



HIGHLIGHTS OF THIS ISSUE

Page 2

PRESIDENT'S MESSAGE

PROPOSED RESOLUTION

Page 3

CANDIDATES FOR FISCAL OFFICER

Page 4

NEW REQUIREMENT FOR ALL GRANTS

Page 5

FEDERAL MINERAL ROYALTIES

Page 6

INSURANCE INFORMATION

Page 7

PROPOSED VEBA RULES

Page 8 and 9

PUBLIC PARTICIPATION

Page 10

NACo CONFERENCE

MACo News
 Montana Association of Counties
 2715 Skyway Drive
 Helena, MT 59602
 Phone (406) 457-7207
 Fax (406) 442-5238
 Website: <http://maco.cog.mt.us>

ARTICLES ARE WELCOMED BEFORE THE 20TH OF EACH MONTH

Email: macopb@maco.cog.mt.us
 Subscriptions are \$25 per year.

94th ANNUAL CONFERENCE LEWISTOWN AGENDA SUMMARY

Sunday, September 21

Board of Directors Meeting		3:00
President's Reception and Banquet	Governor Judy Martz	6:00

Monday, September 22

Prayer Breakfast		7:00
General Session	LeRoy Luft, MSU Extension Service	9:00
Voter Review	Jane Jelinski, Director, Local Government Center	10:30
Intergovernmental Affairs Luncheon	Eric Ciliberti, White House Liaison	11:15
General Session	Paul Beddoe, NACo Legislative Director	Noon
BOS Job Training Consortium		2:00
Joint Meeting-Insurance Pools		3:00
Urban Counties		4:00
Hard Rock Mining Counties		4:00
Oil, Gas and Coal Counties		4:00
Dinner on own		

Tuesday, September 23

Reservation Counties		7:00
JPIA Trustees		7:00
All MACo Committees Meet		8:30
General Session—Committee Reports		10:00
Economic Development	Larry Swanson, U of M	11:00
Luncheon	Mike Kadas, Mayor, Missoula	12:00
<u>Workshops</u>	Urban Counties and Cities	1:15
	Mental Health	1:15
	County Issues	1:15
	Dealing with Growth	2:45
	Open Space	2:45
	Public Participation	2:45
Six-County Fort Peck Lake Group		4:00
Coalition of Forest Counties		4:00
Buffet Dinner and Entertainment		6:00

Wednesday, September 25

General Session		8:30
Election of Officers and 2005 Conference Site Selection		
Annual Meetings—JPA and JPIA		
Luncheon	Linda Francis, Director, Montana Department of Revenue	Noon
Board of Directors Meeting		2:00



President Carol Writes

Greetings from the smoky Clark Fork valley in western Montana! I'm looking forward to seeing everyone at the conference in Lewistown. The Conference will be a much needed break from our regular responsibilities.

The Executive Committee would like to look at MACo's committee structure. Some background ideas about how we might change that structure include reviewing the NACo Steering Committee subjects and considering ways for the MACo committees to meet in a cost-effective manner. One suggestion is to meet during the first day of conference or to add a day to the conference just for committee meetings. In addition to the committee members, anyone attending the conference could attend any committee meeting. The committee chairs would report to the whole body. This process could eliminate travel costs during year.

Be sure to fill out the biography sheet during the conference and get it back to the MACo office or to me. The Executive Committee will review all the forms after the Conference and make selections for the chairs and the committees. I believe the most important appointment for each committee is the chair. It is very important to have a participating and active chair.

The current MACo Committees are:

- Agriculture
- Economic Development
- Education
- Health and Human Services
- Information Technology
- Justice and Public Safety
- Land Use Planning / Development
- Public Lands
- Resolutions
- Taxation, Finance and Budget
- Transportation

Please contact me with your ideas for changes in subjects or structures of committees.

Carol A. Brooke

RESOLUTION 2003-1 UTILITY RATE ENERGY CRISIS

The Montana Association of Counties urges the Governor, Public Service Commission and other appropriate agencies to investigate the causes and impacts of the current energy crisis in Montana and to devise a realistic plan to provide cost-effective energy to Montana citizens and businesses. This plan should also consider the effects on units of local governments of the current delinquencies of property taxes and possible protest of taxable values and taxes for NorthWestern Energy.

