



HIGHLIGHTS

Page 3
MACo COMMITTEES

Page 3
POLLING PLACE
SURVEYS

Page 5
REIMBURSEMENTS

GIS PLANNING

Page 6 - 7
SPOTLIGHT ON
COUNTIES

Page 8
HCT WEBSITE

Page 9
A. G. OPINIONS

Page 10
COURTROOM
SECURITY

Page 11 - 13
NACo COMMITTEE
REPORTS

Pages 14 - 15
ADVERTISERS
Great Plains Towers
Joint Powers Trust
Peccia and Associates
Kadmas, Lee & Jackson
Lane & Associates
Roscoe Steel & Culvert
Morrison Maierle
Nationwide Retirement
MACo Personnel Services

Page 16
MACo SCHEDULE

NATIONAL COUNTY GOVERNMENT WEEK APRIL 23 - 29, 2006

GOVERNOR'S EMERGENCY PREPAREDNESS SUMMIT

May 22 - 25, 2006

by Chuck Egan, Stillwater County

Montana and our nation face challenges never thought to be true, with major fires, hurricanes, floods and terrorism. Governor Schweitzer feels the importance of being prepared to assist citizens under any circumstance. This Summit is called to help all of us become better prepared to address any situation that comes our way. A number of agencies are preparing an agenda that will help providers and responders feel more confident and knowledgeable when they receive a call for a scene or major event.

National speakers will discuss the issues and increase understanding, along with identifying the important factors that will increase effectiveness on state and local levels. Some topics are:

The Flu Pandemic

This nationally significant topic will provide training for health providers so they might address the vaccination programs, organize for immediate delivery and insure our citizens are included in a prevention and treatment programs.

Special Breakout Sessions

The Naval Post Graduate School instructors will facilitate sessions for elected officials, private industry, HAZMAT responders, as well as those involved in

public health and mutual aid agreements. The sessions will identify the important functions and processes to prepare the plans, implementation, response teams and leaders for major disasters.

James Lee Witt Retired FEMA Director

Witt is an outstanding leader in Disaster and Emergency Services. He is a great resource, bringing expertise to the Summit that will satisfy appetites for information and knowledge.

Emergency Management Panel

Some time is allowed for comments from panel members about the responses to Hurricane Katrina. Several groups traveled to the disaster to provide assistance. The challenges, responsibilities, accomplishments and concerns will be addressed.

Mutual Aid in Montana

This is a chance for law enforcement, fire responders, HAZMAT, Canadian partners, public and private partnerships and health care providers to talk about systems of mutual aid. This is a good time to reinforce programs and to identify solutions to provide workable and sensible functioning.

Continued on next page

Legal Implications

These break out sessions will examine the legal aspects of disaster and emergency situations. Elected and government officials, private industry, first responders, public health practitioners and volunteer agencies will have a chance to learn about the legalities. This is a very important session that offers clarity to the decisions and actions we take.

Agri-Terrorism

The implications from terrorism that could effect our food supply are endless. Considerable effort has gone toward offering mediation, methods for protection and real experiences.

Mark your Calender

- Date:** *May 22 - 25, 2006*
- Location:** *Holiday Inn Convention Center Billings*
- Speakers:** *Disaster and Emergency Services Professionals*
- Format:** *Scenario presentations to set the stage, followed by breakout groups to identify the important issues to be addressed by state, county and local citizens involved in all levels of response and direction*
- Audience:** *Health Providers
Elected Officials
Law Enforcement
Emergency Responders
DES Staff and Personnel
Environmental Health Staff
Volunteer groups
E-9-1-1 Personnel
Industry and Private Enterprise
GIS Users
Road Departments
Consultants
Military
State Departments & Agencies
Federal Agencies
Media
Vendors
Special Interest Groups*

MACo's TRAVELING PRESIDENT

By Douglas Kaercher, MACo President, Hill County

I am still traveling around the state on a fairly regular basis. This is proving to be very educational and interesting, and I am getting very picky about the overnight accommodations.

Recently I attended the Public Defender's Commission meeting at an unnamed south central resort. This resort tended to be a bit more rustic than I'm accustomed to in my travels. I stayed in a 12'x12' cabin that must have been a good 5 minute drive from the lodge and lacked the amenities that make staying away from home a bit more tolerable, like a phone or a TV.

It may have been my cell phone service, but to make a call I had to set my phone to speaker, walk around in little circles until it dialed and then hold perfectly still as not to lose this connection, with my arm sticking straight out. I didn't dare tip my head the wrong way or I had to start all over.

