



Highlights

- Page 2**
Cnty. Salary Survey Responses
- Page 3**
Elected Officials Training/
Commissioner Certification
- Page 4**
Risk Management
Loss Control Conference,
Election Law Updates
- Page 6**
MACo Health Care Trust
- Page 7-10**
County News
- Pages 11-14**
NACo News
- Page 15**
Around Our Counties
- Page 16**
Announcements & Reminders

Advertisers

- Page 4**
MACo Risk Mgmt. & Training
- Page 6**
MACo Health Care Trust
- Page 7**
MACo Property & Casualty
Insurance and Workers
Compensation Insurance
- Page 8**
Get 'Er Done Wiest,
Robert Peccia & Associates
- Page 9**
Arthur J. Gallagher
- Pages 10-11**
Great Plains Towers, Inc.,
Lane & Associates Inc.,
Morrison-Maierle
- Pages 12-13**
U.S. Communities, Roscoe Steel
& Culvert, Nationwide Retirement
Solutions, MACo JPIA
- Page 14**
Stahly Engineering,
Joint Powers Trust

Elected official base salary climbs \$3,600

By Mike Harbour, MACo Communications Officer

The average 2007-2008 base salary for county elected officials has increased 3.95 percent, slightly more than the 3.2 percent COLA, according to results from MACo's latest salary increase survey.

According to this year's survey, the average base elected officials salary was \$38,383.78 among the 54 counties that responded by press time. For 2005-2006, that average was \$34,766.02, or \$3,617.76 less, among the 47 counties that then responded to the poll.

The 2007-2008 survey, which was conducted for MACo by surveymonkey.com, an automated survey Web site, was sent to counties in August.

This year's six-question survey also asked for the uniform increase for elected officials; almost all the counties that provided them gave elected officials an average increase of four percent.

In addition to salary figures, MACo also asked if counties grant longevity for all elected officials. Almost 55 percent, or 30 counties, said no longevity was granted, while the remaining 25 grant it in a broad range from one percent of base salary

each year to \$500 annually up to 15 years.

In sharp relief, more than 65 percent of the respondents, or 36, give their clerk and recorder an add-on for election administration duties. For most counties, the amount was \$2,000, but some others give less.

By comparison, only 16 counties, or 29 percent, give their treasurer an add-on because of HB 372, the treasurer salary revision bill. Again, most counties provided \$2,000 for the add-on.

"The Council of County Officials, which consists of presidents of each elected officials association, will meet in Helena on Nov. 14 to review how county elected officials base salaries are determined and the additional 'increments' granted to some county elected official, and not others," said Harold Blattie, MACo executive director. "Some elected officials are eligible for an incremental increase over the base, others are not. The Local Government Center is conducting a survey to determine how elected officials salaries are set in other states for the CCO to consider."

To review the survey results by county, please see the table on the next page.

Nationwide names new representative for Montana

As promised at MACo's 98th Annual Conference in September, Nationwide Retirement Solutions (NRS) has named its first of two new retirement specialists dedicated to serve Montana customers.

Ryan Gillette, a former AG Edwards financial consultant for 10 years, will cover the Treasure State east of the Continental Divide. He already has visited Billings and Bozeman, and will be doing seminars in Gallatin County on Nov. 13 and 15.

"We're proud to have Ryan on our team," said John Lamm, NRS program director for Idaho, Montana, Alaska, and Wyoming. "I'm excited to finally have some help and I know our clients in Montana were anxious for a change."

Lamm told commissioners at the annual conference's opening session that Nationwide was replacing its single representative with two reps to cover the state.

"When you have a customer service rep who can explain those things to your employees, it makes all the difference in the world," he said in September. "When they have problems or concerns, they'll have somebody they can contact and meet face to face."

Lamm also said Gillette is available to discuss NRS retirement products any time.

For more information, contact Gillette at (800) 627-1583, ext. 4, or gillett1@nationwide.com. To learn more about NRS, visit www.nrsforu.com.



