 pm

Basement Room
(beneath the pool)
Best Western Jordan Inn
Glendive

MACo OFFICER CANDIDATES

NOMINATION FOR
FIRST VICE PRESIDENT

CAROL BROOKER
Sanders County



Living and working in Sanders County, which has its own rural issues as well as many urban problems, provides me with the ability to relate well with all counties. I have a strong commitment to local government and will work hard to retain local control.

I believe in MACo. Being MACo president is a time consuming job. I will make myself available to Dean and Vic; **one officer shouldn't be expected to carry the entire workload.** It would be an honor to work and represent you.

I feel strongly about continued education. MACo has made great strides in this area, especially with new commissioners. At one MACo conference, round table discussions were set up on various topics, when we learned from the facilitator as well as fellow commissioners. After participating, I realized we all have similar challenges. I want to learn more about road law, forming special districts, when is a resolution necessary, and when to hold a hearing versus a meeting.

NOMINATION FOR
FIRST VICE PRESIDENT
AND
NOMINATION FOR
FISCAL OFFICER

ALLAN UNDERDAL
Toole County



I would be happy to serve in either of these offices, but I am going to put my energies into running for 2nd VP. My top priority for MACo is to continue to promote unity between counties in a very diverse state. If at any time you think MACo is not **representing your county's interests,** we need to assess the situation and work out a suitable solution within MACo. Our lobbying efforts were successful this past session because we were relatively united on our main platform items. Our strength lies in a unified front.

Another priority is to work for tax reform for Montana. We do need significant changes to allow for real economic development to occur in this State.

I would like to continue to strengthen our training procedures for elected officials, especially the newly elected. I see MACo **as local government's training, lobbying and service organization,** always looking to better serve your needs. I will be available to listen and work with you, as best I can, to accomplish these goals.

NOMINATION FOR
FISCAL OFFICER

DAN WATSON
Rosebud County



I take this opportunity to introduce myself. I am a Montana native, born and raised in the Forsyth area, having lived in Treasure, Anaconda-Deer Lodge and Rosebud Counties.

I have served on the MACo Taxation, Finance and Budget Committee for the past two years. This has given me the opportunity to learn about the financial strength and direction of MACo. I am confident that my education in Business Administration and Accounting and my work experience (private accountant—5 years and municipal clerk—16 years) will enable me to adequately handle the financial responsibilities of this position.

I have come to appreciate the diverse interests of the counties and their respective elected officials, while attending legislative hearings, committee meetings, workshops and conferences. I hope to explore possibilities for strengthening the services and direction of this organization.

FEDERAL FOREST FUNDS DEADLINE

Counties receiving federal forest funds must notify Governor Judy Martz regarding their choice of method to receive the funds. The decisions include: 1) To remain on actual 25% receipts or to receive the full payment amount; 2) To allocate funds to Title II or Title III projects if receiving over \$100,000. Your notification to the Governor must occur in order for Governor Martz to notify the US Secretary of Agriculture.

A form for your decision is available from MACo or you may write your own decision. Either is to be submitted to:

Todd O'Hair
Office of the Governor
PO Box 200801
Helena, MT 59620-0801

COURT DENIES TAX COLLECTIONS IN BANKRUPTCY

The Ninth Circuit Court of Appeals, *Goldberg V. Ellett*, says that a bankruptcy court may prohibit a state tax official from collecting state taxes that were discharged in a bankruptcy proceeding in which the state did not participate.

Counties need to take heed of this court case. In bankruptcies, property taxes may be first in line, but if a claim is not filed and if the county does not participate in the court proceedings and remain aware of the plan, the taxes may be very well discharged.

In California, a debtor, *Ellett*, in a Chapter 13 bankruptcy case, listed personal income tax obligations for certain years. The debtor also notified the proper tax collection agency of the commencement of the bankruptcy case, but the agency did not file a proof of claim or otherwise participate in the bankruptcy proceedings. The Chapter 13 plan was confirmed and completed over the course of two years. Because the tax agency did not file a proof of claim, it received no distributions.

Several months after the bankruptcy court discharged the debtor, the tax agency sent the debtor a demand for the personal income taxes, saying that such obligation was not discharged in bankruptcy and that a collection action was now pending, which could involve attaching and withholding the debtor's wages, filing a lien on his real or personal property, or seizing personal property. Motions were filed on both sides, leading to the Court of Appeals decision.