The experience that I had in the restroom at the lodge may have been a little more revealing about my mental state than a problem for anyone else. After using the facilities, which had no sink, there was a sanitizer dispenser hanging on the wall. Its label read "Rub small amount vigorously on clean hands". This stumped me! If my hands were clean, why would I need to use this? At least there wasn't a long line waiting while I tried to figure this one out.

I was never so happy to drive 345 miles home!



Monday, March 20, 2006

THE MONTANA COALITION OF FOREST COUNTIES

By Rita Windom, President, Lincoln County

At the Montana Coalition of Forest Counties (MCFC) meeting, we were fortunate to have invited speakers NACo President Bill Hansell and Bob Douglas, Chairman of the National Forest Counties and Schools Coalition. They addressed the importance of the reauthorization of PL 106-393, known as the "secure funding" bill for schools and roads. The meeting was open to all counties in Montana as the funding impacts all counties, not just forest counties. We had 79 commissioners and interested parties in attendance. This bill will be our focus as the funding is critical to the financial well-being of counties.

The Coalition of Forest Counties and Schools Annual Convention in Reno is April 7-9. We encourage all counties to attend as there will be a number of high ranking federal officials in attendance to discuss a variety of issues. For more information, go to

www.forestco.tcde.tehama.k12.ca.us .

A committee was established to study the bylaws and to make recommendations for any updates at the annual meeting.

MACo RESOLUTIONS COMMITTEE

By Mike Murray, Chair, Lewis & Clark County

The Committee briefly discussed proposed resolutions. It is our intent to meet shortly after the spring district meetings to review proposed resolutions and move them on to appropriate MACO committees. We remind commissioners to bring their proposed changes via resolutions to the spring district meetings.



Bring your proposed legislative resolutions to your MACo District meeting!

MACo ECONOMIC DEVELOPMENT COMMITTEE

By Mike McGinley, Chair, Beaverhead County

The six major policy issues for our Committee are:

Partnership	Entrepreneurship
Infrastructure	Education
Taxation	Quality of Life

Our three main goals for the year are:

to Educate
to Develop Relationships and
to Identify Issues.

We agreed to send a letter to the Governor supporting the development of coal-bed natural gas under the rules that exist today.

We had lively discussion on the 2006 Economic Outlook Report presented statewide by the University of Montana Bureau of Business and Economic Research.

ORIENTATION STATE / DES HOMELAND SECURITY

from Fred Naeher, DES Training Manager

April 25-28, 2006

Registration Deadline: Noon, April 14, 2006

LOCATION: Helena

Armed Forces Reserve Center Auditorium
Fort Harrison (7 miles west of Helena)

COST (\$35) AND REIMBURSEMENT:

Upon successful completion of the course:

- Registration fee is refundable
- Mileage and per diem at state rate is reimburseable
- Motel is provided at Fort Harrison. If rooms are not available at Fort Harrison, motel at state rate will be reimbursed.

POLLING PLACE SURVEY DEADLINE

By Beth Brenneman and Dennis Unsworth
Montana Advocacy Program

The deadline for surveying your county polling places for the June primary election is **April 21**. The Montana Secretary of State's Office has provided the *Accessibility Checklist for Primary and General Election Polling Place Certification* on its official website (www.sos.mt.gov), which provides a step by step guide. The checklist begins with the parking area and walks the user through the building to the polling area, while specifying the accessibility requirements throughout. If the user finds that the building does not meet a standard in the checklist, the checklist provides suggestions to address and fix that problem. To ensure that the election process is accessible to people who are elderly and/or with disabilities, these issues must be addressed prior to the upcoming election.

If improvements are needed, grants up to a maximum of \$5,000 per polling place are still available. To apply for a grant, election administrators should complete the one-page application and submit it to the Montana Advocacy Program by **April 15**. Those involved in the program have told us that the improvements that they have made have benefited the local community by making community facilities more inclusive and accessible to everyone.

Where improvements cannot be made in time for the election and a good alternate location can't be found, a temporary exemption from compliance with the accessibility requirement is available under state law. To apply for the exemption, the election administrator must form a local voting accessibility advisory committee. The committee must have at least three members, and two of those members must represent an organization for the elderly or an organization for people who have disabilities. The committee must participate in the survey of polling places. Only this committee has the ability to evaluate and certify that the polling place is "technically inaccessible, but useable."

A temporary exemption is also available for "rural" polling places-- those with a total of 200

or fewer voters. Election administrators should contact the Secretary of State's Office (444-5376 or 444-5346) for the exemption forms and/or the grant form.

