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KENNEDY BEGINS MACo YEAR

Greetings from President Bill:

Merry Christmas and Happy New Year!

I would like to thank all of the county commissioners across the State of Montana for your support and hard work keeping local government issues to the forefront! Thank you also for your confidence in me to lead our organization for the next year.

It seems like years ago...that we were in Missoula for our Annual MACo Convention, but the time is short to implement our legislative bills and prepare for the 2005 Legislature.

The New Year will bring new challenges and I look forward to working with Governor Schweitzer and his administration. So far, he has taken an interest in local government and I will invite him to meet with county commissioners all across the state.

The legislature has many new faces and I look forward to working with Senator Jon Tester (President of the Senate) and the new leadership in the House. The Senate and House are about evenly divided by party and we all need to work with our local legislators to bring across our legislation this year.

I look forward to having as many commissioners at the legisla-

ture each week as possible. Many legislators have asked if we are going to watch and testify as much as last session. I told them we would be more active. Our presence (as well as calls and e-mails) plays a big role in passing or killing legislation. Please make a commitment to join me this session. We can always see the light at the end of the tunnel, because it's only 90 days.

I would be remiss if I didn't thank our Past President Carol Brooker. Carol did an excellent job for the past 18 months as our leader and I am truly grateful to have her advice and wisdom for my term. Thank you Carol! I am also thankful for our 1st Vice President Doug Kaercher for his time commitment to travel the State and work for counties. Thanks Doug! Welcome aboard to John Prinkki. I look forward to having him on the Board.

This next year we will also be planning and preparing for Gordon Morris's retirement in 2006.

The new congress will have major bills, which we consider important, up for reauthorization. The highway bill will be a top priority as well as Medicare/Medicaid legislation. "Thank you" to Harold Blattie for tracking the legislation!

I look forward to joining you in district meetings, forest county meetings and MACo meetings for the next year.

FAREWELL TO OUTGOING COUNTY OFFICIALS

MACo recognizes the following elected county officials who are ending their service in county government. We are grateful for their dedication and we wish them great happiness.

ANACONDA-DEER LODGE

Commissioner Dave Beatty
Commissioner Russ Bilodeau
CEO Peter Boyce
Attorney Michael Grayson
Chief Law Officer Thomas Blaz

BEAVERHEAD

Coroner Tery Hursh

BIG HORN

Clerk / Court Michelle Massine

BUTTE-SILVER BOW

Commissioner Joe Quilici
Commissioner Paul Babb
Commissioner Ristene Hall
CEO Judy Jacobson
Assessor Charles Krause

CARBON

Clerk / Court Gayle Strausburg

CARTER

Commissioner Milt Markuson

CASCADE

Commissioner Tom Stelling
Sheriff Kent Funyak

CHOUTEAU

Treasurer Michelle Mattick

CUSTER

Commissioner Janet Kelly

DANIELS

Commissioner Betty Hagfeldt

DAWSON

Commissioner Jim Deckert

FALLON

Commissioner Roddy Rost
Coroner Travis Toews

FERGUS

Commissioner Vern Petersen

FLATHEAD

Commissioner Howard Gipe
Treasurer Patty Arnold

GALLATIN

Commis. Jennifer S. Mitchell

GARFIELD

Commissioner Brent McRae

GLACIER

Commissioner Bill Icenoggle
Sheriff Gary Racine

GOLDEN VALLEY

Commissioner Joan Krause
Attorney Catherine Truman

GRANITE

Commissioner Earl Martin

HILL

Commissioner Pat Conway

JEFFERSON

Commissioner Sherry Cargill

JUDITH BASIN

Commis. Richard Cervenka

LAKE

Commissioner David Stipe
Clerk of Court Kitty Pedersen

McCONE

Commissioner Robert Kluth

MINERAL

Clerk Court Cheryle Demmon
Sheriff Anita Parkin

MUSSELSHELL

Commissioner Bryan Adolph
Attorney Catherine Truman
Sheriff Martin Malone

PARK

Commissioner Edmond Carrell
Commissioner Edward Schilling

PETROLEUM

Commissioner Tom Pugrud
Sheriff William Troutwine

PHILLIPS

Commiss. Carol Kienenberger

PONDERA

Commissioner Sam Harris
Sheriff Leon Simpson

POWELL

Commissioner Tom Hatch

RICHLAND

Coroner Jack Fulkerson, Jr.