(Courtesy of Washington Association of Counties
[The Courthouse Journal](#))

Attorney General OPINIONS Volume 49 No. 4

Requested by:

Leo Gallagher, Lewis and Clark County Attorney

Question:

May a county include within its mill levy cap a sufficient number of mills to account for the difference between the amount distributed to the counties, as reimbursement for light vehicle fees collected by the county, and the amount the counties actually assessed in ad valorem light vehicle taxes during FY 2001?

(HB 124 and 15-10-420 (2001))

Held:

A local government may levy additional mills pursuant to MCA 15-10-420(1) (2001) sufficient to make up the difference between the amount reimbursed by the state for light vehicle fees and taxes pursuant to House Bill 124, section 1, and the amount of fees and

NEW PROCESS TO DESTROY OLD GOVERNMENT RECORDS

Effective October 1, 2001, a new process for destroying any government records that are 10 years or older was set by the Local Government Records Committee authorized by SB 443.

1. All local governments, including school districts, must submit a completed "Request and Authorization for Records Disposal or Destruction" form to:

Montana State Archives	Local Government Services
PO Box 201201	OR PO Box 200547
Helena, MT 59620-1201	Helena, MT 59620-0547

2. The above agency will send notice to all entities expressing interest in knowing what older records are to be destroyed. Records will be held 180 days, and if not claimed, may be destroyed.

3. If a local government is contacted within the 180 days, the local government must decide which responding entity will receive the records. The entity requesting the records is required to pay all costs associated with the transfer. It is recommended that local governments adopt a resolution outlining the criteria to be used when deciding which entity will be granted the records.

Entities in order of consideration are: the Montana Historical Society, the State Archives, Montana public and private universities and colleges, local historical museums, local historical societies, Montana genealogical groups and the general public.

COUNTY NEWS

CHANGES IN OFFICIALS

BEAVERHEAD COUNTY Justice of Peace Joan Eliel resigned and Candy L. Hoerning was appointed to complete the term.

MEAGHER COUNTY Attorney John Potter retired after 36 years. Linda Hickman, Wheatland County Attorney, will assume duties for both counties.

SWEET GRASS COUNTY Attorney Christopher Manos has accepted a position with the Montana Bar Association. Richard Malagisi was appointed to complete the term.

TETON COUNTY Superintendent of Schools Gwyn Anderson resigned to take a public school position. The County Commissioners reduced the position from full-time to four days a week and appointed John Maloney to complete the term.

VALLEY COUNTY Treasurer Marla DeBray retired after 29 years. Jenny Reinhardt was appointed to complete the term.

COMMUNICATIONS TOWER SITES

CARBON COUNTY is offered complimentary space for emergency communications on five proposed tower sites planned to improve reception in dead spots in the County.

LEWIS & CLARK COUNTY is reviewing sites for two 190' and two 250' towers proposed for seamless communication in the northern part of the County. Fire District officials have encouraged location on that property to generate income to offset district fees.

RAVALLI COUNTY amended its ordinance for tower set-back requirements from twice the height of the tower to the height of the tower plus twenty feet.

YELLOWSTONE COUNTY

Commissioners have expressed interest in locating communications towers within county parks as a way to generate supplemental income.

BRIDGES

BEAVERHEAD COUNTY has the highest percentage of deficient bridges in Montana. Roughly one in four Montana bridges needs repair or replacement.

In **FLATHEAD COUNTY** an MSU student is working with officials to preserve the one-lane Old Steel Bridge (1894) for a walking trail.

In **MADISON COUNTY**, Sappington Bridge was divided and moved to two locations. Half the bridge moved to the Rock the Rockies concert site; the second half moved to span the Upper Madison River in the Wade and Cliff Lakes area.

In **STILLWATER COUNTY** an 80-ton truss bridge north of Absarokee was adopted by a local couple and moved to their property.

ROADS

A **JEFFERSON COUNTY** road and nearby creek was damaged by 82 log loads. Landowners may be responsible for the damage done by the logger.

RAVALLI COUNTY filed an injunction against Qwest to stop laying underground lines without permits and causing damage to county roads. An agreement was reached to fax daily reports about the work.

YELLOWSTONE COUNTY and Lockwood School abandoned a road years ago. Gravel mine owners applied for mining permits but the county refused to grant the permit because the current access was through school property. An appeal will be going to the Montana Supreme Court

JAILS

CARBON COUNTY closed its jail in spite of a request by City of Red Lodge for a restraining order to prevent the closure. The County contracts with Yellowstone County for three spaces.

CASCADE COUNTY regional jail was full and was rejecting non-violent criminals. Under consideration at the time we're expanding the home arrest program and expediting cases through court to reduce the number of felony inmates waiting trial.