The requirements for accessibility, polling place surveys and exemptions are found in state law at Title 13, Chapter 3, part 2 and in the administrative rules under Title 44, Chapter 3, subchapter 1. These exemptions pertain only to a county's responsibilities under Montana law. For information regarding a county's responsibilities under the Americans with Disabilities Act (ADA) or other federal laws, it is important to seek the advice of legal counsel.

RECOGNIZING A STROKE

Submitted by Harold Blattie from an Internet site

Unfortunately, the lack of knowledge can be disastrous when it comes to helping a person in distress. The stroke victim may suffer brain damage when people nearby fail to recognize the even slight symptoms of a stroke.

A neurologist has said that if he can get to a stroke victim within 3 hours, he can totally reverse the effects of a stroke. He said the trick is to recognize the stroke and reach the patient within 3 hours.

Now doctors say a bystander can recognize a stroke by asking three simple questions:

1. ***Ask the individual to SMILE.**
2. ***Ask him or her to RAISE BOTH ARMS.**
3. ***Ask the person to SPEAK A SIMPLE SENTENCE (i.e. It is sunny out today.).**

If he or she has trouble with any of these tasks, call 9-1-1 immediately and describe the symptoms to the dispatcher.

After discovering that a group of non-medical volunteers could identify facial weakness, arm weakness and speech problems, researchers urged the general public to learn the three questions. They presented their conclusions at the American Stroke Association's annual meeting. Widespread use of this test could result in prompt diagnosis and treatment of the stroke and prevent brain damage.

REIMBURSEMENT AGREEMENTS-- CAUTIONS

*By Jack Holstrom,
MACo Personnel Services Administrator*

The last Legislative Assembly enabled counties to recover the costs of basic training in the event an employee leaves employment shortly after completing the training. Section 7-1-210 MCA specifically authorizes counties to enter into reimbursement contracts for basic training costs if an employee leaves employment before completing a reasonable period of service.

This legislation may be a great benefit to counties that are having retention problems after paying for basic training costs for employees. These contracts will be particularly suitable for law enforcement positions such as deputy sheriffs, detention officers, and dispatchers. MACo and the Montana Sheriffs and Peace Officers Association have drafted a model contract to take advantage of the new law.

However, as the contracts are a condition of employment, a county must negotiate the use of the agreement with the union if the employees are represented by a union. For non-union employees, the county can insist that the employee sign the contract prior to beginning work.

To go to the MACo website, click on:

<http://maco.cog.mt.us/property&liabilityinsurance/ModelReimbursementAgreement.doc>

OR

<http://maco.cog.mt.us> "INSURANCE" button, click on "PERSONNEL SERVICES"; click on "MODEL TRAINING REIMBURSEMENT AGREEMENT".



Wednesday, March 22, 2006

GEOSPATIAL INFORMATION (G.I.S) PLANNING

*By Stu Kirkpatrick, Department of Administration
ITSD, GIS Bureau Chief*

In 2005, the Montana Land Information Act (MLIA) was signed into law by Governor Schweitzer. The Act provides for the creation of the Montana Land Information Advisory Council (Council) and for the funding of Geographic / Geospatial Information (GIS) activities through Land Information Accounts at the county and state levels using county recording fees.

In September 2005, the Montana Department of Administration obtained a Federal Geographic Data Committee grant to develop a state geospatial strategic plan that could help guide the administration of MLIA funds and to provide a framework for continued advancement of the State's GIS technologies.

The Council is now embarking on this strategic planning effort to provide overall direction for Montana's GIS community of technical specialists and users in both the public and private sectors. This planning effort will identify goals and objectives as well as specific implementation strategies to provide reliable, easily accessed information in more efficient ways for a variety of shared applications aimed at the overall economic and community development needs of the state of Montana.

For the first step, the Council's staff is meeting with various stakeholder groups to learn of the challenges and opportunities associated with the use of GIS, and to identify some preliminary strategic goals and objectives. Stakeholder groups include state, local and federal government entities, private sector representatives and Tribal organizations. The information obtained during these meetings will provide guidance to the Council as it prepares the strategic plan and identifies resources needed for implementation.

To help set the stage for this planning, we ask that you take a few moments to **complete the questionnaire** to be found at: www.surveymonkey.com/s.asp?u=453021732603

SPOTLIGHT ON YELLOWSTONE COUNTY

ANTI- OBSCENITY MEASURES TO BE ON BALLOT COUNTY SAYS IT WOULD BE PREPARED TO GO TO COURT TO DEFEND ORDINANCES

*by Tom Howard
Billings Gazette Staff*

Two ordinances designed to ban distribution of obscene materials and to regulate sexually oriented businesses will go before Yellowstone County voters on June 6.