Whereas, prices for natural gas and electricity have risen precipitously in the past two years, averaging a 30% increase, and

Whereas, Montana now claims one of the highest energy costs in the Northwest, and

Whereas, the stability of energy procurement and delivery in Montana is questionable due to the worsening financial condition of NorthWestern Energy, and

Whereas, property taxes in many Montana counties have not been fully paid by NorthWestern Energy, and

Whereas, property tax reassessments on NorthWestern utility property in some Montana counties may be challenged, and

Whereas, the Montana Public Service Commission has begun hearings regarding energy procurement and delivery in Montana, and

Whereas, Governor Martz has established a task force to investigate the impact of the current increases in energy prices on low-income Montanans,

Now, therefore, be it resolved that the Montana Association of Counties strongly urges the Governor, Public Service Commission and other appropriate agencies to further investigate the causes and impacts of the current energy crisis on all Montanans, and

Be it further resolved that the aforementioned agencies consider also the consequences of the NorthWestern Energy tax delinquencies and possible tax protests on the financial stability of Montana cities and counties, and

Be it further resolved that MACo strongly recommends that the Governor, Public Service Commission and other agencies devise a realistic plan for providing cost-efficient energy procurement and distribution to Montana citizens and businesses.

SPONSORED BY Teton County

FISCAL OFFICER CANDIDATES



RITA WINDOM
LINCOLN COUNTY

ELECTED 1996

MACo PARTICIPATION

Taxation, Finance & Budget Committee
Vice Chair—Coalition of Forest Counties
Testified and lobbied State Legislature

COMMUNITY INVOLVEMENT

Member—Rotary, Chamber of Commerce
Founder of Kootenai Volunteer Hospice
Past President, Libby Business & Professional Women

OCCUPATION AND EDUCATION

Small business owner
College and variety of courses

THOUGHTS ABOUT MACo

In addition to being a successful small business owner, I have been a legal secretary, the head teller at a bank, and a small business consultant. The skills that I acquired in those positions, in addition to the fact that I actually enjoy working with budgets, leads me to be a candidate for this position.

MACo is a multifaceted valuable organization for all the counties. It is important to keep it strong and viable in today's uncertain economy. I am intrigued by the challenges that face us. I want to be a part of the team that enables MACo to **thrive—not just survive**.



ALLAN UNDERDAL
TOOLE COUNTY

ELECTED 1993

MACo PARTICIPATION

Fiscal Officer and Executive Board
JPA and JPIA Boards of Directors
MACo & NACo Taxation, Finance, Budget Committees

COMMUNITY INVOLVEMENT

Northern Express Transportation Authority
Golden Triangle Facilitation Group for 4 counties
Church Board (25 Years) and Volunteer Coach

OCCUPATION AND EDUCATION

Farmer / Rancher
Bachelor of Science Degree-Agriculture Production

THOUGHTS ABOUT MACo

I see MACo as local government's training, lobbying and service organization, always looking to better serve our needs. MACo also offers a means for local government officials to get better acquainted, thereby offering another resource in understanding how to do our jobs better.

I will use my previous experience as fiscal officer and on the MACo Boards to better serve you. In addition, I believe that we need to continue to be in the forefront to bring meaningful tax reform for Montana. I will work for that to be accomplished.

I continue to be available for your comments and suggestions.



BILL NYBY
SHERIDAN COUNTY

ELECTED 1999

MACo PARTICIPATION

District 1 Chair
Board of Directors
Education Committee

COMMUNITY INVOLVEMENT

Local Volunteer Fire Department
Baseball, basketball, football volunteer coach
Sports official, 10 years

OCCUPATION AND EDUCATION

Carpenter and Rancher
Associate Degree-Business Management & Accounting

THOUGHTS ABOUT MACo

I feel MACo is a great organization that serves the needs of all Montana counties. The staff makeup at the headquarters is extremely knowledgeable in all aspects of county government.

As an organization, we need to continue working together to benefit the people we serve. There are many diverse issues across the state of Montana that not all commissioners are aware of. Education and communication are areas that need to be continued and strengthened within the organization. We need to get more commissioners involved within the organization, asking the tough questions about issues.