ROOSEVELT

Commissioner Ferris Toavs
Coroner L. M. Clayton III

STILLWATER

Commissioner Cliff Bare

SWEET GRASS

Commis. Tom Hammersmark
Treasurer Vicki Uehling

TETON

Commissioner Mary Sexton
Clerk of Court Emile Kimmitt

TOOLE

Justice / Peace Janice Freeland

TREASURE

Commissioner Roger Knapp
Sheriff DeWayne Bates

VALLEY

Clerk of Court Patricia Hill

WIBAUX

Commissioner Tom Nelson

HELP!

YOUR INFORMATION MAY BE LOST!

During a recent computer system problem, contact information for MACo conference exhibitors was lost.

(contact names, addresses, emails, etc.)

Please help Karen resurrect the lost information by sending her the names of all people who are to receive MACo exhibitor or sponsor information, along with their mailing and emailing contact information.

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IN SEARCH OF THE IDEAL LEGISLATURE
Sections from September 2004 article by Alan Ehrenhalt in GOVERNING MAGAZINE

The poorly staffed, lobbyist-dominated institutions of the 1960's were inadequate and needed to change; the reforms of the 1970's largely took care of that. After three decades, there is no question that state legislatures as an institution possess more resources, more information and a higher degree of independence than virtually any of them did in the bad-old pre-reform days. But solving one set of problems doesn't preclude the emergence of new ones. Backed by mountains of surveys and scholarly research, legislatures throughout the country professionalized to the point where partisanship and incivility made it difficult for them to handle the most basic governmental tasks. A cynic might simply say that all we've managed to do over the past 30 years is trade one kind of "bad" legislature for another.

According to Alan Rosenthal's book, "Heavy Lifting: The Job of the American Legislature", legislative excellence is all about balance and harmony. There are three major functions of the modern legislature: representation, lawmaking and dealing with the executive branch. The ideal legislature does all of them well and keeps them in proper proportion. Currently legislatures are performing the representative function extremely well. Members are listening to constituents and responding. The lawmaking function isn't quite as strong. It might be a good idea to increase the power of the committee system. Committees are where most lawmaking actually gets done. The executive-relations function is the weakest of the three. If legislatures are finding themselves overmatched by governors, one might want to reexamine term limits. Term limits have deprived legislative bodies of the senior members who can wrestle with the executive on an equal basis. When leaders come and go every few years, nobody has sufficient clout to keep the fragile components in sufficient balance.

MONTANA LOBBYING RULES FROM
LINDA VAUGHEY, COMMISSIONER OF POLITICAL PRACTICES

44.12.107 LOCAL GOVERNMENT LOBBYING--DEFINITIONS AND REPORTING

(1)... ..A local government entity is exempt from reporting the following actions as lobbying activities:

(d) information or testimony provided in response to a request from the legislature, a legislative committee or a public official if the information or testimony does not support or oppose the official action under consideration.

(2)(a) the elected officials, employees, agents, officers and attorneys of a local government entity who are paid, reimbursed or retained to lobby must register as lobbyists; and

(b) each local government entity must file reports under Title 5, chapter 7, MCA, and this chapter concerning the activities of their lobbyists who lobby or support or assist a lobbying activity. Local government entities shall file consolidated lobbying reports covering the lobbying activities of all employees, officers, attorneys and agents.

Lobbying Form: http://www.state.mt.us/app/pdf/4lobbying/L.1_Lobbyist_License_App.pdf

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AIRPORT GUIDELINES

The Transportation Security Administration (TSA) released "Security Guidelines for General Aviation Airports." The guidelines are intended to provide general aviation airport owners, operators, and users with a set of federally endorsed security enhancements and methods for implementation.

The new guidelines were developed from industry best practices and provide a tool for operators to assess an airport's characteristics and determine which security enhancements are suitable.