Yellowstone County Commissioners unanimously approved a primary election ballot for an ordinance that would make it a crime to distribute obscene materials and for an ordinance to amend the zoning code to more closely regulate sexually oriented businesses.

The proposed obscenity ordinance, following language of the U.S. Supreme Court, defines something as obscene if the "average person, applying contemporary adult standards, taken as a whole, would find that the material appeals to the prurient interest in sex" and that a reasonable person would

judge that the work "lacks serious literary, artistic, political or scientific value."

An anti-obscenity group, Citizens Against Sexual Exploitation (CASE), presented both ordinances to Commissioners in 2003. Commissioners weren't sure they had the authority to enact them, so they filed a "friendly" civil lawsuit, naming Dallas Erickson of Stevensville as defendant. Erickson heads up Help Our Moral Environment, an organization that has fought to limit sexually oriented businesses across the state.

District Judge Russell Fagg ruled that commissioners had the authority to place both ordinances before the voters. Because some legal issues remained unresolved, the Commissioners appealed the case to the Montana Supreme Court, but the Court refused to consider it.

After that, CASE brought both ordinances back before the Commissioners.

The Commissioners said they would be prepared to go to court if the voters approve them and a lawsuit is filed. "Our deputy county attorney has assured us that he can defend both of them, and we believe the voters should have the right to decide," Commission Chairman John Ostlund said.

The obscenity ordinance would be enforced county-wide.

The ordinance restricting sexually oriented businesses would apply only to the County's 4½-mile zoning jurisdiction area outside the Billings city limits. Years earlier, the City of Billings had passed an ordinance to prohibit nude

dancing in establishments that serve alcohol. But after a business introduced nude entertainment just outside city limits, the City didn't have the same authority.

SPOTLIGHT ON MISSOULA COUNTY

COUNTY BUILDING INSPECTIONS SET TO BEGIN

*By Mea Andrews
Missoulian Staff*

Missoula County is launching its new building-inspection program.

The new county service has a manager, four inspectors and an administrative coordinator and awaits state certification, said Greg Robertson, Director of Public Works for the County. He said, "Where it will be different is out in the more rural parts of the county" where residents and contractors have less experience with government-based inspection programs.

Several calls a day are coming in from trades workers and contractors trying to decide whether to start projects now, or wait until the county can oversee their project start to finish, said Steve Hutchings, director of the new division.

Homeowners who do their own work on their own

home are exempt, although there are some permits everyone needs - electrical, for instance. Hire a contractor or another person to do the work, and the rules change.

"We hope people see value in having construction inspected from the start," said Hutchings, "looking at everything from foundations to framing to plumbing, electrical and mechanical works inside and outside a home."

Eventually, the county hopes to have inspectors working from satellite offices to save on travel time. Inspectors will use a checklist for consistency and will send out customer-satisfaction surveys. Information and progress will be available online for property owners and project contractors.

An appeals board, with five members, was appointed to handle disputes. An advisory board also is in the works.

NACo HONORS CASCADE COUNTY

*Submitted by Sheryl Wood
from NACo News*

The National Association of Counties (NACo) announced the winners of its 2005-2006 Center for Sustainable Communities Awards recently. Cascade County, Montana Department of Environmental Quality, National Renewal Energy Laboratory, and Wind Powering America were recognized for their Cascade County Wind Power Marketing Pro-

gram. Horseshoe Bend Wind Park is a reality, in part, because of the wind power marketing effort initiated by Cascade County Commissioner Peggy Beltrone in 2002.

The nine megawatt wind park received assistance from several aspects of the County's marketing program. The County took initiative by improving their wind data maps and providing them free to developers. The maps accurately pin-pointed successful wind farm sites and alleviated much of the risk for the developer. The project has won Cascade County national praise and the prize of being home to one of Montana's first utility grade wind farms.

The awards recognize the most effective and innovative county-led partnerships with private sector, faith-based or community groups in developing economically prosperous, environmentally safe, and socially equitable communities. The 12 communities honored were chosen by an expert panel of public and private sector leaders through a two-stage judging process.

Honorees will receive their awards during the 2005-2006 Sustainable Communities Awards Presentation Ceremony and Reception, April 27 on Capitol Hill, Washington, D.C. The event is part of National County Government week April 23-29. The Center will also announce three Outstanding Practice recipients (\$5,000 award) and one Platinum Innovation community recipient (\$10,000 award) for sustainable community development.