MACo News

2007-2008 Salary Increases Survey Results

By County - Fiscal Year 2008

County	Uniform Base Elected Official's Salary	Uniform Increase Percentage	Uniform Increase Flat Amount	Uniform Increase Other
Anaconda-Deer Lodge	\$30,624.23	3.5		
Big Horn	\$38,833.75	5.0	\$1,849.23	
Blaine	\$38,356.00		\$1,200.00	
Broadwater	\$33,239.35	3.2	\$0.25/hour	
Butte-Silver Bow	\$46,166.00	3.0		
Carbon	\$44,587.70	7.0		
Carter	\$32,659.28	6.5		
Cascade	\$52,358.00	3.2		
Choteau	\$37,152.59	3.2		
Custer	\$38,564.68	4.0		
Daniels	\$34,593.87		\$0.51/hour	
Dawson	\$43,175.68	4.2		
Fallon	\$43,992.00			\$2.50/hour
Fergus	\$35,772.99		\$0.75/hour	
Flathead	\$56,838.00	3.2		
Gallatin	\$57,300.19	3.0		
Garfield	\$29,383.89	5.5		
Glacier	\$35,700.00	5.0		
Golden Valley	\$21,008.10			
Hill	\$37,966.05	3.2		
Jefferson	\$47,764.12	1.2		Plus 3.2% COLA
Judith Basin	\$32,709.84	3.2	\$2,000.00	
Lake	\$42,276.66	3.2		
Lewis and Clark	\$61,731.20	3.0		
Liberty	\$30,374.00	5.0	\$1,446.00	
Lincoln	\$38,840.09	4.2		
Madison	\$38,733.00	4.4		
McCone	\$31,613.97	3.2		
Meagher	\$27,744.00	3.2		
Mineral	\$28,000.00	3.2		
Missoula	\$56,451.00	2.0		Plus \$0.57/hour
Musselshell	\$33,349.47	3.2		\$0.35/hour raise
Park	\$43,644.80	3.2		
Petroleum	\$24,616.45	3.2		
Phillips	\$33,214.32	5.0		
Pondera	\$36,927.53	4.5		
Powder River	\$32,541.37	3.4		
Powell	\$31,762.93	3.2		
Prairie	\$27,376.00	3.7		
Ravalli	\$47,279.00	3.2		
Richland	\$44,333.34	8.2		
Roosevelt	\$40,600.00		\$2,859.00	
Rosebud	\$41,459.42	4.2		
Sanders	\$39,943.76	3.2		
Sheridan	\$38,000.00	9.1	\$3,168.00	
Stillwater	\$39,101.73	3.2		
Sweet Grass	\$43,553.00		\$1.00/hour	
Teton	\$34,218.00	3.2		
Toole	\$36,606.80	4.2		
Treasure	\$24,919.51	3.2	Treas./Co. Atty.-\$2,000	
Valley	\$33,554.81	3.0		
Wheatland	\$30,332.24	6.0		
Wibaux	\$34,670.28		\$4,000.00	
Yellowstone	\$56,209.17	3.25		
Average	\$38,383.78	3.95	N/A	N/A



MACo News

Second phase of training, commissioner certification set for December

MACo, together with the Local Government Center at MSU-Bozeman, will be presenting Phase II of its annual elected officials training/commissioner certification Dec. 10-13 in Helena at the Red Lion Colonial Hotel.

Courses will be taught on numerous topics, such as building county budgets, and managing finances.

For more information, see the draft agenda below or visit our Web site at www.maco.cog.mt.us.

DRAFT AGENDA

MACo and Local Government Center, MSU-Bozeman Elected Officials Training/Commissioner Certification - Phase II

Monday, Dec. 10, 2007

3 pm Registration
6 pm Dinner with MACo Board of Directors
Welcome: Cynthia Johnson, MACo President and Pondera County Commissioner
Self Introductions
Keynote Address: Vernon Petersen, Administrator

Tuesday, Dec. 11, 2007

8-10 am **Course 201.2 Building the County Budget.** A small group exercise in building a county budget to demonstrate the legal requirements of the Montana Budgetary, Accounting and Reporting System (BARS). Norm Klein, Local Government Services Bureau, MT Dept. of Administration

10-1:30 pm Break
10:30-12:30 pm **Course 203.2 Managing County Finances.** An overview of the financial oversight responsibilities of the Board of County Commissioners and the financial management tools available to the Board. Jeff Krauss, Bozeman Mayor and former Gallatin County Treasurer, and Norm Klein, Local Government Services Bureau, MT Dept. of Administration

12:30-1:30 pm Lunch
1:30-3:30 pm **Course 506 County Special Boards Governance.** Examination of the options and legal requirements for creating and overseeing the activities of county boards. Paul Lachapelle, Community Development Extension Specialist, MSU-Bozeman

3:30-4 pm Break
4-5 pm **Course 510 Reappraisal and the Tax Appeal Process.** Doug Kaercher, MT State Tax Appeal Board

Wednesday, Dec. 12, 2007

8-10 am **Course 202.2 County Taxation.** An in-depth review of the legal authority and

limitation on county taxation, debt bonding and investment.

10-10:30 am Break
10:30-12:30 pm **Course 402.2 Courthouse Relations.** A discussion of the responsibilities of the Board of County Commissioners to establish and maintain effective operational relations within the courthouse.

12:30-1:30 pm **Lunch – Lois Menzies, MT Dept. of Justice**

1:30-3:30 pm **Course 401.2 Effective Relations With Other Governments.** An overview and discussion of the responsibilities of county government to other units and levels of government. Nedra Chandler, Cadence, Inc.; Harold Blattie, Executive Director, MACo; Jane Jelinski, Director, Local Government Center

3:30-4 pm Break
4-5:30 pm **Course 301.2 Principles of Human Resource Management.** An overview and discussion of the principles of human resource management in the courthouse. Jack Holstrom, JPIA Personnel Services Administrator and Jane Jelinski, Director, Local Government Center

Thursday, Dec. 13, 2007

8-9:30 am **Course 301.2 Continued.**
9:30-10 am Break
12-1 pm **Lunch – Douglas Steele, Vice Provost and Director, MSU - Extension**
1-4 pm **Course 303.2 Hiring, Supervising & Motivating County Employees.** An overview and discussion of appropriate and effective techniques for hiring, supervising and motivating county employees. Jack Holstrom, JPIA Personnel Services Administrator; Jane Jelinski, Director, Local Government Center; Harold Blattie, Executive Director, MACo; Sheryl Wood, Associate Director, MACo

4-4:30 pm Break
4:15-5:15 pm **Course 509 Disaster Declarations and Mill Levies.** Steve Knecht and Tim Thennis, MT Disaster and Emergency Services



MACo News

Election law updates now available

Several bills passed by the 2007 Legislature have, or will, become law that election administrators should be aware of, including the following:

HB 242, which will be effective Jan. 1, 2008, will require that write-in candidates who choose to file written declarations of intent must do so by 10 days before absentee ballots are available for elections. This law will not apply to the upcoming 2007 municipal elections.