GALLATIN COUNTY has agreed to send a jail bond issue to voters, but when and how to hold the vote is in question—regular election time, special election, or mail ballot

LEWIS & CLARK COUNTY is taking only felons, drunken drivers, violent offenders and domestic abusers. 78 inmates are housed in a 58 person capacity jail.

LINCOLN COUNTY is discussing a new jail, planning to work with a citizens advisory committee to decide location and funding sources.

YELLOWSTONE COUNTY notes that perhaps 90% of jail admissions are related in some way to drug or alcohol use. Rimrock Foundation has proposed building a minimum-security, work-release and treatment facility next to the jail, rather than

IN MEMORIAM

Mary Donohoe, Stillwater County Commissioner (1962-74), died in her garden July 27. Gardening and lambing were favorite at-home activities, in addition to world-wide travel. **“Mother Mary” was a woman of strong opinion and great compassion, who asked those she helped to “do a good deed for someone else.” She is survived by her husband of 51 years, Clay, and family.**

SAFETY RAY SEZ

BY Ray Barnicoat
MACo Risk Manager



In my last article I talked about “THE HEPATITIS C EPIDEMIC” and how the insurance industry sees this as a significant risk for workers’ compensation. I showed you what the industry predicts in terms of incident rates and projected costs. In this article I want to continue the topic.

The best approach to managing this risk is through education and training of your employees who are, or could be, exposed to this disease in the course of their work. There are a number of sources to get information. The information can be used for in-service training.

My favorite source is the National Center For Infectious Disease. They have excellent information in this topic. It includes:

- Diagnosis and testing
- How the disease is spread from one person to another
- Pregnancy and breast feeding
- Counseling
- Long- term consequences of infection
- Management and treatment of chronic Hepatitis C
- Genotype
- Hepatitis C and healthcare workers.

Each of the headings has a number of sub-parts that supplies significant information that your identified employees should know. The document is 11 pages packed full of information.

I have posted it on the MACo web site, (maco@maco.cog.mt.us) in the Risk Management link. I

encourage you, your Sheriff’s Training Officer, Nursing Home Administrator, Home Health Nurse and other folks, who might get exposed, to download the information and use it for training on a regular basis. The address for the National Center for Infectious Disease is <http://www.cdc.gov/ncidod/diseases/hepatitis/c/>.

We at MACo are willing to help with the training. You should also be able to use your health nurse or other medical professionals in your community who are familiar with this risk. The important thing is make sure your employees receive the training regularly.

MACo / JPIA

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Holstrom**

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Fax - 406-442-5238

TO ALL:

Thank you very much for the get-well thoughts, wishes and prayers during my “cardiac episode”. I am now vertical and back to work.

Your concerns and wishes were greatly appreciated by Diane and me.

JPIA NEWS

Wibaux County rejoined the JPIA property and liability pool July 1. WELCOME BACK! The local agent is Bill Franks of AIM Insurance.

Richland County rejoined the JPIA property and liability pool July 1. WELCOME BACK! The local agent is Bill Green of AIM Insurance.

Proposed Water Quality Permit Fee Increases

Submitted by

Bonnie Lovelace, DEQ Water Protection Bureau Chief

The Montana Water Quality Act requires that the Board of Environmental Review adopt rules to recover the cost of issuing permits, licenses and including monitoring, inspections, compliance assistance and enforcement authorizations, as well as the administrative costs. In addition to the 10 full time employees (FTEs) in the permits program, the account funds staff in the Enforcement and Planning, Prevention and Assistance Divisions.

The Board originally adopted fee rules in January, 1994, and the program continues to operate on those original fees. They will be meeting September 21 to consider adjustments to various fees. Permit fees are assessed in two different categories: application fees (which are paid at the time of application for a new permit or every five years for renewals) and annual fees. These fees cover the cost of reviewing and processing the application, developing effluent limits and informing the public and other agencies of these activities.

Since 1994 the complexity of issuing a wastewater discharge permit has increased. Some of the factors in issuing a permit include the development of total maximum daily loads (TMDLs), demonstrating compliance with the Molloy decision (*Friends of the Wild Swan v. US EPA et al, Missoula*), delineation of mixing zones, nondegradation requirements, pretreatment requirements, compliance with the Montana Environmental Policy Act (MEPA) and additional requirements for public noticing permits. These additional requirements have resulted in a 2 to 3-year delay in issuing and renewing permits. We anticipate that additional FTEs would help alleviate this situation.