The guidelines contain the Airport Characteristics Measurement Tool that helps to define unique security needs for differing airports. It is designed to be self-administered by airport operators, allowing them to assess an airport's security characteristics and determine which enhancements are most appropriate.

The guidelines address the security needs of both small landing strips in rural areas as well as large airports in urban areas.

More information regarding TSA and a copy of the guidelines are available at:

www.tsa.gov

BUS SERVICES

Rimrock Trailways agreed to take over most of the reduced Greyhound lines from Billings to Fargo. The routes, which provide essential bus service in Eastern Montana, were slated for abandonment following an announcement by Greyhound Lines and its effort to eliminate unprofitable routes.

Rimrock Trailways began its new service on the same day that Greyhound had slated the closure, so there was no interruption of services.

Although Greyhound will continue to serve some Western Montana communities, Rimrock Trailways is now the largest intercity bus provider in Montana.

Because of the importance of intercity bus service to Montana, Montana Department of Transportation supports the bus lines through its Intercity Bus Program. Over the last few years, federal funding from this program has supported infrastructure improvements such as a major rehabilitation of the Billings depot as well as operating assistance to the bus service providers.

RAILROAD BRANCH LINE STUDY

Railroad branch lines provide an important service to Montana areas that ship agricultural products to national and international markets.

Montana Departments of Transportation, Commerce and Agriculture recently completed the first of a two-phase study. The first phase focused on abandonment of the lines running from Scobey to Plentywood and from Glendive to Circle. Shortly thereafter, Burlington Northern and Santa Fee Railway announced abandonment of the Glendive line and sale of the Scobey line.

Phase Two will consider traffic and branch line condition on lines from:

Great Falls to Helena
Moore to Lewistown
Missoula to Darby
Valier Branch
Moccasin to Geraldine
Havre to Big Sandy
Choteau Branch
Westby to Whitetail
Bainville to Plentywood
Great Falls to Fort Benton.

The study can be viewed at www.mdt.state.mt.us/tranplan

THE FOUR STAGES OF LIFE

- 1) You believe in Santa Claus.
- 2) You don't believe in Santa Claus.
- 3) You are Santa Claus.
- 4) You look like Santa Claus.

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Attorney General OPINION

Volume 50 No. 10

(Sections from Attorney General Opinion, October 12, 2004)

Question: Does providing discounts or preferential rates to senior citizens by a self-governing government violate MCA 7-13-4304(2) & (4) and 49-1-102 and 205?

You are interested in providing preferential rates on the basis that seniors are often on fixed incomes and have a lesser ability to pay. Non-senior citizens would subsidize senior citizen rate payers.

MCA 7-13-4304 states, "...The rates for charges may be fixed in advance or otherwise and shall be uniform for like services.....The water and sewer rates, charges, or rentals shall be as nearly as possible equitable in proportion to the services and benefits rendered."

The matter is not subject to rulemaking by any state agency and no state agency has enforcement authority. (244 Montana at 200-03) So the local municipal ordinance would not be subject to challenge and a self-governing municipality would be free to design its own rate system.

However, the municipality is subject to the Montana Human Rights Act despite its status as a self-governing municipality. Discrimination in government services is affirmatively subject to state control. The Human Rights Act gives primary jurisdiction to the Human Rights Commission in making such factual determinations.

Held:

1. A local government with self-government powers may set rates for water and sewer service without regard to the requirements of MCA 7-13-4304.
2. Protection against unlawful governmental discrimination is an area affirmatively subject to state control. Consequently, the provisions of MCA 49-2-308 of the Montana Human Rights Act apply to a self governing municipality in the setting of water and sewer service rates.

Requested by: Paul J. Luwe
Bozeman City Attorney

Dear MACo Family

Thank you for your calls, your prayers, your words of comfort and your thoughtfulness at Mom's death.

Each contact strengthened me and deepened my faith.

You all mean so much to me.

