

MACO DISTRICT 10 & 11
Missoula County Courthouse
August 21, 2008

MINUTES

Present: Jean Curtiss – Missoula County Commissioner, Cindy Grimm – Administrative Assistant/Mineral County, Clark Conrow – Mineral County Commissioner, Duane Simons – candidate, Carol Booker – Sanders County Commissioner, Larry Anderson – Missoula County Commissioner, Alan Thompson – Ravalli County Commissioner, Dale Lauman – Flathead County Commissioner, Bill Carey – Missoula County Commissioner, Gail Patton – Sanders County Commissioner, Kathleen Driscoll – Ravalli County Commissioner, Greg Chilcott – Ravalli County Commissioner, Mark Herbert – Reporter/Clark Fork Chronicle, Linda Stoll – Consultant

Judy Stang called the meeting to order at 10:04 a.m.

Roll Call and Introductions were completed.

Approval of May 14, 2008 Minutes: Larry Anderson moved to accept the May 14, 2008 minutes. Clark Conrow seconded the motion. Motion passed.

MACo 2nd VP Nominations: John Ostlund was nominated and has been reaffirmed by previous district meetings. There was only one nominee. The bylaws say there should be two. There were no second VP nominations and no one wanted to run.

MACo District and Vice Chair Elections: Harold gave a report outlining the District and Vice Chair election status. District 11 needs to elect a District Chair and Vice Chair.

- *District 10:* Carol will move into the District Chair on January 1st. Marianne nominated John Konzen, Lincoln County, for vice chair. There were no other nominations. Motion passed.
- *District 11:* Alan Thompson nominated Carlotta Grandstaff for chair and Kathleen Driscoll for vice chair. The group was not sure if the chair and vice chair could be from the same county. Vice chair – Bill Carey nominated Jean Curtiss for vice chair. No further nominations. Motion passed to elect Carlotta as chair and Jean as vice-chair for a two year term.

MACo Staff Report: Harold reports:

- Trustees approved the creation of a legal services division of MACo for litigation defense as Norm Grosfield is retiring in December of 2008. There are other defense attorneys contracted. There will be three attorney positions. There is also money budgeted for support staff, furniture, fixtures, etc.
- MACo's administrative assistant position is open.
- They have no formal bids for the Annual Conference location. Holiday Inn in Missoula may bid for the Conference.

- Harold discussed the conference next month in Hamilton. They had to change caterers due to pricing. The caterers will come from Billings to cater the conference at half the price of the caterer in Hamilton. Harold asked how the online registration for the annual conference worked. The input was positive.
- There are 4 bylaw recommendations for voting:
 - Change voting status of association members from non-voting to voting.
 - Change requirement that 2 names are not required to be brought forward for nominations.
 - Change the name of the budget and finance committee.
 - Update effective date of changes.
- \$90,000 is available for court security grants. The fund balance was going to revert back to the General Fund, so the money was sent to MACo. Contact the Court Administrator's office on information on how to apply.
- A proposal has been submitted by the Court Administrator's office to add judicial positions across the state. The counties must provide the infrastructure for the new judicial positions and staff.
- Harold gave an update on the STIP program. Harold maintains that principal is safe and guaranteed. Proposed legislation of a state and local component maybe setting up a pool and not using STIP. MACo leadership is continuing to look at it and make a decision at some point in time.
- Harold handed out last year's annual conference minutes

Sheryl reports:

- MACo annual membership survey will go out next week.
- Sheryl talked about the budget for MACo and the three insurance pools.
 - Working on a server system in the MACo offices.
 - The three insurance pools also approved implementation of a digital image system to go paperless. Installation is scheduled for 1st to mid November.
- DES Coordinators have recommended not signing Emergency planning grant. The funding was not allocated properly.
- Concern was raised regarding Chemical Dependency funding, and the issue that local centers cannot absorb a three year contract with no increase in funding.
- Sheryl discussed E-Civis - a company that offers service to local governments to find grants.

