



NEWS & VIEWS



FALL-WINTER 2019

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Newly Elected Officials – We are Here to Help!

With municipal elections around the corner, many cities and towns will have new mayors and city council members on January 1. The Montana League of Cities and Towns (League), the MMIA, and the MSU Local Government Center (LGC) are gearing up to make sure those newly elected officials have everything they need to start on the right foot.

publish this document, so you and your newly electeds can access all the vital information found in this guide.

Educational Opportunities

Executive Forum - We strongly encourage mayors, chief executives, and city managers, new and experienced, to join us in Choteau April 8-10 for the Executive Forum. This event brings together city and town leaders and municipal experts to network and learn. We will have an economic development tour of the Choteau area this year, which is an excellent opportunity to learn about how other communities have put tax dollars to work to make their community resources and services better.

Clerks and Elected Officials - Clerks, mayors, and councilmembers should consider attending the Clerks and Elected Officials training in Bozeman May 3-8, 2020.

First Contact

Immediately following Election Day, we will contact the counties for election results. Someone from our organizations may reach out to you for contact information for your new mayor and councilmembers. Soon after, we will send a welcome postcard to new officials introducing our three organizations. We will also do outreach phone calls. If you receive one of these communications, please help us make sure they get to the right people.

Still Have Questions?

If you or a newly elected official have any questions, please do not hesitate to call the League, MMIA, or the LGC. We are here to keep Montana’s cities and towns, vibrant, healthy, safe, and stable!

Municipal Officials Handbook

The LGC is hard at work updating the Municipal Officials Handbook. This year, the book will be fully available online at no cost. We will send a second postcard to new officials as soon as they

MMIA BOARD OF DIRECTORS

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- Doris Pinkerton**
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City of Helena
- Jerry Jimison**
City of Glendive
- Susan Nicosia**
City of Columbia Falls
- Marlene Mahlum**
City of Wolf Point
- Wendy Judisch**
Member at Large, City of Conrad

Directory of Montana Municipal Officials Update

The League and MMIA will soon begin compiling the Directory of Montana Municipal Officials. The directory comes out in the spring of 2020. To offer this invaluable tool to our members, we need your city/ town's information.

The data we are looking for includes updates on items such as mayor, city council, and department head information including, names, phone numbers, and email addresses.

We will also be verifying office hours, council meetings dates, website addresses, and more.

We will reach out to you soon to begin collecting information

Your municipal resource organizations are hard at work for you, and we appreciate any time you take to help us compile the most complete and correct information possible. ■



FWP's Management of CWD and Urban Deer Plans

By Greg Lemon, Communication & Education Division Administrator, *Montana Fish Wildlife and Parks*

With chronic wasting disease present in Montana's wild deer herds, Montana Fish, Wildlife and Parks is taking strides to address management of the disease and determine where it exists on the landscape.

FWP's surveillance efforts for CWD started in 2017 in southcentral Montana. The surveillance work was targeted to places where neighboring states or provinces had found CWD in their wild herds. This work shifted to the Hi-Line in 2018 and to southeast Montana in 2019.

However, the discovery of CWD in the urban deer herd in Libby made it obvious the disease does exist in other areas.

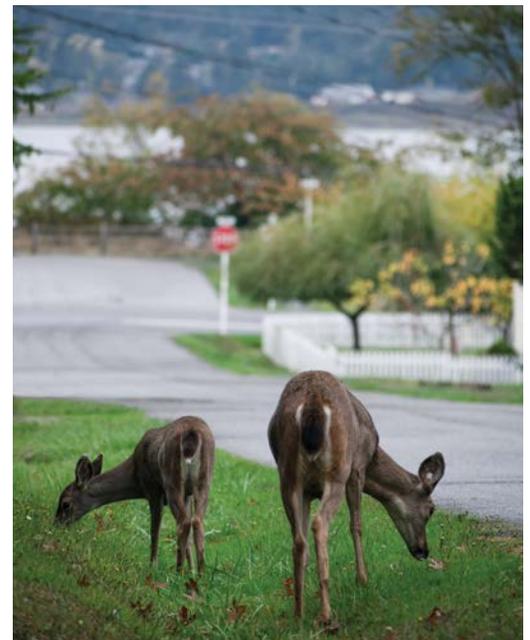
CWD is a progressive, always-fatal disease affecting the nervous system of deer, elk and moose. FWP has identified the disease in wild deer along the Hi-Line in northern Montana, south of Billings and in the Libby area.

There is no known transmission of CWD to humans. The Centers for Disease Control and Prevention recommends that hunters harvesting a deer, elk, or moose from an area where CWD is known to be present have their animal tested for CWD prior to consuming the meat, and to not consume the meat if the animal tests positive.

It is believed that artificial aggregation of deer, such as in an urban setting or at a high-valued food source, like an alfalfa field, could promote the spread of the disease.