MARK YOUR CALENDAR

September 1	Labor Day Holiday
September 5	DOR, Property Tax Re-Appraisals, MACo
September 12	DOR, Tax Reform; MACo Conference Room
September 14-19	Clerks and Recorders Association; Forsyth
September 17-18	Energy & Telecommunications Interim Comm.
September 18	State Drought Advisory Committee; 9:30 am
September 19	District Court Council; Great Falls
September 21-24	MACo Annual Conference; Lewistown
September 22	DOR, Property Tax Exemptions; MACo
September 22-26	Treasurers Association; Dillon
September 24-25	Health Care Summit; Billings
Sept. 29-Oct. 3	Magistrates Association; Helena

UPCOMING EVENTS

October 1-3	Lewis & Clark Bicentennial Conf.; Lewistown
October 1-3	League of Cities & Towns; Billings
October 3	Revenue & Transportation Interim Committee
October 8	Balance of State Council; Bozeman
October 8-9	Environmental Quality Council; Helena
October 13	Columbus Day Holiday
October 23-24	Economic Affairs Interim Committee; Helena
October 24	District Court Council; Helena
November 11	Veterans Day Holiday
November 18-20	JPA-JPIA Trustee Retreat; Helena
November 27	Thanksgiving Day Holiday
December 3-5	MACo Board Retreat
December 11-12	Revenue & Transportation Interim Committee
December 25	Christmas Day Holiday
2004	
January 1	New Years Day Holiday
January 12-15	MACo Risk Management Conference
January 14-15	Weed Association; Billings
January 19	Martin Luther King, Jr. Day Holiday
February 9-13	MACo Midwinter Conference; Billings
April 8-9	JPIA Renewals Meeting

ALL FEDERAL GRANT APPLICATIONS MUST HAVE DUNS NUMBER

The US Office of Management and Budget has directed all federal agencies to require all applicants for federal grants or cooperative agreements to use a Dun and Bradstreet **Data Universal Numbering System (DUNS)** number when applying on or after October 1, 2003. Every applicant for a new award or renewal of an award must include a DUNS number.

Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711 or by visiting www.dnb.com/us. Obtaining a DUNS number is a one-time activity.

The DUNS number will be used to link all fixed applicant data (such as name and address) in a central Federal registration repository. This will allow the data to automatically enter into the corresponding fields in any electronic application. Applicants will not have to re-enter this information on each electronic application they submit.

FOR SALE
 Blue Ray, Model Colt 200, (blue line) copier with filter
 \$500 or best offer
 Pondera County Clerk and Recorder 271-4000



The Montana Association of Counties wishes to recognize and to thank **SHARON PETERSON, STATE DIRECTOR** for United States Senator Max Baucus for her years of dedicated service to Montana and Montana counties. "We thank you for your service and extend our congratulations to you on your retirement from public service."

INFORMATION REMINDER



1. Please send your 2003-2004 Compensation Board Recommendations, including your health insurance levy, to MACo. We have information from nineteen counties and we want to complete the information for next year's Compensation Boards.
2. When you submit your 2003-2004 Annual Budget to the Department of Administration, please send a copy to MACo, also. The budgets are used to prepare information and testimony for upcoming legislative sessions.

FEDERAL MINERAL ROYALTY PAYMENTS THROUGH MAY 2003

COUNTY	% OF TOTAL	PAYMENT	COUNTY	% OF TOTAL	PAYMENT
Beaverhead	0.0416%	\$ 1,946.47	Meagher	0.0600%	\$ 2,804.11
Big Horn	42.1311%	1,969,001.90	Musselshell	0.0952%	4,449.96
Blaine	2.0189%	94,354.01	Petroleum	0.0080%	372.99
Broadwater	0.0278%	1,299.50	Phillips	8.8731%	414,686.02
Carbon	2.4449%	114,262.48	Pondera	0.0460%	2,149.91
Carter	0.9546%	44,611.40	Powder River	1.1946%	55,830.95
Cascade	0.0152%	712.39	Prairie	0.9177%	42,889.08
Chouteau	0.5446%	25,452.78	Richland	1.8918%	88,415.22
Custer	0.2277%	10,641.95	Roosevelt	0.1191%	5,567.73
Daniels	0.0048%	226.13	Rosebud	18.4744%	863,403.45
Dawson	1.9417%	90,745.53	Sheridan	0.2059%	9,624.60
Fallon	12.5322%	585,693.22	Stillwater	0.0660%	3,086.23
Fergus	0.0721%	3,370.41	Sweet Grass	0.0769%	3,594.63
Flathead	0.0035%	162.03	Teton	0.0075%	352.61
Garfield	0.0199%	931.00	Toole	0.3846%	17,972.56
Glacier	0.0481%	2,248.92	Treasure	0.7760%	36,267.69
Hill	0.4283%	20,015.64	Valley	0.9141%	42,722.61
Lake	0.0007%	34.03	Wheatland	0.0004%	20.87
Lewis & Clark	0.2804%	13,104.43	Wibaux	2.0011%	93,521.42
Liberty	0.1701%	7,950.19	Yellowstone	0.0232%	1,085.62
McCone	0.0078%	363.78			