HB 570, effective Oct. 1, and will make changes to the laws on federal write-in absentee ballots. The main change will be to allow electors to use the Federal Write-in Absentee Ballot (FWAB) to register to vote in addition to using it as a ballot.

SB 270, effective Oct. 1, requires that independent candidates (other than those filing for president) must file during the same period as other candidates, rather than immediately before the primary election.

SB 443, effective Jan. 1, 2008, amends the law on absentee confirmation notices to require that they be sent in January and July of each year, rather than 75 days before each election.

For more information, visit www.maco.cog.mt.us.

Interim committee work vital to MACo goals, membership

The decisions made by legislative interim committees can make or break legislation that benefits Montana's counties. The committees handle many functions between legislative sessions, from conducting studies and monitoring state agencies to reviewing agency rules and handling emerging issues. MACo's involvement with each of the more than 10 committees ensures counties aren't overlooked when public policy issues are being resolved.

To learn more about Montana's interim committees, visit the Montana State Legislature Web site at http://leg.mt.gov/css/committees/interim/2007_2008/default.asp. We'll also keep you updated here in *MACo News* as well as our Web site (www.maco.cog.mt.us), and via e-mail. We've also included a calendar (below) that lists future interim committee meetings you may want

Interim Committee Meeting Dates

Nov. 7-8	Economic Affairs, Miles City
Nov. 8	Energy and Telecommunications, Helena
Nov. 9	Law and Justice, Butte
Nov. 16	Children, Families, Health & Human Services
Nov. 30	State Administration and Veterans' Affairs
Dec. 6-7	Revenue and Transportation
Dec. 6-7	Legislative Finance
Dec. 14	Education & Local Government
Jan. 7, 2008	State Administration and Veterans' Affairs
Jan. 10-11	Law and Justice
Jan. 14-15	Environmental Quality Council

Risk management conference to feature variety of topics

Behavior-based safety, sign vandalism, and terrorist bombing incident response are just a few of the topics to be shared at MACo's annual Risk Management Loss Control Conference next January in Bozeman.

The three-day event, set for Jan. 15-17, 2008, will have programs and sessions tailored to safety, roads, and law enforcement personnel.

Safety seminars will include the MACo Early Return to Work effort, implementing stretching programs, and even a self-defense course.

Road Day subjects will include work zone safety, proper sign placement, and road safety audits.

For law enforcement and EMS participants, an anti-terrorism program is planned. Peace Officer Standards and Training credits will be awarded to law enforcement attendees.

The Best Western GranTree Inn, located near I-90 and within minutes of Bozeman's airport, will host the conference.

To pre-register, use the form on the next page (page 5). For information about the conference, contact Emelia McEwen at (406) 444-4370 or macorma@maco.cog.mt.us. For questions on registration, contact Karen Houston at (406) 444-4375 or

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Emelia McEwen

Senior Loss Control Specialist

Fred Hansen

Loss Control Specialist

Phone (406) 444-4370

FAX (406) 442-5238



MACo News

RISK MANAGEMENT LOSS CONTROL CONFERENCE PRE-REGISTRATION

**Montana Association of Counties
Montana Sheriffs and Peace Officers Association
&
Local Technical Assistance Program
January 15-17, 2008**

Best Western GranTree Inn
1325 North 7th Avenue
Bozeman, MT 59715
(406) 587-5261

Name: _____

County or Agency: _____

Position/Title:

Pre-Registration
\$75

On Arrival
\$85

Paid

PLEASE CHECK ONE OF THE BOXES BELOW:

- Yes, I will be attending the Awards Luncheon on Tuesday, January 15, 2008
- No, I will not be attending the Awards Luncheon on Tuesday, January 15, 2008

Registration fee includes two luncheons, coffee breaks, registration materials, and the cost of speakers and program. Make checks payable to MACo, and send with this entire form to MACo at **2715 Skyway Drive, Helena, MT 59602**. For information regarding the conference, call Emelia McEwen at 444-4370 and for information regarding registration, call Karen Houston at 444-4375.

**REGISTRATION FEES WILL BE REFUNDED ONLY IF CANCELLATION
IS REQUESTED BY JANUARY 11, 2008**

YOU ARE RESPONSIBLE FOR MAKING YOUR OWN LODGING RESERVATIONS!

MACo has blocked sleeping rooms for the nights of January 14-17, 2008, at the Best Western GranTree Inn. The cost of the rooms are \$73.00 plus tax. **TO RECEIVE THIS RATE, you must mention you are with MACo Loss Control Conference and YOU MUST MAKE YOUR RESERVATION before Friday, Dec. 28, 2007.**



MACo News

Section 125 plans not to be confused with hunting, fishing trips

By Owen Voigt, Health Care Trust Administrator

I grew up on a sheep and cattle ranch in rural North Dakota, and whenever my Dad talked about Section 10, I associated it with a deer hunt or a fishing trip. You see, Section 10 was a real rough piece of ground with a deep, steep coulee running through the middle of it that always had deer in it and walleye in the river. Section 10 bordered the Heart River which ran through my folk's ranch. Imagine my surprise when a member county asked about Section 125. Visions of hunting deer or maybe some pheasants, possibly even a fishing trip, began to run through my head, but no...Section 125 actually refers to your employees benefit plan.