FWP has long encouraged communities with urban deer populations to manage their herds to avoid high-densities, which can promote disease spread, and human conflict. Additionally, we work to communicate to the public about the legal and biological consequences of feeding deer. We have worked successfully with many communities around Montana to establish urban deer plans, which include management objectives, culling operations or even limited hunting opportunities.

For more information on CWD, please see our website at fwp.mt.gov/CWD. If you are interested in discussing an urban deer planning process, please contact Quentin Kujala with the FWP wildlife division at (406) 444-5672. ■





Part III Policy Review: Proper Classification of Positions and Overtime Payment Policy

By Angela Simonson, PHR, SHRM-CP, *Human Resource Consultant*

Positions are classified as either non-exempt or exempt from overtime. Any position can be classified as non-exempt and be subject to earning overtime pay for all hours worked over 40 per week. Per wage and hour regulations, non-exempt staff who work over 40 hours in an established seven (7) day work week must be paid 1.5 times for all hours worked beyond 40. Holiday and Leave time is not considered worked time for purposes of overtime calculation. Collective Bargaining Agreements (CBA) and employer policies may require overtime if an employee is PAID for more than 40 hours in a work week. In these cases, Holiday and Leave time does count for purposes of overtime calculation. Please refer to the City/Town policy handbook and if unionized, any applicable CBA to determine how overtime is calculated for non-exempt staff.

To be classified as exempt, a position must pass salary and duties tests. The salary test is the first step in determining whether a position can qualify to be exempt from overtime. Currently the salary threshold is \$455/week (\$23,660 annualized). As of January 1, 2020 this amount increases to \$684/week (\$35,568 annualized). If an employee is not paid a salary of this amount or greater, they cannot be classified as exempt. If an employee is paid on a salary basis at or above this level, the position then needs to pass a duties test prior to being classified as exempt.

Job titles do not determine exempt status. In order for an exemption to apply, an employee's salary and job duties must meet all requirements set by the Department of Labor. To pass the duties test a position must be a "white-collar"

job and pass tests for one of the following categories of positions: executive, administrative, professional, computer employees, outside sales or highly compensated employees. To learn more about the duties tests, visit www.dol.gov/whd/overtime and reference the fact sheets. Exemption status cannot apply to "blue-collar" workers who perform work involving repetitive operations with their hands, physical skill and energy. Such positions must be classified as non-exempt.

Feel free to contact me with questions at asimonson@mmia.net or 406-495-7017. ■

DO YOU WANT MORE MMIA NEWS?

You can sign up to receive the quarterly newsletter by contacting Janel Favero, MMIA Communication Specialist, at jfavero@mmia.net. When signing up for this quarterly communication, you may elect to receive it electronic, hard copy, or both. This is a great way for you to stay up-to-date on upcoming events, policy changes, and information on how we are working to serve Montana's municipalities.



If you would like to view our past issues archive, visit mmia.net/news-events/archive/. ■

2019 Risk Management Awards

Bob Worthington Risk Management Achievement Award

Congratulations to the City of Conrad for earning the 2019 Bob Worthington Risk Management Award! Your efforts benefit not only the City of Conrad, but the membership of the MMIA. Thank you for setting an example of proactive risk management for cities and towns.

Nomination

“The City of Conrad has recently reviewed and restructured our Safety Committee as a pro-active approach to not only meet the mandated requirements but as a personal commitment to our employees and the taxpayers. We are now holding at least quarterly safety meetings within each department utilizing the Safety Manual from MMIA for topics. Records of each meeting are kept and any injuries that are reported are posted at each department’s headquarters. To ensure the confidentiality of the employee we have established a coding system on the posted report for each employee. Each department is assisting the other by reporting any suspected deficiencies to the pertinent department head for follow-up. We all know that we cannot be everywhere so many eyes make the process work seamlessly throughout the entire City. Each department supplies their employees with the necessary equipment such as ear plugs, safety shirts for the public works department; the office staff at City Hall was able to pick their own chair to eliminate discomfort for the many hours they are seated. The police department is supplied with bullet proof vests along with many other safety items. Each department is doing their part to keep their employees safe. We all know that no matter how proactive you are sometimes things just happen. However, you must be able to look in the mirror and know you did the best you could to prevent and educate.”



From left: Conrad Finance Officer: Agnes Fowler and Conrad Mayor Wendy Judisch

Additional Information

The intent of this award is to identify a person, group, department or member that has demonstrated an exceptional effort to manage risk or prevent losses. The award can acknowledge risk management efforts within any of our coverage programs: Liability, Workers’ Compensation, Property or Employee Benefits.

Nominations are not only a great way to recognize exceptional work, but also encourages members to learn

from each other in regards to effective risk management efforts.