GOD'S BLESSINGS TO YOU

Connie Eissinger

SAFETY RAY SEZ

Ray Barnicoat
MACo Risk Manager



COMING SOON

The annual MACo Loss Control Conference program is in the final planning stages. You will be receiving registration forms and workshop information in the near future.

Because of the huge success we have had over the past couple of years, we have continued to partner with the Local Technical Assistance Program (LTAP) and the Montana Sheriff's and Peace Officers Association (MSPOA). Each of the three groups will be doing training on topics relative to their professions.

The conference will be held in Lewistown at the Yogo Inn in order to balance the travel distance for all. A block of rooms has been reserved at state rate. **Attendees must have their rooms reserved by January 3, 2005.**

The conference will begin on Monday, January 17, 2005. I highly recommend that sheriffs, road supervisors, commissioners, HR directors and safety directors attend the conference.



COUNTY NEWS



COUNTY OFFICIALS

GOLDEN VALLEY and MUSSEL-SHELL COUNTY Attorney Catherine Truman resigned to accept a position with the State Attorney General's office. The counties will form a committee to select an appointee for the balance of the term, which expires in 2006.

GOLDEN VALLEY COUNTY will sponsor a retirement party for Commissioner Joan Kraus on December 21, 3:00-5:00 pm, at the courthouse.

PARKS

YELLOWSTONE COUNTY received donation of a proposed park which includes area for a 80-acre lake and will surround Pioneer School. The land will be put in trust until the park is completed, and a nonprofit organization will accept donations for development.

RAVALLI COUNTY is considering sale of eight park parcels ranging from 1/2 to ten acre in size. In controversy is public access to streams in the areas.

GALLATIN COUNTY is forming a park board to oversee county parks, which consist of a 100-acre regional park and dozens of undeveloped park properties. In addition, the voters passed a second open space bond issue.

ECONOMIC DEVELOPMENT

MADISON COUNTY hired a Great Falls native as executive director of the Economic Development Council. The new director recently sold his marketing business in Vietnam to return to Montana.

RAVALLI COUNTY withdrew from the Certified Regional Development Corporation, citing conflicts with the lead organization. In Montana, 11 regional organizations have formed from 52 counties with the intent of being funded through state economic development funds.

ROADS

Federal road closures in **McCONE, GARFIELD, and PETROLEUM COUNTIES** curtail access to the Charles M. Russell National Wildlife Refuge and access to Fort Peck Lake. Problems arose in Garfield County when fire control units did not have access to some areas there.

RAVALLI COUNTY has developed a "Gravel Roads Management Program" to outline proposed levels of service and practices, including dust abatement. Copies of the proposed program are available at 363-2733 or ravalliroads@co.ravalli.mt.us

PARK COUNTY accepted a road designation based on records of a 1915 petition for the road. Because it did not follow current road petition procedures for open hearings, the county is being sued.

CONSTRUCTION LAWSUITS

BUTTE-SILVER BOW COUNTY alleges breach of contract by the architectural firm which designed the new jail building. The County alleges that the firm miscalculated the amount needed to build the jail and as a result, the jail lacks several significant elements including an underground tunnel to the courthouse, a dedicated prison elevator, air conditioning and exterior finishing to match the courthouse.

HILL COUNTY has filed suit against two Montana companies involved in the design of new steps at the courthouse. The County contends that handrails were improperly installed and failed to meet codes and the ramp for handicapped accessibility was constructed too shallow and won't properly drain.

DISTRICTING

BLAINE COUNTY, following a public hearing, voted to proceed with petition to the US Supreme Court to hear the County's challenge to the redistricting mandate handed down by US District Court.

FOR SALE

One A.I.S.-115 Election Ballot Scanner
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and
One Ballot Jogger

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POSITION OPEN

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PARK COUNTY

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application form and complete job description

A VIEW OF PROPERTY TAXES

From D. A. DAVIDSON AND COMPANY

Bridget R. Ekstrom, Vice President, Public Finance; Bozeman

The heavy reliance on property tax as the source of funding for local governments and public school systems resulted in the late 1980s and through the 1990s in numerous attempts, both legislative and through voter-developed legislative initiatives and constitutional amendments, to limit the property tax. Montana local governments have been subject to a legislatively credited property tax limitation since 1986. During the same time, in efforts to spur economic development and achieve other purposes, the Legislature frequently revised (usually reducing) rates of taxation on various classes of property and reallocated property tax revenues of different kinds between the state and local governments.