In 1998, the Water Protection Bureau forwarded a request to the Board to amend fees to cover increased program costs. Concurrently, voters adopted a citizen initiative (CI-75) which made it questionable whether or not the Board could adopt these amendments. No action was taken and the Department used a budget surplus to fund the program. The surplus, used at a rate of about \$300,000 per year, is no longer available. The current fee proposal incorporates components of the 1998 proposal and budget adjustments passed by the 2001 legislature, including four additional full time employees (FTEs). Section 75-5-516, MCA establishes a statutory maximum fee and requires a fee reduction program for dischargers in compliance with the terms and conditions of their discharge permits.

In addition to increasing revenue, the proposed fee amendments simplify the fee schedule tables, incorporate

the Notice of Intent system enacted by the 2001 legislature, Phase II of the stormwater regulations as mandated under the federal Clean Water Act and institute fees for other activities such as short-term water quality standards and pesticide authorizations. The proposed amendments delete differential fees for publicly owned treatment works based on the presence of significant industry. In 1994, the Department had proposed to assume delegation authority under the federal Clean Water Act to administer the pretreatment program. These plans have been dropped.

The second component, the annual fee, covers the cost of administering the permits during the 5-year term. This includes the review and data entry of monthly discharge monitoring reports (DMR), assessing compliance and issuing violation notices, and annual inspections which include sample collection. In many cases, the annual fee was not sufficient to cover the cost for analytical services.

Beginning in 1998, the ground water regulations require a discharge permit for new, modified or non-compliant public wastewater systems. No additional funding or staff resources were added to address the additional workload. The existing fees do not cover the cost of developing and tracking these permits. Therefore, significant fee increases have been included in the fee amendments for this category to address the additional analysis and monitoring expenses associated with ground water. Individual ground water permits fees have been included in with surface water fees.

Finally, the Bureau is requesting fees for other activities including section 308 authorization to exceed water quality standards for pesticide application and emergency remedial activities and section 318 water quality standards for turbidity. The number of 308 authorizations has increased significantly as a result of the Ninth Federal Circuit ruling that determined a National Pollutant Discharge Elimination System Permit (NPDES) was necessary for these activities. A significant amount of staff resources has been dedicated to this issue.

The proposed adjustments will no doubt shock some permit holders, but the need to create equity while providing the level of funding necessary to maintain state primacy and water quality requires this, or a similar schedule.

Please contact either Tom Reid, Water Quality Discharge Permit Supervisor at (406) 444-5329 or Bonnie Lovelace, Chief, Water Protection Bureau at (406) 444-4969 to discuss any of this or any ideas you may have.

- | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none">1. Resolved, by this Council, that we build a new Jail;2. Resolved, that the new Jail be built out of the material of the old Jail;3. Resolved, that the old Jail be used until the new Jail is finished.” <p>Passed by the Board of Councilmen in Canton, Mississippi</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

TRAINING

TRAINING

and more TRAINING

**ORIENTATION
TO
DISASTER AND EMERGENCY SERVICES (DES)
(for elected officials)
OCTOBER 9-12
HELENA DES OFFICE**

This program provides an overview of the emergency management system in Montana, expectations, the people that work within the system and the resources that are available to assist local jurisdictions. It is a four-day training session held in the State DES Helena office. Topics include the Local Government Disaster Information Manual, applicable Montana laws, the state functions and the roles of county officials during an emergency or disaster.

\$35.00 registration fee includes 3 continental breakfasts, 3 lunches, snacks, beverages and course materials. Mileage, per diem, lodging at state rate and registration fee is reimbursable upon successful completion of the course.

Course instructors are state and local professionals who want to establish partnerships and share information in order to improve communications, trust and the networking process for responding to emergencies.

**DISCOVERY AND USE OF ELECTRONIC
DATA IN LITIGATION**

Understanding the challenges from computerized evidence can mean the difference between winning and losing in court. Larry Johnson, FIOS, Inc., a nationally renowned speaker, will address electronic evidence at a workshop in Great Falls. Johnson has 26 years of litigation experience involving high-tech issues and has written extensively on electronic discovery issues in the ABA Journal.