The Mineral Leasing Act of 1920 (30 USCS 191) implies that this money be used for:

(i) planning, (ii) construction and maintenance of public facilities and (iii) provisions of public service.

Congress did not want to tell the States how to spend this money; however Congress strongly suggested that priority be given to these three areas. Other uses of this funding could give either Congress or the State an excuse to take it away from counties.

For accounting, the funds must be separated from all other funds and may not be co-mingled. The BARS Fund number is 2894 (State Allocated Federal Mineral Royalties). The revenue code is 335032 (State Allocated Federal Mineral Royalties). These codes are not in the federal payments section of the BARS book, because the funds must be in a state-shared revenue code number to prevent any notions that it is a federal payment rather than a shared federal revenue. When this money goes through the state budget process as a statutory appropriation, it loses its federal identity. If it were not handled this way, it would become a "prior year revenue" for federal purposes, which would result in a reduction in the PILT allocation.

INSURANCE INSIGHTS
by Greg Jackson
Insurance Marketing



The JPIA Property and Liability Self-Insured Pool is pleased to announce the addition of Gallatin County and Pondera County as JPIA members. That brings the number of county members to 47. The number of insured special districts currently totals 152.

The 17th year for JPIA Pool is just completed. The program continues to be successful by:

1. Establishing **cost stability**--The JPIA membership approved a \$5,000,000 20-year bond issue to stabilize the cost for self-funding the liability reinsurance.
2. Utilizing **positive financial equity** to benefit members--The JPIA Trustees dedicated a portion of the \$1.8 Million in equity to increase the funding of the liability loss fund from \$2.4 Million to \$3 Million for 2003-2004.
3. Providing **reliable risk management, administration and claims service**--As a result of pro-active risk management, the overall loss ratio for the pool for the most recent policy year is down 10% from last year.
4. Increasing **membership**--The pool membership has increased 20% since last year. Since 1996, when the pool was restructured, the pool has grown 97%.

ERGONOMIC MOUSING RISKS
Presented by Emelia McEwen
MACo Assistant Risk Manager

People who use a computer mouse for much of their workday have a higher risk of developing hand and wrist problems, according to a new study by Danish researchers.

The study, conducted by the National Institute of Occupational Health in Copenhagen, found that those who worked in front of a computer almost all day and used the mouse at least half of the time had a four-fold higher risk of problems than those who used the computer the same amount of time but used the mouse only a quarter of the time. The findings came from a survey of 3,500 workers at eleven Danish companies, with follow-up 1½ years later. "The problem is not only the mouse, but performing repetitive tasks," said Chris Jensen, coauthor of the study.

In a second study, researchers from the Odense University Hospital and Glostrup and Herning hospitals found that those who used the mouse for more than 30 hours per week had as much as an eight-fold higher risk of developing forearm pain. They also had double the risk of moderate to severe neck pain and triple the risk of right shoulder pain. The findings come from a survey of 7,000 technical assistants and machine technicians, with a follow-up one year later.

LEGISLATIVE CHANGES TO WORKERS' COMPENSATION

39-71-407 (3) (b) MCA ...an incentive payment to work at a particular jobsite is not a reimbursement for costs of travel, gas, oil or lodging, and the employee is not covered under this chapter while traveling.
<http://data.opi.state.mt.us/bills/2003/Billhtml/HB0410.htm>

39-71-604 (2) MCA A signed claim...authorizes the physician or other health care provider to disclose or release only information relevant to the claimant's condition...
<http://data.opi.state.mt.us/bills/2003/Billhtml/SB0450.htm>

39-71-702 (5) MCA ~~delete~~ "A worker may not receive more than 10 adjustments." and ~~delete~~ reference to increase of "3%, or whichever is less" for annual adjustments to compensation.
<http://data.opi.state.mt.us/bills/2003/Billhtml/HB0164.htm>