SAFETY RAY SEZ

*By Ray Barnicoat
MACo Risk Manager*

Keeping policy manuals up to date is an on-going task. Law changes, court decisions, new products, new procedures and changing trends are reasons for constant policy review.

This month I will begin working with the Montana Sheriffs and Peace Officers Association (MSPOA) and the Montana Law Enforcement Academy (MLEA) on two policy projects.

The Montana Law Enforcement Model Policy Guidelines were published and distributed in 2000. They will be reviewed and updated during a retreat at the MLEA on April 3 - 8, 2006. The retreat group also will be adding four more policies to the guidelines: 1) Electronic Control Devices (EDC / Tazers), 2) American with Disabilities Act (ADA) law enforcement issues, 3) Intervention of Intoxicated Persons and 4) Responding to Staff Members Involved in Domestic Violence. This advisory group will include risk managers, law enforcement professionals and attorneys.

During April 17 - 19, a jails committee will review the 2000 edition of the Montana Jail Standards and consider the merits of proposing a jail inspection program in Montana. Consultants from the National Corrections Institute (NCI) will guide this group.

After each group is satisfied with its product, it will be published and distributed to the law enforcement agencies.



We are pleased to announce the new
MACo Health Care Trust website!

www.macohct.com

FEATURES

- General plan information at your fingertips
- Easy to navigate
- Secure access to claims information online

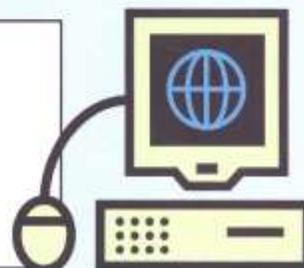
HIGHLIGHTS:

- Menu buttons are displayed on all pages
- Plan documents and forms are easy to access
- Every page has Quick Links to the Claims website and other helpful resources!



Log on to
www.macohct.com

Site maintained by MACoHCT Administration
Call 866-664-6428 with questions!



ATTORNEY GENERAL OPINIONS

Full texts are available at
<http://www.doj.state.mt.us/resources/opinionsindex2006.asp>

Volume 51 No. 12

1. A city council must provide an agenda item for public comment on non-agenda matters only for issues that are of significant interest to the public. Public notice is required for any meeting of the council.

2. A city council must provide an agenda item for public comment on non-agenda matters of significant interest to the public even when the council meets in informal work sessions where no action may be taken.

3. The right of the public to comment at a meeting of a city council on non-agenda items extends to matters that may involve an interest in individual privacy. The presiding officer retains the power to close the meeting to other members of the public upon a determination that the right of individual privacy clearly outweighs the merits of public disclosure.

4. Title 2 Chapter 3 MCA applies to all advisory boards, commissions and committees of the city council subject to the limitation that such entities need not permit public comment on matters that are not of significant interest to the public.

5. Only an item that is not of significant public interest or is otherwise exempt from the public participation requirements of MCA § 2-3-103 may be added to the city council agenda and acted upon at the same meeting.

Requested by Brent Brooks, Billings City Attorney

Volume 51 No. 13

When the Department of Corrections contracts with a Montana private nonprofit corporation to establish residential methamphetamine treatment programs pursuant to MCA § 53-1-203(1)(c)(ii), it need not undergo the privatization plan process outlined in MCA §§ 2-8-302 and 2-8-303.

Requested by Bill Slaughter, Director
Department of Corrections

Volume 51 No. 14

Were the amendments to MCA § 61-3-321, enacted into law by the 2005 Legislature, concerning the payment of registration fees upon a transfer of license plates to a replacement vehicle, correctly codified in the 2005 edition of the Montana Code Annotated?

1. MCA § 61-3-321 (2005), as codified, conflicts with 2005 Mont. Laws, ch. 596, §§ 148 and 149.

2. The coordination instruction found in 2005 Mont. Laws, ch. 596, § 149, incorporated § 148's prescribed amendment of MCA § 61-3-321, as further modified in § 149; accordingly, all registration fees imposed under § 61-3-321, as so amended, must be paid if the vehicle to which plates are transferred is not currently registered.

3. Since the codified version of the bills conflicts with the enrolled bill, § 149 as interpreted herein must be given effect over the codified version of MCA § 61-3-321 (2005).

Requested by David Ewer, Director
Governor's Office of Budget & Program Planning

Volume 51 No. 15

A municipality may choose to participate in cooperative purchasing with the Department of Administration of the State of Montana pursuant to MCA §§ 18-4-401 to 407 without first seeking its own competitive bids as an alternative to the competitive bidding requirements set forth in MCA § 7-5-4302.