The reductions in the rate of taxation for various classes of property resulted in a reduction of revenues for local governments, which the State attempted to reimburse to them or to allow for increases above the statutory property tax limitations, in an effort to at least keep the level of local government support.

At the request of the Interim Committee and with support of local governments, the 2001 Legislature enacted HB 124

Pursuant to HB 124, the State replaced its system of reimbursing local government for lost property tax revenue with a system of local government entitlements and block grants. To fund the entitlements and block grant programs, the State will retain various tax and revenues for the general fund that were previously allocated to the local governments. HB 124 combines a number of different reimbursements and other revenue sources controlled by the State legislature into one "Entitlement Share", which is tied to the general economic condition of the State. This will enable the State legislature to make changes in tax rates, exemptions and the reallocation of such taxes without impacting the revenue for local government, since the local government "Entitlement Share" is not tied to any particular revenue source or revenue allocation. It is anticipated that the local government revenue base, which will vary with the State's economy, can continue at a fairly predictable level and not be radically changed every two years as the Legislature makes adjustments to its system of taxation. Ultimately, the Legislature still has the power to change the "Entitlement Share".

Each local government's "Base" Entitlement Share is the total amount of revenue received by that local government at the end of FY 2001 from the tax and revenue sources which the State will retain under HB 124.

In FY 2002, the Entitlement Share was increased annually by a growth rate. For FY 2002 and 2003, the growth rate is statutorily set at 3%. Beginning with calendar year 2004, the Department of Revenue will calculate the growth rate of the Entitlement Share.

As revised by HB 124, a local government may impose a levy sufficient to generate the amount of property taxes actually assessed in the governmental jurisdiction in the prior year, based on the then current taxable value, less the current years' value on newly taxable property, plus one half of the average rate of inflation for the three prior years.

A local government that does not impose the maximum allowable levy in any given year may carry forward the authority to impose mills in a subsequent tax year equal to amount actually levied and the authorized amount.

The levy limitation does not apply to judgment levies, a levy to repay protested taxes and emergency levies, or voted general obligation indebtedness or mill levy increases approved by the voters in accordance with HB 124.

Environmental Health Survey

County Commissioners Respond

Report submitted by Marjean Magraw, Environmental Public Health Tracking Project, MT DPHHS

Top environmental health effects perceived by Montana's County Commissioners include cancer and disease outbreaks associated with food/water contamination. Nearly 40% of those responding to a recent survey stated that they were 'very concerned' about these health effects.

Priority environmental exposures among Montana's County Commissioners include tobacco smoke in homes with children (41% stated 'very concerned') and drinking water contamination (45% 'very concerned').

The survey was conducted for the Environmental Public Health Tracking (EPHT) Project at Montana Department of Public Health and Human Services. This project is funded by the Centers for Disease Control and Prevention to begin planning and capacity building for an environmental public health tracking system. As part of Montana's efforts to build capacity for EPHT, County Commissioners were surveyed to understand their perspectives about priority environmental exposures and health effects in Montana, and to explore perceptions about their role in addressing environmental issues at the county level. In total, 131 out of 180 (73%) County Commissioners responded to the survey.

County Commissioner perceptions of priority exposures and health effects are very similar to other groups surveyed, such as public health nurses, sanitarians, health officers, county extension agents, and non-governmental organizations. Consistencies were found for perceptions among all six groups concerning priority environmental health exposures. With the exception of county extension agents, all groups listed drinking water contamination within their top two concerns (40-68% stated priority concern). The second most-cited concern was tobacco smoke in the homes of children where 80% of public health nurses, 81% of health officers, and 41% of county commissioners stated that they were 'very concerned' about this exposure. Other environ-

mental exposure concerns listed by these six groups within their top two include toxic contaminants in foods (sanitarians and county extension agents), residences built in floodplains (county extension agents), and hazardous and solid waste (non-governmental organizations).