I decided to do a little research on this and found the following: Section 125(a). A cafeteria plan is defined in § 125(d)(1) as a written plan maintained by an employer under which all participants are employees, and the participants may choose among two or more benefits consisting of cash and qualified benefits. Section 125(f) defines a "qualified benefit" as any benefit which, with the application of § 125(a), is not includable in the gross income of the employee by reason of an express provision of Chapter I of the Internal Revenue Code (other than §§ 106(b), 117, 127 or 132).

Well, this really peaked my interest, so I wondered if I can actually provide some meaningful and useful information on this subject (just kidding; that's "piqued my interest"). Anyway, I did some more checking and talked with staff at Allegiance Benefit Plan Management, the company that handles the flex plan benefits for some of our member groups. I also spoke with a human resource spe-

Commissioners, elected officials to benefit at 2008 Mid-Winter Conference in Billings

The 2008 edition of the annual MACo Mid-Winter Conference, set for Feb. 11-15 at the Billings Holiday Inn, again will be another great opportunity for county elected officials to learn more about state and local government issues.

The event is packed

with seminars focusing on a variety of timely and critical subjects relevant to every participant.

For more information about the next year's conference, call MACo at (406) 444-4360, visit the MACo site at <http://maco.cog.mt.us> or watch *MACo News*.

cialist with Junkermeier, Clark, Campenella and Stevens, an accounting firm with offices throughout the state.

After my discussions with these folks, it seemed pretty clear that if you are an employer who offers benefits consisting of cash and qualified benefits, then you need to have a Section 125 plan. So I did some research and based on my the research (it amounted to talking to numerous member groups), I learned the majority of our member groups do not know if they have a Section 125 plan, and, if the groups do have it, they are not sure where it is what the plan says and virtually no one provides a copy of it to new employees.

This is a very important item for all employers, if you are not sure about your Section 125 plan, please talk to your accountant or a human resource entity who can help you get a Section 125 in place or get yours current.

Thanks for wading through this; next time, I'll have more on the hunting.

Health Care Trust Calendar of Events

Nov. 1	Open enrollment begins for groups renewing Jan. 1, 2008
Nov. 9	Medicare Part D notices will be mailed
Nov. 16	Deadline for signed renewal rates to be returned to MACoHCT for groups renewing Jan. 1, 2008
Nov. 28-30	MACoHCT Annual Board Retreat, Red Lodge
Dec. 15	Open enrollment period ends for groups renewing Jan. 1, 2008 (Please note: all changes must be received by MACoHCT no later than this date.)



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County News

Traffic signs set on private property much conform to federal regulations, says MDT

It looks like a stop sign, and to most of us “whoa” means the same thing as “stop,” but under federal regulations, the traffic sign pictured at right is illegal, even on private property.

Traffic control devices on privately owned property open to public access have to conform to the requirements of the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD sets nationwide standards for road signs, pavement markings, and other traffic control devices. According to those standards, stop signs have to say STOP, not WHOA.

Some key elements of the MUTCD, which is approved by the Federal Highway Administration, are standard traffic signs, standard pavement markings, and breakaway posts. A full description of acceptable traffic control devices and their application is available at www.mutcd.fhwa.dot.gov.

“Privately owned property open to public access” includes roads within shopping centers, parking lots, sports arenas, and other business and recreation facilities where the public is allowed to travel without access restrictions. (See the *Federal Register*, Volume 71, Number 240, Page 75111.)

The Montana Department of Transportation recommends that MUTCD requirements on privately owned property open to public access be incorporated in local laws such as zoning regulations and site development requirements.



Examples of nonconforming stop signs



Should you stop all the time or just when the crosswalk is occupied? This combination of signs (left) is confusing.

This stop sign's shape (right) is lost against an oval background. The octagon shape is important—it lets drivers know they're at a stop sign even when the letters are obscured by snow or lighting conditions.



PERI launches scholarship program for 2008 PRIMA Conference attendees

The Public Entity Risk Institute (PERI), a nonprofit risk management training and educational organization, will award up to 60 scholarships to small public entities and community nonprofit organizations to attend the 2008 Public Risk Management Association (PRIMA) Conference and Expo.

The PRIMA conference brings together risk management professionals from across the country to share information and identify strategies to better manage the many risks associated with public sector operations.

The Small Entity Scholarship Program, now in its 11th year, awards representatives from small local governments, school districts, and nonprofits with scholarships of \$1000 in financial assistance to attend the PRIMA Conference. The 2008 PRIMA Conference, to be held in Anaheim, California, on June 1-4, offers an extensive program of workshop sessions and presentations by prominent leaders in the risk management arena. Conference attendees also have an opportunity to interact with other risk management professionals and learn about the latest products and services from vendors and suppliers.

"The PRIMA Conference is great opportunity to identify new strategies for dealing with risk management challenges," said Gerard Hoetmer, executive director of PERI. "We don't want to see budget constraints prevent smaller entities from participating in this valuable educational event."

Eligibility is based on the size or operating budget of the organization and the scope of the applicant's risk management responsibilities. The scholarship program is open to employees and elected officials of local governments and schools, and staff and board members of small community nonprofit organizations. An application form and detailed eligibility requirements can be found at www.riskinstitute.org. Applications for the PERI Small Entity Scholarships must be received by March 3, 2008.