39-71-703 (1) (a) MCA ...a permanent impairment rating is not based exclusively on complaints of pain...
<http://data.opi.state.mt.us/bills/2003/Billhtml/SB0450.htm>

37-71-703 (3) MCA ...Partial disability award is arrived at by multiplying the percentage...by 375 weeks.
<http://data.opi.state.mt.us/bills/2003/Billhtml/SB0450.htm>

39-71-704 (7) (c) MCA A worker is not responsible for the cost of a subsequent visit to a hospital emergency department if the visit is for treatment requested by an insurer.
<http://data.opi.state.mt.us/bills/2003/Billhtml/HB0110.htm>

39-71-736 (1) (a) MCA Compensation may not be paid for the first 32 hours or 4 days' loss of wages, whichever is less.... The claimant is eligible for compensation starting with the 5th day.
<http://data.opi.state.mt.us/bills/2003/Billhtml/SB0282.htm>

50-16-527 (5) MCA A signed claim...authorizes a workers' compensation insurer...to communicate with a physician or other health care provider about relevant health care information...
<http://data.opi.state.mt.us/bills/2003/Billhtml/SB0450.htm>



**DEPARTMENT OF ADMINISTRATION
STATE PERSONNEL DIVISION
STATE OF MONTANA**

Mitchell Building, Room 130
PO Box 200127
Helena Montana 59620-0127

(406) 444-3871
FAX: (406) 444-0703
<http://discoveringmontana.com/doa/spd/css/>

To: Interested Persons
From: Melanie Denning, Employee Benefits Bureau
Subject: Voluntary Employees Beneficiary Association (VEBA) Rules
Date: August 20, 2003

A copy of the proposed Montana Voluntary Employees Beneficiary Association (VEBA) administrative rules has been published in the Montana Administrative Register. These proposed rules are necessary to implement the VEBA Act (MCA 2-18-1301, et seq) which was enacted by the 2001 Legislature.

The VEBA law will impact all public employers including State, City, County, K-12, University System, Boards and Commissions. For your review, a copy of the proposed amendment is located on the State Personnel Division website at: <http://www.discoveringmontana.com/doa/spd/AboutDivision/newsreports.asp> or on the VEBA webpage at: <http://www.discoveringmontana.com/doa/spd/benefits/veba.asp>.

People who have comments, concerns and viewpoints about the proposed rules may send them to me at State Personnel Division, Department of Administration, P.O. Box 200127, Helena, MT 59620-0127; phone 444-3745; or e-mail mdenning@state.mt.us. Written comments must be received no later than **September 12, 2003**.

**NOTICE OF PUBLIC HEARING
PROPOSED ADOPTION OF NEW RULES PERTAINING TO THE STATE OF MONTANA
VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION HEALTH BENEFIT PLAN**

On September 12, 2003, at 9:00 a.m., a public hearing will be held in Room 136, Mitchell Building, 125 N. Roberts Street, Helena, Montana, to consider the proposed adoption of new rules pertaining to the State of Montana Voluntary Employees' Beneficiary Association Health Benefit Plan. The following are selections from the proposed rules:

RULE II. POLICY AND OBJECTIVES (1) It is the policy of the state of Montana to establish a means for public employers to make contributions to a qualified tax-exempt trust organization to assist public employees, their dependents, and beneficiaries in the payment of qualified health care expenses. (2) Nothing in this policy is intended to prohibit an employer from establishing a similar program as an alternative or in addition to participation in the statewide voluntary employees' beneficiary association (VEBA) health benefit plan.

RULE V. ELIGIBILITY, ELECTION, AND PARTICIPATION (1) Employees eligible to participate in the VEBA health benefit plan include those employees of an eligible employer who work a minimum of half time. (2) For the purposes of election and administration of the VEBA health benefit plan: (a) a department, county, incorporated city or town, school district, or unit of the university system, may form sub-units.... (4) **Members of a group may hold an annual election to determine** whether or not they will continue their participation in the VEBA health benefit plan.

RULE VI. CONTRIBUTIONS 1) Each employer shall make deposits to the VEBA health benefit plan on behalf of its eligible members pursuant to the terms of collective bargaining agreements or employer policies. Employer deposits shall be specifically allocated to each participating member's account. (2) Pursuant to 2-18-1311, et seq., MCA, each participating employer shall provide for a member to annually designate how many hours (if any) of the member's sick leave balance in excess of 240 hours will be automatically converted to an employer contribution to the member's account each pay period. (3) Each participating employer may establish a maximum amount of sick leave hours that may be automatically converted to a contribution.