Requested by Jim Nugent, Missoula City Attorney



Friday, March 24, 2006

COURTROOM SECURITY and TRANSPORTATION

*Submitted by Perry Eidum
Montana Sheriff and Peace Officers Association*

April 26 or April 27, 2006
Montana Association of Counties Conference
Room, Helena
8:30 a.m.

Within the last year, tragic events involving the judiciary and support elements of the judicial process have graphically illustrated the vulnerability of judges, bailiffs, witnesses and other concerned parties. Armed attacks, hostage situations, and transporting dangerous subjects from detention facilities to the courtroom environment have become serious concerns.

The Montana Sheriffs and Peace Officers Association, in cooperation with the United States Marshals Office, will present two one-day training sessions on April 26 and 27.

The training, provided by Deputy U. S. Marshall Rod Ostermiller, will cover the following topics: Court security

- Bomb threat management
- Sequestered juries
- Witness security
- Spectator seating
- Prisoner transportation
- Defendant-restrained/unrestrained

The Division of Criminal Investigations from the Montana Department of Justice has just completed the statewide courtroom security survey, and will make those results available to attendees.

This training is available to all courtroom support staff, judges, bailiffs, courtroom security officers, transportation officers, and supervisory and/or elected officials.

Cost for this training is \$25.00, which includes lunch.

To register please use the form, contact the MSPOA office at 406-443-5669 or access a registration form at www.mspsoa.org

COURTROOM SECURITY TRAINING

April 26 or April 27, 2006
MACO Conference Room

REGISTRATION FEE: \$25
(includes lunch)

REGISTRATION DEADLINE:
Wednesday, April 19, 2006

REFUNDS: There will be NO refunds for cancellations after April 19, 2006.

NOTE: The same training will be on April 26 or 27. Please choose the day that fits your schedule.

Please complete and return this registration form:

MSPOA
34 W. 6th Ave., Ste. 2E
Helena, MT 59601
Or Fax to: (406) 443-1592

Name _____

Title _____

County/ Organization _____

Address _____

City _____ Zip _____

Telephone _____

Fax _____

Email _____

I plan to attend ONE of the following:

_____ April 26, 2006

_____ April 27, 2006

Method of Payment

_____ Payment Enclosed

_____ Invoice Me

_____ Payment in Process

Questions or concerns? Contact the Montana Sheriffs and Peace Officers Association at (406) 443-5669

NACo COMES TO MACo MIDWINTER



NACo President Bill Hansell presents his Presidential Initiative on Methamphetamine Abuse.



Margaret Hansell speaks on Court Appointed Special Advocates (CASA)

Also presenting information on NACo-sponsored programs were **Randy Grow, Retirement Specialist for Nationwide Retirement Solutions** and **Lisa Cole, Director of NACo Enterprise Services, which sponsors US Communities Purchasing.**

COMING IN NEXT MONTH'S NEWSLETTER
REPORTS FROM
TRANSPORTATION STEERING COMMITTEE
By Jamie Doggett
LABOR & EMPLOYMENT STEERING COMMITTEE
By Cynthia Johnson
AGRICULTURE & RURAL AFFAIRS COMMITTEE
By Kathy Bessette

NACo HEALTH STEERING COMMITTEE, RURAL ACTION CAUCUS and HOMELAND SECURITY and METHAMPHETA- MINE TASK FORCES SECTIONS FROM LEGISLATIVE CONFERENCE REPORT

By Bill Kennedy, Yellowstone County

The Health Steering Committee worked to extend the deadline to sign up for Medicare Part D Pharmacy program from May 15 to November 15, 2006. Medicare cuts, Medicaid cuts and veterans medical cuts in the Presidents budget, and continuance of intergovernmental transfers, were other topics. We had some new resolutions along with concern for funding of medical care in rural communities.

The Rural Action Caucus, which I chair, set Secure Rural Schools funding and PILT as top priorities. Securing funding to help counties with methamphetamine arrests, prevention and clean up was also a topic. The Rural Action Caucus will have a fly-in the last week of April to support the Community Development Block Grant (CDBG) program, funding of methamphetamine programs and federal funding of public lands (PILT and Secure Rural Schools funding).

The Homeland Security Task Force was briefed on changes in homeland security, especially the planning process for disasters and other catastrophic events. We are ranked at the top for counties in the country that are addressing interoperability. Later, the head of Homeland Security, Secretary Michael Chertoff, addressed the General Session.

The Methamphetamine Task Force and NACo have been given national attention. We thank President Bill Hansell for his leadership on this fast growing problem in our communities.