For more information on next year's conference, go to www.primacentral.org.

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County News

Gallatin County streams public meetings audio online

The Gallatin County Commission has introduced 'Internet streaming' of public meetings that are held in the Courthouse Community Room. This new technology will allow anyone with Internet access to listen live to public meetings in progress.

Users of the system can click on a new link on the county's home page at www.gallatin.mt.gov to get access to the live stream, and listen in using RealPlayer or Windows Media Player (both are free audio programs available online). Audio from the meetings will stream to servers operated by Vision Net, which will charge the county a monthly fee based on the number of listeners.

This is the same technology that has been used to broadcast the legislative sessions in Helena. Initially, the county will pay \$75 a month for 25 available streams, but Vision Net will accommodate any number of listeners want to link in to a particularly popular meeting.



"Lots of people want to know what's going on," said Commissioner Steve White. "Now they can listen from their home, office or from anywhere in the world. It really closes the loop on public access and participation for citizens who aren't able to be around for a particular meeting at a particular time.

"Gallatin County is the first county in the state to broadcast their meetings over the Internet. Hopefully this will serve as an example to other counties as a way to improve citizen access," he said.

The system also will be helpful for county residents who don't have access to Bresnan Communications' cable TV broadcasts of county and city meetings, White said. The system also will be available for use by anyone using the community room for meetings and presentations, including the City of Bozeman, he added.

For more information, call the Commission office at (406) 582-3000 or visit www.gallatin.mt.gov.

BLM approves four weed killers for use on public lands

Four new herbicides have been added to the Bureau of Land Management's arsenal for fighting noxious and invasive plants on public lands, ac-

ording to a new vegetation management decision from the U.S. Department of Interior. The additions are diquat, diflufenzopyr (in formulation with dicamba

and known as Overdrive), fluridone, and imazapic.

For more information about the decision, visit the BLM site at www.blm.gov/wo/st/en/prog/more/

[veg_eis.html](#). Copies also are available at BLM Field Offices or by mail directly from the BLM upon request at (202) 452-5125 or via fax at (202) 452-5124.

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County News



Gallagher

Public Entity & Scholastic Division

Arthur J. Gallagher Risk Management Services, Inc.

Are We Insured?

“Are we insured for this loss?” That question is uttered with worry and uncertainty by hundreds of local government officials every year.

Insurance contracts can be very complicated and, certainly, the language can be dense and technical.

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that can produce an answer to this question—in as little as 10-15 minutes.

One such method is developed around three questions:

What events are covered?

What must we do after a loss?

How much will the insurer pay?

These questions reflect policyholders’

concerns, but also serve to direct us to specific parts of the insurance contract.

All insurance contracts consist of four sections:

1) the declarations page (which is the cover page and provides specific information about the policyholder);

2) the insuring agreement (the section that

describes what is covered);

3) the exclusions section (the section that describes what isn’t covered); and

4) the conditions section (the section that describes what the insurance company/pool and policyholder must do under the terms of the contract).

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County News

Pondera County awarded \$204,000 in Fulton Fuel back taxes settlement

By Buck Traxler, *The Independent-Observer*

In an oil company settlement of back taxes, Pondera County, along with six other counties, shared almost \$1.8 million in back taxes, penalties and interest.

Pondera County's portion from the law suit is \$204,121. The other counties are Blaine (\$7,917), Glacier (\$11,036), Liberty (\$502,931), Teton (\$83,394), Toole (\$269,810), and the state (\$320,792).

Commission Chairman Joe Christiaens told the I-O, "It's been a long time coming."

A Shelby oil company, William F. Fulton, Fulton Fuel Co. and other affiliates agreed to pay the state \$1.4 million at the time of the settlement in July with the rest, \$392,000 being paid by Jan. 26, 2008.

For Pondera County, Treasurer Jeanne Moon indicated the settlement will be allocated to various county funds.

For example, Conrad High School will be allocated \$42, 637.79, the elementary schools \$27,252.68, and the general fund \$34,349.06. Remaining funds will be disbursed into other county funds such as the road and weed departments and others.

The settlement was actually made this past summer in July; however, the Revenue Department reports they could not comment on the action until all of the counties involved were in agreement on a joint press release.

In the latter part of September a settle agreement was released to a committee of the Revenue and Transportation departments.

It should be noted; these are not "windfall" funds. The settlement is money that should have been received earlier. It all represents unpaid taxes.



County seeks response to Saunders fire bill

By Marlo Pronovost, *Stillwater County News*

The matter of billing the man who started the 2006 Saunders Fire \$78,344 for the cost of fighting the blaze may be getting closer to an end.

The county has sent three letters of "Notice of Claim" to Robert Lowman and his attorney and there has been additional communication as well, according to Ken Mesch, Department of Emergency Services coordinator for Stillwater County.

The county is anticipating receiving a response soon.

The process to try and recoup some of the funds expended to battle the blaze started in April when the first of three letters were sent.

Part of that letter, written by County Attorney John Petak, stated the following:

"On July 10, 2006, Stillwater County responded to a fire which was ignited by you when you were attempting to burn debris created by your land clearing activities... Based upon the events surrounding your fire, Stillwater County has decided to seek reimbursement for its cost based on the authority 50-63-103, MCA, Liability of Offender for Damages and Costs and/or common law theories of negligence whereby a person who does not use the ordinary care that a reasonable person would use, and allows a fire to escape, is responsible for the payment of the suppression costs of the fire..."