Attorney General LETTER OF ADVICE

Attorney General Opinion was requested by Blaine C. Bradshaw, Granite County Attorney.

June 4, 2003

Dear Mr. Bradshaw,

You have requested an informal opinion from this office regarding the question whether the County Commission is obligated by law to publish its agenda in the local newspaper in advance of each meeting. No such requirement exists of which I am aware. Generally, the right to notice of and participate in local government activities is guaranteed by Article II, Section 8 of the Montana Constitution, which obligates government agencies to provide such opportunity to participate as may be required by law. MCA Title 2, Chapter 3 contains the general provisions governing the right to participate.

In Attorney General Opinion 47-13 (1998), Attorney General Mazurek surveyed the law in this area. While his opinion does not focus precisely on the issue you raise, the discussion does recognize that the obligation to provide reasonable advance notice of meetings to consider matters of significant interest to the public. MCA 2-3-103 (1), 2-3-104, and 2-3-111(1) may be met by either publishing or posting an agenda reasonably in advance of the meeting. While MCA 2-3-104(4) indicates that publication in a newspaper is one method of providing required notice, the statute has not been interpreted in the cited opinion to **require** publication rather than posting of the agenda.

The cited opinion is available on the Department of Justice website. It contains useful survey of the law in this area and should provide significant guidance. This letter of advice may not be cited as an official opinion of the Attorney General.

Sincerely,

Chris D. Tweeten
Chief Civil Counsel

Attorney General OPINION

Volume 47 No. 13
(Repeat from MACo News, May 1998)

Question: Does a county commission comply with Montana's open meeting and public participation laws by establishing the hours of 9:30 am to 5:00 pm Monday through Friday, as its regular meeting date for public notice purposes? If not, what are appropriate guidelines and procedures for counties to follow in determining which matters are of "significant public interest" so as to require public notice?

Held: 1. A county commission which establishes the hours of 9:30 am to 5:00 pm, Monday through Friday, as its regular meeting date for public notice purposes is not in compliance with Montana's public participation constitutional provisions and statutes.

2. Public notice is required of any convening of a quorum of county commissioners at which any matter of significant public interest is to be discussed, deliberated or determined. Additionally, the public must be given the opportunity to participate in any decision of the commission, other than ministerial acts, if there is any question whether the decision is of "significant interest to the public."

Requested by: Mark Harshman
Blaine County Attorney

KENNEDY FILES FOR SECRETARY OF STATE

Yellowstone County Commissioner Bill Kennedy announced his candidacy for Montana Secretary of State on August 25. Kennedy, 45, has been a county commissioner since 1992 and has been re-elected twice.

Kennedy holds a bachelor's degree in secondary education from Montana State University and a master's degree in personnel and guidance from Eastern Montana College. He has chaired the MACo Health and Human Services Committee and is currently MACo First Vice President. He also serves as vice-chair of NACo Health Steering Committee.

SUGGESTED RESOLUTION

RESOLUTION NO. _____

RESOLUTION PROVIDING FOR PUBLIC PARTICIPATION

The Board of County Commissioners of _____ County, Montana in regular session this ____ day of _____, 2003, on motion of Commissioner _____, seconded by Commissioner _____, and unanimously approved, duly passed the following resolution:

WHEREAS, Section 2-3-103 (1) M.C.A. requires the Board of County Commissioners to develop procedures for permitting and encouraging public participation in decisions of the Board of County Commissioners that are of significant interest to the public and to allow public comment on public matters the Board has jurisdiction over.

IT IS HEREBY RESOLVED, that:

1. Prior to making a final decision on matters that are of significant interest to the public or have been presented during the public comment portion of the meeting, the Board of County Commissioners will afford reasonable opportunity for participation.

2. To assure adequate notice and assist public participation before a final decision is made or final action is taken on any matter that is of significant interest to the public or that has been presented during the public comment portion of the meeting, the Board will post its weekly agenda specifically identifying such matters on the main hallway bulletin board in the _____ County Courthouse.

3. The agenda for each meeting of the Board of County Commissioners shall include an item identified as "Public Comments on Matters within the Commission's Jurisdiction."