Electronic Evidence topics include:

Where to find it	How to get it
What to do with it	Types of evidence
Case examples	Key federal rules

**October 3 9:30 am
Great Falls Holiday Inn
Registration Fee \$79**

**Registration Form available from:
Peggy Bourne, Great Falls
455-8451 or pbourne@ci.great-falls.mt.us**

PLANNING 101

FOR LOCAL GOVERNMENT OFFICIALS

The Montana Department of Commerce presents "Planning 101" at the Montana Association of Planners annual conference, Wednesday, October 10 at the Great Northern Hotel in Billings. The day-long session will present the basic requirements of Montana planning law for planning board members, local government officials and members of the public. The agenda includes:

- 9:00 a.m. Planning Boards
Statutory roles and responsibilities including work-plans, budgets, staffing, public hearings, and legal concepts of planning
- 10:00a.m. Growth Policies
Requirements, including development, implementation, evaluation and affects of recent legislation.
- 1:30p.m. Subdivision Regulations and Review
Purpose, statutory requirements, basic review procedures, exemptions from review, and the affects of recent legislation
- 3:00p.m. Zoning
Purpose and types of zoning, statutory requirements, implementation, enforcement, variances, and boards of adjustments

Contact Janet Cornish, Montana Association of Planners
954 W. Caledonia Butte, MT 59701
(406) 723-7993 janallyce@aol.com

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Contact Dick Torkildson at 544-6664
or Mike McCourt at 721-7294.

Training is offered by
Northwest Building Operator Association
and
Montana Local Government Energy Office.

NACO COMMITTEE REPORTS

TRANSPORTATION COMMITTEE

Submitted by Vern Petersen
Fergus County Commissioner

We met on Friday morning as a TEA21 Renewal Task force. We started with a list of 14 potential issues. There were other ideas also, so we set up some procedure guidelines to help discuss all issues.

We each are to write a white paper on our priority issue by September 1. They will be categorized for a task force meeting in October or early November. At that meeting we will go through all proposals and decide which ones we can all agree to support. These will then be brought to the legislative conference in Washington D.C. as the only ones NACO will support. I believe this will be an effective way of getting our ideas sorted to effectively lobby for our interests. (Incidentally, my torch of funding for rural roads has excellent support.)

I attended the highway/highway safety subcommittee meeting. We looked at resolutions.

I also went to the Railroad Committee meeting and discussed with them the letter of understanding that was signed with BNSF on R/R crossing closures and the subsequent meeting and events. It was received with much surprise that the Railroad would talk, let alone sign something. Commissioner Melanie Worly, Chair of the Colorado Association Transportation Committee, asked if I would be willing to speak to them about our Montana process.

At the steering committee meeting we heard from Congressman Tim Holden regarding the bonding program for Amtrak. We adopted a resolution favoring the Amtrak bond program as long as it didn't compete for the same funds that states are using to subsidize the present commuter rail programs. Many want to start a commuter rail program but don't have the capital to build the infrastructure.

We also ratified 3 resolutions that were adopted at the legislative conference:

- 1) To fund a small community air service development program
- 2) To fully fund TEA21 and AIR21 in 2002
- 3) To adopt TEA21 statewide planning regulations

On Friday night we were treated to a social and tour of a new high-speed train by Amtrak. The trains run up to 150 mph.—very computerized and very plush.

AGRICULTURE AND RURAL AFFAIRS

Submitted by Harold Blattie
Stillwater County Commissioner

The Agriculture Subcommittee met on Friday to consider 13 resolutions for affirmation. These were approved to be sent to the full committee with two exceptions. One was deleted due to program no longer being federally funded and the other because it had become outdated and no longer relevant. There were no new resolutions to consider.

The full committee met the following day to consider resolutions from each of the three sub-committees. Several minor language changes were incorporated into resolutions and two resolutions concerning fossil fuels (ones I introduced at the Legislative Conference) were incorporated into an overall resolution on a national energy policy. The committee also completed a major re-write to the Agriculture Policy Platform.

The committee was addressed by Barry Denk, Director of The Center for Rural Pennsylvania, who spoke on rural zoning issues. Dr. Bruce Schmucker, Pennsylvania Department of Agriculture, also spoke about Foot and Mouth Disease and appropriate local response to an outbreak. In other committee business, we received an update from Legislative Director Eric Ciliberti about the progress Congress is making on the re-write of the Farm Bill. He advised the group that there would be a concerted effort to complete the work prior to summer recess.

“Get the facts first,
and then
you can distort them as much as you please.”
Mark Twain

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Through our partnership with National Association of Counties, Nationwide Retirement Solutions provides financial solutions for county employees to prepare for life events through retirement planning, educational programs, and attractive and competitive investment options.

Nationwide's commitment to county employers and employees includes comprehensive communication and administrative support as well as advanced interactive systems and technology.

We're making it easier for you to get the service you need. We can be reached at 877/677-3678 or visit our website at www.NRSFORU.com.



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