NACo ENVIRONMENT, ENERGY AND LAND USE STEERING COMMITTEE

SECTIONS OF LEGISLATIVE CONFERENCE REPORT

By John Prinkki, Carbon County

1) The Air Quality Subcommittee heard from Laura Kolb, EPA, and Dave Jacobs, National Center for Healthy Housing, about "Mold: What you should know about this unwelcome guest." If a building has a water problem, such as the leaky basement walls in the Carbon County Annex that allow moisture to remain on biodegradable materials (wall board, paper or lumber), a mold problem will develop. By eliminating the water problem, the mold problem is cured. Dr. Kolb also stated that there is NO SUCH THING AS TOXIC MOLD. Mold can cause serious respiratory problems, but is not life threatening. Mold abatement costs are generally offset by savings in medical costs.

2) The Solid Waste Subcommittee discussed E-waste. The Consumer Electronics Retailers Coalition is developing programs to help reduce electronic waste going to landfills.

3) In the Water Quality Subcommittee, Merrie Inderfurth, Association of State Floodplain Managers (ASFM), stated that the effects of Hurricane Katrina would not have been as severe if the wetlands on the Gulf Coast had been better preserved. She also stated that this hurricane season had a huge impact on the flood insurance program. The ASFM is promoting the mandatory purchase of flood insurance.

4) The Energy Subcommittee heard from our own Cascade County Commissioner, Peggy Beltrone, and Ian Baring-Gould from the National Renewable Energy Laboratory on "Wind Power for County Officials, and the Future of Renewables." She is working on a booklet that will assist in developing wind projects. A draft copy is available for comment.

5) The Land Use and Growth Management Subcommittee adopted a resolution in support of urban forestry and proposed an endow-

ment be created to maintain funding. This resolution was accepted unanimously.

The Subcommittee also learned that form-based zoning allows for a mixture of residential and commercial business so that activities are within walking distance. Roads are designed so that traffic does not have to go to a main highway to access shopping and schools.

In the full Environment, Energy and Land Use Committee (EELU), a resolution to amend the National Environmental Policy Act (NEPA) was given short shift, partially because it was also presented to the NACo Public Lands committee. The EELU Land Use Chair Robert Wiener feels that this issue does not effect EELU. I disagreed. If the Montana Association of Counties feels that we should engage in a rewrite of NEPA, I will be more proactive.

The EELU Committee discussed the 'emergency resolution' from Larry Johnson from Louisiana, "Resolution on Fair Distribution of Off-shore Oil and Gas Revenue." When it did not receive the required 2/3rds vote to consider it, Mr. Johnson resigned from the committee and stomped out of the room. The resolution states that most states receive 50% of federal mineral royalties from production within their states and that Louisiana should get its fair share. Louisiana Senator Mary Landrieu addressed the Committee later, but the issue still came off as being tied to Katrina relief, rather than an issue of fairness, as most of the wells are over 90 miles from the Louisiana coastline and not within the state boundaries. The Louisiana Delegation was asked to present this resolution at the Annual Convention in Chicago with more background information on what effects this would have on other states.

Donald Hey, Wetlands Research, Inc., stated that by using wetlands for waste water treatment, \$150 million could be saved annually in power costs. Mr. Hey encouraged the restoration of 10-15% of the nation's wetlands (about 24 million acres). This would help in addressing Total Maximum Daily Loads on impaired waters.

A map produced by the US EPA shows a very large amount of impaired waters in Montana. We need to learn more about why these rivers and lakes are considered impaired and why. I will ask MDEQ.

NACo PUBLIC LANDS STEERING COMMITTEE

SECTIONS OF LEGISLATIVE CONFERENCE REPORT

*By Alan Thompson, Ravalli County
Montana Forest Counties Representative*

Federal Lands Payment Subcommittee

Mr. Gerry Hillier, Executive Director of Quad State County Government Coalition in California, gave an analysis of PILT. The formula for PILT counts population first and acreage second. The current PILT formula ignores all tax base losses except land that goes to either Park Service or wilderness. The largest payment goes to Pima County AZ (\$1,930,009) and the largest amount per-acre is paid to Guilford County NC at \$40.56 per acre. The largest entitlement is to a county in Alaska that has 60,779,705 acres and the average paid throughout the nation is \$.37 per acre. 69% or 2,133 counties have some PILT acres.

PILT is still less than 70% of full payment. PILT doesn't reflect the reality of the use of funds. For instance any jurisdiction greater than 50,000 is capped.

He also said that the Secure Rural Schools Act needs to be reauthorized because timber sales and receipts will continue to fall and payments to PILT will also fall.