4. The weekly agenda will be posted no later than 5:00 p.m. on Thursday of the previous week. Matters that require statutory notice by publication or posting will be complied with as the particular statute may require.

5. If county business requires, the Board of County Commissioners will hold a regular meeting at ____ a.m. on _____ (day) of each week for the purpose of taking final action on matters presented during the public comment portion of a previous meeting or are of significant interest to the public involving the adoption of any rule or resolution, determining a contested case, entering into or awarding a contract or any other matter of significant interest to the public.

6. Prior to taking final action on matters of significant interest to the public or presented at the public comment portion of a previous meeting, the chairman or presiding officer of the Board will provide reasonable time for any person present to submit data or comments either orally or in writing regarding final action that may be taken by the Board.

7. The office of the Board of County Commissioners is open for business from 8:00 a.m. until 5:00 p.m. on every business day. No notice will be given of routine matters or impromptu discussions with county employees, vendors or other citizens. All meetings of the County Commissioners are open to the public unless closed as provided by statute.

NACo INFORMATION

NACo's 68th Annual Conference was held in Milwaukee County, Wisconsin. Twelve MACo members attended the sessions and steering committee meetings.

Kathy Bessette, Hill County
Carol Brooker, Sanders County
Connie Eissinger, McCone County
Doug Kaercher, Hill County
Bill Kennedy, Yellowstone County
Vern Petersen, Fergus County
John Prinkki, Carbon County
Alan Thompson, Ravalli County
Allan Underdal, Toole County
Anita Varone, Lewis & Clark County
Harold Blattie, MACo
Gordon Morris, MACo

PUBLIC LANDS

Connie Eissinger, McCone Co.

Larry Payne, USDA Forest Service, noted issues such as forest harvest, road building, fire and fuels, invasive species, unmanaged recreation and loss of open spaces.

Kit Kimball, Department of Interior, discussed upcoming Memoranda of Understanding for road access and urged opposition to an amendment to stop the funding to implement these. She said 1/3 of domestic energy is from public lands and described reasons to support ANWAR. She invited NACo appointments to the Rocky Mountain Energy Council.

The majority of the Public Lands Committee is committed to healthy forest funding as a priority, rather than funding for the protection of the wildland-urban interface areas.



ENVIRONMENT, ENERGY LAND USE

John Prinkki, Carbon County

The Steering Committee met to ratify resolutions and to approve the revised platform. All of the resolutions met with involved discussion and all but one was unanimously adopted.

The Resolution on Clean Water Act Protections (wetlands) was introduced to keep isolated wetlands under federal jurisdiction. The EPA has interpreted a US Supreme Court decision to mean that isolated waters are not under federal jurisdiction, so the regulatory and enforcement burdens associated with these waters would be upon state and local authorities.

The lone dissenter to the resolution (Robert Cope of Salmon, ID) was concerned that the interpretation of artificial wetlands created by irrigation would be considered as wetlands. He was advised that the committee should not pay attention to individual states' concerns. The resolution hit the floor so quickly, with most everyone trying to find it in their handouts, and was voted on and passed, that we were basically dumbstruck.

Fortunately, Mr. Cope was able to attend the Agriculture Steering Committee meeting, and the resolution was defeated there.

This was a very educational experience in the art of politics. It is so important to attend subcommittee meetings because, as Vern Petersen confided to me, "Those who show up make the decisions."

ECONOMIC DEVELOPMENT

Anita Varone, Lewis & Clark Co.

The Steering Committee advocates funding programs such as the Community Development Block Grants and the HOME Investment Partnerships program. Three resolutions which may affect Montana are:

1. The New Homestead Economic Opportunity Act—designed to help alleviate the effects of out-migration in rural counties. The Act allows for the forgiveness of student loans, homeownership tax credits, and establishes a venture capital fund to stimulate business investment.


2. Funding of Superfund Program—The corporate tax for the Trust Fund expired in 1996 and efforts to reauthorize have failed. Monies in the Trust Fund are diminishing and in 2004 all the money in the trust fund will come from taxpayers.

3. Reauthorization of the Economic Development Administration (EDA)—Funding expires this year. Reauthorization of the EDA will promote comprehensive economic development planning, encourage business retention and expansion, and create jobs and business investment in distressed communities.