Similarly, significant agreement was found for perceptions of priority health conditions among those groups surveyed. With the exception of health officers, cancer was listed within the top two concerns for all groups where 22-62% of respondents stated that they were 'very concerned'. Other frequently cited concerns for health conditions include disease outbreaks attributed to food and water (nurses, sanitarians, health officers, county commissioners, and non-governmental organizations) and respiratory disease (health officers).

County Commissioners responding to this survey also perceived that they can influence the environmental health of Montanans. For example, nearly 70% of respondents agreed or strongly agreed with the statement, "County Commissioners can play a key role in helping to prevent environmentally related illnesses". Likewise, 97% of respondents stated that County Commissioners should be aware of specific environmental hazards in their communities, and 80% felt that it is important to support healthcare workers to intervene in cases where environmental hazards/exposures exist.

County Commissioners help shape local and state health agendas and are important advocates for the health of Montanans. Responses from this survey will be used to plan future priority activities for the Environmental Public Health Tracking effort in Montana. A full report of survey findings will be available soon (<http://www.dphhs.state.mt.us/epht/>) and specific questions about this survey can be sent to Dr. Wade Hill at Montana State University (whill@montana.edu). For more information about Montana's EPHT project contact Marjean Magraw at 444-4871.

SAFETY RAY SEZ

**Ray Barnicoat
MACo Risk Manager**



Employer liability for cell phone use continues enormous growth as more people and businesses subscribe to the service. Courts across the country continue to rule that employers could be liable for injuries and accidents caused by employees using their cell phones for business purposes while driving a motor vehicle.

When driving a vehicle at 30 MPH, you are covering 45 feet per second. If you are not paying attention to a phone conversation, you could miss a developing hazard.

Some states have enacted laws banning the use of cell phones while driving unless they use a hands-free device. It is my opinion that even the use of hands-free devices increases the risk of having an accident. It is like patting your head with one hand and rubbing your tummy with the other. A person can't do multiple tasks effectively.

One suggestion for business and government employers is to educate and train employees on the local laws and national developments regarding cell phone use in the car. If there is no local ban on cell phone use while driving, it may be useful to adopt a similar regulation or policy. If you are reluctant to ban cell phone use in your vehicles, you should implement a policy that requires the driver to pull safely off the road to use the cell phone.

The really basic thing in government is policy. Bad administration can destroy good policy; but good administration can never save bad policy.

Adlai E. Stevenson, 1952

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NACO'S 2005 Acts of Caring INCLUDES CASH PRIZES

For the first time, NACo's 2005 Acts of Caring Awards will present cash to the volunteer programs that win the Legacy Award for Excellence and Innovation (\$1,500) and the Youth Service Award (\$1,000). The Acts of Caring Awards recognize the top county volunteer programs in the U.S. This is the sixth year for this unique awards program. The awards will be presented during National County Government Week, April 10-16, in a ceremony on Capitol Hill with recognition from NACo and members of Congress.

Up to 18 programs will be deemed examples of outstanding Acts of Caring. Based on county size (rural, urban, suburban), as many as three programs will be recognized in each of the following categories: 1) Community Improvement; 2) Criminal Justice/Emergency Management; 3) Elderly Services; 4) Health Services/Social Services; 5) Libraries; and 6) Programs for Children & Youth. The types of programs that can be included in Community Improvement are arts & culture, historic preservation, environmental programs, services for animals, civic education and recreation / parks.

The Legacy Award is given to the top program because it sets itself apart by providing service in its community which most fully embodies the spirit of volunteerism by addressing a unique need. It is selected from the entire field of Acts of Caring applicants.

The Youth Service Award is presented to the program that best identifies a critical need in the youth community and addresses it, in part, by engaging young people in service.