Petak goes on to cite another state law regarding "Establishment of fire season-Reimbursement of Cost" and closes with the following:

"You may wish to check with your insurance company to determine if you are covered for this type of liability. I have enclosed an itemization of the costs involved in extinguishing your fire."

Lowman, a 69 year-old Park City resident, pleaded Nolo Contendere – or no contest – to one misdemeanor count of negligent endangerment earlier this year in Stillwater County Justice Court. He was ordered to pay \$1,085 in fines and fees and put on probation for one year, which are the maximum allowed under state law.

A total of 3,175 acres were burned, along with one home and five buildings.



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Founding Member



Counties share ‘what works’ at NACo’s first climate forum

By Charles Taylor, NACo Senior Staff Writer

County elected officials and staff from across the country shared best practices and concerns, and heard from national experts at NACo’s first Climate Protection Forum in September.

Billed as a “dialogue and peer-to-peer networking opportunity,” the forum’s goals included giving counties an opportunity to discuss current strategies, future goals and new methods to address climate change — especially regional collaboration. New Castle County (Del.) Councilmember Stephanie McClellan moderated the two-day event, Sept. 20 and 21, in Washington, D.C.

“There’s a lot that we know about climate change; we know that the earth is warming,” said Judi Greenwald, director of innovative solutions for the Pew Center on Global Climate Change. “Scientists are more than 90 percent sure that this is the case. That’s about as sure as scientists ever get about anything.”

Greenhouse gas emissions from the 10 largest U.S. cities account for 10 percent of total emissions nationwide, she said — making local action to lower emissions an important part of the solution.

Cities and counties “have a big role to play, and there are things they can do that higher levels of government can’t,” Greenwald added, citing local governments’ “relevant authority” in determining growth and traffic patterns through building codes, planning and zoning. “So, it is very important that local government takes climate change into account in their decisions.”

A key feature of the forum was a series of round-robin roundtable discussions. After each featured speaker’s presentation, attendees moved to an assigned table where they had a facilitated discussion with a new group of participants. The speakers also circulated throughout the room to participate in the interchanges.

Topics included: Climate Protection and the Local Role, County Climate Plans, Tools and Resources, Energy Efficiency, Green Building, Behavioral Change: Engage Your Community, Role and Support of Staff Resources, and Land Use Planning and Transportation.

The climate protection/local role discussion yielded a variety of ideas and issues, including:

- Sacramento County, Calif., joined the Chicago Climate Exchange (CCX), and a baseline inventory found it already has begun reducing emissions with a no-idling policy for trucks.
- Salt Lake County, Utah, is passing an ordinance for LEED “green building” certification for libraries, community recreation centers, and other public buildings.
- Arlington Co., Va., found that commercial buildings account for 40 percent of greenhouse gas emissions.
- Some cities with taxi cab commissions could explore the possibility of chartering all-hybrid companies.

Participants discussed counties’ designating a “change agent” within the organization who is empowered to set targets: a champion with authority from the county board or county executive — to communicate with department heads.

Tina Hill, a McHenry County, Ill., commissioner was, perhaps, an unlikely table discussion leader. “I have not bought into the whole global warming thing,” she said during a break. “So when this came up, I said let’s go see what I can learn.

“I’ve already moved dramatically,” she added. “I was a naysayer, and now I do understand that we have to protect the environment and there are things we can do.”

Hill said she finds an economic argument for “going green” more convincing with colleagues — saving energy or money, or creating new business opportunities. “Even at the table, I said, ‘Guys I need another word for climate action plan; it’s not going to fly, and they gave me clean energy plan.’”

One of the discussions on public-private partnerships focused on motivating businesses.

Please See “Green Efforts...” on Next Page

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NACo to give away free radon test kits during Radon Awareness Month

Now in its third year, NACo is continuing its successful radon program in time for National Radon Awareness Month in January 2008. To raise awareness of radon, its health effects, and mitigation techniques, NACo is again conducting the County Radon Outreach Program. Your county could be one of ten counties to earn 200 free radon test kits.

The U.S. Environmental Protection Agency (USEPA) has found that radon is responsible for about 21,000 lung cancer deaths every year, and about 2,900 of these deaths occur among

people who have never smoked.

Radon is an elusive radioactive gas that is invisible and odorless. It can seep through any crevice it may find from cracks in walls to gaps around pipes, and sometimes through the water supply. Radon's non-discriminating nature means it can enter any type of home or building - new or old, with or without a basement.

To earn 200 free radon test kits to distribute in your county, submit a summary of innovative activities planned to educate diverse and low income population areas of

your county for January.

To apply, submit a 1-2 page summary of your county's planned radon awareness and outreach activities for the month of January 2008. All activities and distribution of test kits should occur between Jan. 1, 2008 and Jan. 31, 2008.

Applications will be considered based on the following; the need in the county for assistance in radon outreach; unique and innovative outreach, education and mitigation efforts for diverse and low-income sections of the county; the number of potential residents to be educated; the number of

potential mitigated homes; the ability to inform additional populations of the county, including other residents, building contractors, building owners, etc.; planned follow-up activities, and your County Radon Zone (www.epa.gov/radon/zonemap.html).

The deadline to submit your application is Friday, Nov. 16.

For more information, visit www.naco.org/techassistance or contact Kelly Zonderwyk at (202) 942-4224 or kzonderwyk@naco.org.