PLEASE SUPPORT MACo SUPPORTERS

Gordon E. Hoven
 Montana Public Finance
 406 443-4958



Securities products and services are offered through U.S. Bancorp Piper Jaffray Inc., member SIPC and NYSE, Inc., a subsidiary of U.S. Bancorp. 500-0634

MORRISON - MAIERLE
 ENGINEERS • SCIENTISTS • SURVEYORS • PLANNERS
 Providing resources in partnership with clients to achieve their goals
 Billings • Bozeman • Helena • Kalispell • Great Falls • Missoula • Phoenix



Phone: 406-442-3050
 Fax: 406-442-7862
 Web page: www.m-m.net



MORRISON MAIERLE, INC.
 An Employee-Owned Company

**MACo JPIA
 Personnel Services**


Jack Holstrom
Attorney at Law

1 - 800- 471- 6304
macops@maco.cog.mt.us

ROSCOE STEEL & CULVERT
 The **Most Reliable** Source of Products
 Required for County Road Projects

406 / 656-2253
 2847 Hesper Road
 Billings, MT 59102

406 / 542-0345
 5405 Momont Road
 Missoula, MT 59802



Prepare for the Future
 Through partnership with the National Association of Counties, **Nationwide Retirement Solutions** helps public employees prepare for life events through retirement planning, educational programs, and numerous investment options.

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

To learn more, contact Nationwide Retirement Solutions at 1-877-NRS-FORU or visit www.NRSFORU.com.




*Internet
 *Long Distance
 *Private Line
 *Equipment



Call today to learn more about Touch America
1.877.671.7426
 www.tamerica.com

Board of Directors

President: Carol Brooker
 Commissioner, Sanders County
 1st Vice President: Bill Kennedy
 Commissioner, Yellowstone County
 2nd Vice President: Doug Kaercher
 Commissioner, Hill County
 Fiscal Officer: Dan Watson
 Commissioner, Rosebud County
 Urban Representative: Howard Gipe
 Commissioner, Flathead County
 Past President: Gary Fjelstad
 Commissioner, Rosebud County

District Chairs

1. William Nyby, Sheridan County
2. Todd Devlin, Prairie County
3. Joan Stahl, Rosebud County
4. Art Kleinjan, Blaine County
5. Arnold Gettel, Teton County
6. Joy Schanz, Golden Valley County
7. John Prinkki, Carbon County
8. Elaine Mann, Broadwater County
9. Bernie Lucas, Meagher County
10. Paddy Trusler, Lake County
11. Alan Thompson, Ravalli County
12. Thomas Hatch, Powell County

Associate Board Members

Leo Gallagher, Lewis & Clark County Attorney
 Janice Hoppes, Pondera County Clerk / Recorder
 Marilyn Hollister, Rosebud Co. Clerk / District Court
Joseph Christiaens, Pondera Co. Coroner's Office
 Gary Olsen, Broadwater County Justice of Peace
 Karla Christensen, Garfield County
 Superintendent of Schools
 John Strandell, Cascade County Sheriff
 Jess Anderson, Cascade County Treasurer

Staff

C. Gordon Morris.....Executive Director
 L. Harold Blattie.....Assistant Director
 Carla Smith.....Financial Officer
 Oline BartaAdministrative Assistant
 Marie McAlearPublications Officer
 Karen HoustonMeeting Planner
 Ray Barnicoat.....Risk Manager
 Emelia McEwen.....Assistant Risk Manager
 Greg Jackson.....JPIA Marketing Director
 Jack Holstrom.....Personnel Services
 Fran Monro.....JPA/JPIA Admin. Assistant

Affiliate Members

alternative service concepts (asc), Helena
 Browning Ferris Industries of Montana (BFI)
 Employee Benefits Mgmt. Services (EBMS)
 Entranco, Inc., Helena
 GeoComm, Inc., Missoula
 Life Care Services, Missoula
 Montana Association of County Information
 Technology Administrators (MACITA)
 Montana Association of County Road
 Supervisors (MACRS)
 Montana Contractors Association, Helena
 MDU Resources Group, Inc., Helena
 Morrison-Maierle, Inc., Helena
 MSU Extension Service, Bozeman
 Norman Grosfield, Helena
 NorthWestern Energy, Helena
 Roscoe Steel & Culvert, Billings & Missoula
 Short Elliott Hendrickson, Inc., Bozeman
 Stahly Engineering, Helena and Bozeman
 Tractor & Equipment Company, Williston ND
 Tractor & Equipment Company, Great Falls
 Tractor & Equipment Company, Billings