Federal Lands Management Subcommittee

Resolution #1 is to provide adequate and appropriate funding for staffing, maintenance, research and operational needs of Federal lands. After discussion, the resolution passed.

Resolution #2 concerned the recovery of forest ecosystems following catastrophic events. I spent some time commenting and explaining the problems we have had. This resolution passed with minor word changes.

Resolution #3 is to allow timber sales to proceed on National Forests or return the lands to local public forest management. This resolution was heavily debated and tabled.

Resolution #4 asks for revision of NEPA. This resolution passed unanimously as amended.

Gateway Communities Subcommittee

A presentation from Pitkin County CO explained their move from resource extraction to quality of life done since 1990. They are trying to protect open space and agriculture through various conservation easements and built 35 miles of trails. Gallatin County was highlighted and shown as an example of what can be done.

Public Lands Steering Committee

A report from Commissioner Gary Gilbert, Wildland Fire Leadership Council, described re-visiting their 10 year strategies and working with the Western Governors Conference to come up with more effective ways to battle fires and asked for better coordination and service ideas

The resolution on timber sales, which had been tabled, had language approved that was specific to a Wisconsin forest, and was passed.

The next resolution was supporting the Secure Rural Schools Act. The resolution calls for the transfer of Federal lands in Idaho to the State for management and the monies generated would be 75% given to the State and 25% to the Federal Government. As a side note, why doesn't our Legislature pursue something such as this for our state?

Under-secretary Mark Rey addressed the committee. He started by asking #1 Who was affected by the Secure Rural Schools act? #2 Who was in favor of reauthorization? #3 Who was in favor of the sale of land to pay for the act? Many hands raised on the first two questions and very few on question #3. In 2000 there was a budget surplus and some of that funded the Act. There is no surplus now and no money without the sale of isolated parcels. There are 2,900 parcels in 31 states that are considered isolated and difficult to manage. He said the sale makes good economic sense especially since the Federal Government acquires 100,000 to 125,000 acres per year traditionally. Reauthorization will be difficult without funding. Mr. Rey continued to say the program has no funding source at this time and he also spoke to specific parcels of land that could be sold to fund the program.

Nancy McNally, Executive Director, National Endangered Species Act Reform Coalition (NESARC), spoke on the Act. What started out 30 years ago to protect 109 species has evolved to 3,000 species.

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Wednesday, March 29, 2006

MACo SPRING DISTRICT MEETING SCHEDULE

- Monday, May 15 -- Districts 6 and 7**
Billings, MetraPark Yellowstone Room
- Tuesday, May 16 -- Districts 1, 2 and 3**
Plentywood, Civic Center, HWY 16 S
- Wednesday, May 17 -- Districts 4 and 5**
Shelby, Elks Club, 137 Main Street
- Thursday, May 18 -- Districts 10 and 11**
Polson, Public Health Conference Room
802 S. Main
- Friday, June 2 -- Districts 8, 9 and 12**
Whitehall

All meetings are scheduled for 10:00 a.m.
and include a no host lunch.

MARK YOUR CALENDAR

UPCOMING SCHEDULE

- | | |
|-------------|---|
| April 3-6 | MACRS Convention; Great Falls |
| April 5-7 | Co. Superintendents of Schools; Fairmont |
| April 7-9 | National Coalition of Forest Counties; Reno |
| April 18 | JPA Trustees Actuarial Presentation; pm |
| April 19 | JPIA Trustees Renewal Meeting; am |
| April 20 | MSU Landfill Operator Training; MACo |
| April 23-27 | Magistrates Convention; Missoula |
| April 25 | MACo Tax, Finance & Budget Committee |
| April 26-27 | MSPOA Seminar; MACo Conference Room |

UPCOMING EVENTS

- | | |
|-------------|---|
| May 10 - 12 | WIR Conference, Sacramento, CA |
| May 15 - 17 | Coroner's Convention; Forsyth |
| May 15 | Districts 6 & 7 meet in Billings |
| May 16 | Districts 1, 2 & 3 meet in Plentywood |
| May 17 | Districts 4 & 5 meet in Shelby; Elks Club |
| May 18 | Districts 10 & 11 meet in Polson |
| May 22 - 25 | Governor's Preparedness Summit; Billings |
| June 2 | Districts 8, 9 & 12 meet in Whitehall |
| June 8 | MACo Board Meeting |

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 Carbon County
 2nd Vice President Cynthia Johnson
 Pondera County
 Fiscal Officer Allan Underdal, Toole Co.
 Urban Representative Greg Chilcott
 Ravalli County
 Past President Bill Kennedy
 Yellowstone County

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