An "act of caring" is a community service provided by a county-sponsored volunteer program that enhances or preserves the quality of life. Any county government that is a member of NACo with an active volunteer program is eligible to participate. The deadline for entries is Friday, January 21, 2005. Entries should be sent to NACo at 440 First St., NW, Washington, DC 20001. An award application is available online at the NACo Web site:

www.naco.org



NACo INFORMATION

WESTERN INTERSTATE REGION FALL BOARD MEETING; CHEYENNE WYOMING SUBMITTED BY CONNIE EISSINGER, McCONE COUNTY

The Board reviewed the WIR Mission Statement and Strategic Goals. The Mission Statement remained the same: “The Western Interstate Region (WIR) exists to be the counties’ advocate for public policy issues affecting the West.” The Strategic Goals were set and the Board voted on and ranked the final list of issues:

1. Endangered Species Act
2. PILT
3. Energy
4. Secure rural schools
5. TEA 21
6. Federal land acquisition
7. Tribal lands and infrastructure needs
8. Water and intergovernmental relations

The Board was then tasked with splitting up into Democrat and Republican groups, identifying the top four issues, and coming up with an action plan. Remarkably, both groups identified the same four issues and came up with similar action plans! WIR is officially a united board. The four issues are

1. Secure Schools Reauthorization
2. Endangered Species Act
3. Energy
4. PILT

(Connie was invited to participate in a workshop for State Planning Directors. Her report covers: liveability ratings for communities; state school trust lands policy; Colorado field trip, and politics of taxation. The following section is from her report. The full report is available from the MACo office.)

LINKING WATER SUPPLY AND LAND USE

Rapidly growing areas have two distinct advantages in finding their water. They have the water laws and money in their corner. Articulating your local interest and plans for water use is essential to include in your land use plan. Participating in water decisions made by state officials is also essential. Water development rights should be conditioned on 100-year needs, suffi-

cient quantity and quality, and sustainability.

Not many new sources of water are available, so reallocation of already-developed water and moving it to new demands will become common. Water rights are marketable and voluntary.

Interruptable service agreements for dry year options mean that cities can purchase water rights and lease them back to irrigators most years. Some cities lease to other cities.

This could be an extended drought combined with a climate change. In the 19th Century, the West was declared an uninhabitable desert. Then the railroads and the government promoted settlement. The 20th Century debate suggested technology and science could outwit nature.

The atmosphere of this discussion seemed to accept the likelihood that food production will become an imported commodity similar to oil and that it is no great concern if it does. At that, I almost had to leave! The reality of how far the majority of this country has come from its agricultural roots saddens me, maddens me, and causes me to question just what values the next generation is going to develop.

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MISCELLANEOUS ELECTION OBSERVATIONS

In **Anaconda-Deer Lodge County**, interim Chief of Law Enforcement John Sullivan waged a write-in campaign for election and was overwhelmingly elected. Two other candidates were on the ballot. The voters also elected Mark Woirhaye as the new Chief Executive and Joan Borneman as the new County Attorney.

For the fourth time, **Yellowstone County** voters turned down a property tax increases to support various services. This election was the second defeated effort for museums and cultural programs. In addition, last June the voters also rejected a bond issue to rebuild an athletic field and develop a swimming pool complex. The spring before, they rejected a plan to build a new high school and remodel the three existing public high schools.

In **Fergus County**, two former county commissioners were elected to the County Local Government Study Commission. Bud Miller (1985-96) and Joe A. Spika (1997-2002) were voted in to the five-member study commission.

Ravalli County voters supported a shorter version of the current growth policy. The County Commission had campaigned strongly for the document, speaking to community groups and hosting an information booth at the county fair. The Commission had removed regulatory language, shifting implementation tools to a separate document. The original plan was defeated at the polls in 1998 and after two years of public meetings and focus group work, the countywide policy was adopted in 2002. Public controversy continued and the slimmed down version was adopted in August by the Commission and put to public vote.

Former county commissioner and MACo President Dean Harmon, **Roosevelt County** (1993-2002) lost his bid for election to the Montana Senate.

Voter turnout surpassed 80% in **Carter, Powell, Judith Basin, Golden Valley, Petroleum, Prairie, Lewis and Clark, Valley and McCone Counties.**

MACo News

Phone (406) 444-4380

Fax (406) 442-5238

Email: macopb@maco.cog.mt.us

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