Recipients will be notified by Dec. 1, 2007.

Green efforts focus of inaugural NACo climate protection forum

Continued from Previous Page

Participants noted that:

- Establishing new rules for businesses is not the same as partnership. It may, in fact, discourage partnerships.
- Leaders in the business community need to be identified who can become "green" champions.
- Events recognizing local businesses with EnergyStar or LEED buildings can demonstrate success.
- Working with the Chamber of Commerce, rather than individual businesses, can be a better way to engage the business community.

Supervisor Jeff Morris from Trinity County, Calif., found the sessions "very collaborative." His most important take-away from the forum: "That there are counties and organizations who have already created many of the

tools needed for someone who is just starting out to get moving quickly."

Other forum speakers represented such organizations as ICLEI, the U.S. Green Building Council, EPA, the U.S. State Department and the National Oceanographic and Atmospheric Administration (NOAA) — as well as representatives of several counties that are ahead of the curve in addressing climate change. They included Whatcom County, Wash., Westchester County, N.Y., and Alameda County, Calif.

To continue the dialogue, NACo has established an Online County Climate Discussion Forum at www.naco.org/climatediscussion. Speaker presentations also are available at www.naco.org/climateprotection.

For more information, contact Kelly Zonderwyk at (202) 942-4224 or kzonderwyk@naco.org.

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NACo News



Blattie, Murray attend Western Interstate Region board meeting in Utah

Editor's Note: MACo Executive Director Harold Blattie and Lewis & Clark County Commissioner Mike Murray attended NACo's Western Interstate Region Board of Directors meeting in Utah last month. This is Murray's report.

The first day began with a reception and reacquaint with members meeting, as well as a presentation on Zion National Park. Zion, which has a two-unit bus system operated on propane for clean air, is located in southwestern Utah and is the first national park to operate a mandatory tour bus system.

The first item on the agenda during the formal meeting was a conference call with WIR Board members and Congressman Rob Bishop (R-Utah). His priority, along with many at the meeting, is to limit federal land purchases in the future.

A complete list of Strategic Planning and Legislative Priorities was going to be sent from NACo after the meeting. Items to be included on the list are: full funding for PILT and funding SRS; forest health; travel plans on forest and BLM lands; wilderness designation and study areas; ESA; wolves, grizzlies, and bald eagles.

The WIR budget report revealed the NACo affiliate is in the black and the money goes into NACo; in the past few years when the WIR budget was in the red, NACo covered it. The budget is a guideline for revenues and expenditures, not a hard and fast document. Montana's

assessment decreased 5.25 percent or \$863.

Commissioner Robert Cope, chair of the NACo steering committee on Environment, Energy and Land Use, reported on the waters of the U.S. task force-HB2421, which gives the Corps of Engineers authority to regulate road ditches to major rivers. A list of sponsors will be sent to members. HB2421 is a bad bill because it will change the way counties perform road maintenance.

RS2477 was well discussed and not cussed as part of Cope's report from the Roadless Areas Advisory Committee. A Wyoming federal judge invited Idaho to return to court on the Clinton Roadless Rule.

Discussion also was held on the NACo public lands group and how WIR can better coordinate with it.

Zion Superintendent Jack Whitworth was our tour guide through the park via bus and on foot. Zion is outstanding and quite different from parks we have here. Jack has served as superintendent of the Custer Battlefield and another park in Montana.

We also had a brainstorming session, but it turned out to be mostly cloudy rather than a storm. Results of the combined effort will be sent via e-mail at a later date.

Plans for the May WIR conference were discussed and, if finalized, will be the conference of the year I believe all county commissioners will want to attend.

Tell NACo your favorite candidate

As part of NACo's 2008 Presidential Election Project, NACo is gathering information about the candidates county officials support in the 2008 Presidential Election campaign.

The goal of the presidential election project, which is a non-partisan effort, is for all presidential candidates to hear the same message from county officials on key issues.

Hearing the same message from county officials will encourage the candidates to focus on these issues as part of their campaigns. Results from the short survey will help us to spotlight the county role in the presidential election process.

Please go to www.naco.org/presidential to participate.

County Leadership in Conservation Award nomination deadline set for Nov. 28

The award, now in its fourth year, recognizes leadership, innovation, and excellence in local land conservation and park creation by county leaders across America. Three awards will be given at NACo's 2008 Legislative Conference in March to elected or appointed officials representing governments of NACo-member counties based on population.

Additional information, nomination forms, and descriptions of the 2007 award-winning counties can be accessed online at www.naco.org/conservationawards or www.tpl.org/awards, or by contacting Abby Friedman at (202) 942-4225 or afriedman@naco.org.



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Around Our Counties

County Officials

FLATHEAD COUNTY has consolidated its Road and Bridge and Solid Waste departments. Dave Prunty, former Solid Waste Director, is the new Public Works director. The combined department has 79 employees and a \$13 million budget.

CASCADE COUNTY has a new Health Director and Executive Director of its Cascade City-County Health Department: Allene Mares. A Great Falls native, Mares returned to her hometown after a short stint as a health commissioner in Ohio.

RAVALLI COUNTY Commissioners Greg Chilcott and Alan Thompson will see their terms end on Jan. 1, 2009, according to a court ruling made in late September, so their seats will be up for election in November 2008. The ruling is the final judgment in a lawsuit filed after the 2006 county election that expanded the board of commissioners from three members to five.