Legislative Update:

Harold and Sheryl discussed the following:

- Possible open cut legislation ideas, and a proposed bill providing that a fence attached to or abutting a county road bridge is not considered an encroachment under certain circumstances, providing for public access to streams and rivers from a county road right-of-way, providing for public access to streams and rivers from a county bridge, its right-of-way, and its abutments; providing that the Department of Fish, Wildlife and

Parks may negotiate with landowners to provide for methods to control livestock and public passage to streams and rivers from county road and bridge rights-of-way; providing for severability; amending section 7-14-2134, and providing an immediate effective date. This bill is being presented to the membership group. There is no resolution at this time.

- Gravel pit permit fees. Opening and closing fee for county gravel pits but no annual fee. Annual fee (increase and collect RIGWAT and earmark it for the program) for non-government owned pits. Mandatory public notification of neighbors of proposed pits. Establish a different set of permit requirements for non-controversial applications. Extend deadlines in the Open Cut Mining Act. Expand the department's ability to impose conditions (house of operation, noise control, spaying for weeds and mosquitoes, etc.) on applicants through the permit, perhaps only in un-zoned areas. Require an EA and public input process on some or all gravel pits. Require counties to identify gravel needs and location of gravel resources within the counties. Grant the department the authority to contract certain aspects of opencut permit applications to interested counties (need to be careful not to create a conflict of interest where counties are evaluating their own permit applications). Give the department the authority to drop from consideration applications dormant for extensive periods due to applicant inaction. Granting the department the authority to seek penalties for lack of reporting, particularly for information needed by Department of Revenue. Ensure that water pumped from gravel pits does not affect neighboring wells.

- Obsolete statutes bill.

- Interim study of special purpose districts. Clerks and treasurers are represented. This bill would give local government's consistency and clarification on the creation and dissolution of special purpose districts.
- Linda Stoll has been working with Harold on a Wildland Urban Interface project as a result of SB51. Linda provided a review of the components of the Policy and the issues.

- Interim committee bills and the following:
 - Election costs
 - 911 Legislation - Stranded funds
 - Proposal to shift from PERS to Sheriff's retirement
 - PERS will increase for the County July 1, 2009 (not for the employee)
 - Identity theft bill is back. MACo will help work to develop an identity theft policy for Counties
 - Law enforcement requirements to record custodial interviews for admissibility in court.
 - Judges salary formula for District Court Judges. Does not include County Attorney's salary.
 - Involuntary commitment costs. Jail diversion program. Shared cost system. Community based treatment.
 - Mandatory jail standards for suicide.

- Inmate medical bill responsibilities
- Detainee medical costs

Harold reviewed Sheriff and deputy pay calculations. If anyone is underpaid, the statute is 3 years. If a wage claim is filed, the penalty is 55%.

Marianne discussed the Secure Rural Schools – They don't know what will happen with the bill. They want people from Montana to lobby in Washington in September (7th thru 12th) and wear a green shirt.

Resolutions:

- Youth detention funding
- Clean water restoration act.
- License tax
- Buffer zone for Brucellosis including elk.
- Appointment rights to airport authority.
- 6 mill university levy
- Rail route for passenger service

Linda discussed some of the resolutions language and continuing resolutions.

She also talked about continuing the resolution of Support for Aging Services/Support for older Montanans Trust Fund. Jean Curtiss moved to accept. Gail Patton seconded. Motion passed.

Sheryl talked about various resolutions including the following:

- Bison domestic livestock resolution.
- A resolution of to dissolve a mosquito district by a resolution of intent by Commissioners, rather than a petition process.
- County courthouse hours.
- State payment of PILT.

Jean Curtiss moved to create a resolution to create a separate reserve fund for termination leave liability. Clark Conrow seconded the motion. All in favor. Motion passed.

Jean Curtiss moved to reintroduce the Resolution to support mail ballots. Carol Brooker seconded the motion. All in favor. Motion passed.

Bill Cary moved to create a resolution to oppose the state policy of charging ICAP, that increases the funding for road construction. Greg Chilcott seconded. All in favor. Motion passed.

Harold talked about Plum Creek stockholders. The group discussed the Montana Legacy Project and the affect on the tax base.

The meeting adjourned at 2:55 p.m.