PRAIRIE COUNTY's new Deputy Sheriff is Greg Huber. A 15-year military veteran who has served in both Iraq and Kuwait, Huber replaces former Deputy Jerry Pisk, who retired in August.

STILLWATER COUNTY Librarian Deanna King retired in early October after serving more than 22 years in the position. King oversaw the library's move into its present space, and received a lifetime membership award from the Montana Library Association last spring.

HILL COUNTY now has a third full-time attorney, Lindsay Osborne. A recent University of Montana graduate, Osborne replaces a part-

time attorney who left the county in June.

FERGUS COUNTY Clerk and Recorder Kathy Flaherty will retire on Dec. 31. The former bank vice president has served as the county clerk since 1995.

SWEET GRASS COUNTY's Ken Schott retired after 37 years from the Road & Bridge Department. Schott plans to spend more time visiting his children in Oklahoma and Arizona.

YELLOWSTONE COUNTY Sheriff Richard Brennan retired on Sept. 23 after 36 years of service. Brennan was the first person in the county sheriff's office to become a captain, and received the Montana Sheriffs and Peace Officers Association Distinguished Career Award in 2003.

Subdivisions

MISSOULA COUNTY, with the help of a \$3 million grant from the Federal Emergency Management Agency, will build a flood plain upstream from 150 homes off Mullan Road. The project will help keep future spillovers from nearby Grant Creek from continuing to damage homes in the Mullan Trail subdivision.

GALLATIN COUNTY commissioners narrowly approved a subdivision in the foothills of the Bridger Mountains. The Churn Creek project will put five single-family homes on a 78-acre parcel just a mile from the Bozeman city limits.

JEFFERSON COUNTY is one of several defendants named in a lawsuit filed by a developer who claims access to his property has been denied. The suit claims the county, its clerk and re-

cord, a water users association and other entities have reduced the number of roads to the landowner's property near Clancy.

Miscellany

SANDERS COUNTY commissioners voted in late September to quash the planning board election slated for later this year. Resolution 2027, defeated by a vote of 2-1, called for a mail-in ballot election on a planning board and required a levy of two mills to fund it.

BUTTE-SILVER BOW COUNTY commissioners in September voted to hire a Washington, D.C., lobbyist to represent Butte interests and find money in the federal budget for infrastructure projects. Taxpayers there will pay the Russ Reid Co. an initial fee of \$100,000 plus \$20,000 in expenses.

JEFFERSON COUNTY will get an improved road to Elkhorn without spending a dime, thanks to an agreement with a gold mining operation that will improve access to the historic mountain town. The company also will maintain the road through the life of the mine.

LAKE COUNTY's proposal to swap public reserve land for the property where the old Big Arm School sits was rejected by the Polson School Board last month. The Big Arm Association

wants to use the building as a community center.

LINCOLN COUNTY and the Kootenai River Development Corp. received a grant check for \$324,000 in September to improve the Kootenai Business Park. The funds are courtesy of the Department of Commerce and will fund rail and power upgrades in the industrial district in Libby.

BEAVERHEAD COUNTY received 170 acres of federal land in a transfer that will allow a Dillon gun club to seek grants for improvements. Although the land has been leased by the club since 1965, grants require ownership or long-term leases legally impossible under the previous arrangement. The transfer process took almost four years to complete.

VALLEY COUNTY has finalized plans for its new 132-bed detention center. The \$5.8-million jail will be built next to Glasgow International Airport using lease-purchase financing, making Valley County the first in Montana to use the method.

GLACIER COUNTY recently received \$40,000 worth of video forensics equipment, thanks to federal grant funds. Among the items purchased: video and still digital cameras, computers, and printers.

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Announcements & Reminders

2008 HOLIDAYS

The following is a list of legal holidays in 2008 and the dates they will be observed by most state employees.

Legal holidays	Observed
New Year's Day	Tues., Jan. 1
Martin Luther King, Jr., Day	Mon., Jan. 21
Lincoln's & Washington's Birthday	Mon., Feb. 18
Memorial Day	Mon., May 26
Independence Day	Fri., July 4
Labor Day	Mon., Sept. 1
Columbus Day	Mon., Oct. 13
State General Election Day	Tues., Nov. 4
Veterans' Day	Tues., Nov. 11
Thanksgiving Day	Thurs., Nov. 27
Christmas Day	Thurs., Dec. 25

NOTE: If the holiday occurs on a weekend, the workday closest to the holiday is treated as the holiday for pay and leave purposes.

Mark Your Calendars

<i>November</i>	
Nov. 7-9	Rocky Mountain Fair Association, Billings
Nov. 28-30	JPIA/JPA/HCT Trustee Retreat, Red Lodge
<i>December</i>	
Dec. 5-7	Secretary of State Election Certification Training, Billings
Dec. 10-14	Elected Officials Training/Commissioner Cert., Helena
<i>January 2008</i>	
Jan. 7-11	Regional JPIA/JPA Mid-Policy Year Meetings, Various
Jan. 15-17	Risk Management Loss Control Conference, Bozeman (see pages 4-5 of this issue for more information)
Jan. 21-25	Regional JPIA/JPA Mid-Policy Year Meetings, Various
<i>February 2008</i>	
Feb. 11-15	Mid-Winter Conference, Billings

To view additional important dates, please see the MACo Health Care Trust calendar on page 6 and the Legislative Interim Committee calendar on page 4.

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