Nominations are accepted from MMIA members and MMIA staff, with the winner announced during the annual Montana League of Cities and Towns Conference. Make your nomination today by completing the nomination form located on the MMIA Website>Risk Management>BWRMAA.

Continued on Page 5...



Photo courtesy of Tom Frowmfelder, City of Choteau Councilmember

Mayors, City Managers, & Chief Executives
Register today at www.mmia.net!

2020 Executive Forum

April 8-10 • Choteau Stage Stop Inn

Proudly brought to you by:



2019 Loss Control Awards

Each year the MMIA awards members with the lowest claim expenditures/number of employees for the previous five-year period in the First Class Cities, Second Class Cities, Third Class Cities and Towns in the Liability and Workers' Compensation programs.

Members with low incurred expenditures can represent significant cost savings not only to the municipality itself, but also to the entire MMIA pool.

Loss Control Awards for the Liability Program:

First Class Cities

Havre

Third Class Cities

Three Forks

Second Class Cities

Anaconda-Deer Lodge

Towns

Culbertson

Loss Control Awards for the Workers Compensation Program:

First Class Cities

Great Falls

Third Class Cities

Big Timber

Second Class Cities

Miles City

Towns

Chester ■

Wellness Program Wrapping Up – Health Screening Review Call Deadline Extended

Congratulations on a successful year engaging in wellness! The 2019 program is wrapping up. Here are a few things you need to know as the year comes to a close.

Health Screening Review Call

The deadline to do the Health Screening Review Call has been extended. This was due to a bottleneck of people who had screenings in late September combined with those who had earlier screenings but waited until the last minute to do their follow up calls.



Health Screening Review Calls must be completed by November 15th.

Video and Quiz

The video deadline has not been extended. The video and quiz were available May through September. The video is still available at www.mmiaEB.net to view for informational purposes, but will no longer qualify participants for an incentive.

80% Employee Participation

To see a list of which cities/towns made 80% participation, visit www.mmiaEB.net/wellness or see page 6.

Wellness Incentive Gift Cards

Wellness incentives will be sent to cities and towns in the form of physical Visa gift cards. As in past years, the cards will go to the clerk or benefit coordinator along with a list of recipients.



With the extended deadline, we are working to get gift cards out as soon as possible. We hope to have them to you before the end of the year.

Thank You!

Thank you for all you do to support and encourage employees to participate in the wellness program! This program is essential to keeping participants healthy and managing the bottom line of your self-funded health plan. ■

80% Employee Participation Results

For members that had at least 80% of employees get health screenings, then everyone in that city/town who got a health screening earns an extra \$50. If your city or town didn't make 80% this year, we can help you make a plan to succeed next year. Contact Employee Benefits at ebgroup@mmia.net or go to www.mmiaeb.net/wellness for more information.



| Member | Results |
|---------------------|-------------|
| Anaconda-Deer Lodge | 42% |
| Baker | 29% |
| Belgrade | 70% |
| Belt | 100% |
| Big Sandy | 0% |
| Boulder | 33% |
| Bozeman | 82% |
| Bridger | 0% |
| Broadus* | 100% |
| Cascade | 100% |
| Chester* | 80% |
| Chinook | 88% |
| Choteau | 82% |
| Circle | 100% |
| Colstrip | 56% |
| Columbia Falls | 72% |
| Columbus | 46% |
| Conrad | 86% |
| Culbertson | 0% |
| Cut Bank | 41% |
| Deer Lodge | 53% |
| Denton | 0% |
| Dillon | 61% |
| Drummond | 100% |
| Dutton | 0% |
| East Helena* | 80% |
| Ekalaka | 100% |

| Member | Results |
|---------------------|-------------|
| Ennis | 100% |
| Eureka | 100% |
| Fairfield | 100% |
| Forsyth | 100% |
| Fort Benton | 100% |
| Fort Peck | 100% |
| Fromberg | 50% |
| Glasgow | 67% |
| Glendive | 50% |
| Great Falls | 73% |
| Harlem | 83% |
| Harlowton | 100% |
| Havre | 82% |
| Helena | 58% |
| Hot Springs* | 100% |
| Joliet | 100% |
| Kalispell | 67% |
| Lewistown | 63% |
| Libby | 48% |
| Lima | 100% |
| Livingston | 53% |
| Malta | 67% |
| Manhattan* | 80% |
| Medicine Lake | 0% |
| Miles City | 53% |
| MMIA | 89% |
| Moore | 0% |
| Nashua | 0% |

| City/Town | Results |
|-------------------------|-------------|
| Plains | 88% |
| Plentywood | 0% |
| Poplar | 0% |
| Red Lodge | 76% |
| Ronan | 100% |
| Roundup | 100% |
| Saco | 0% |
| Scobey | 100% |
| Shelby | 88% |
| Sheridan | 100% |
| Sidney | 46% |
| Stanford | 0% |
| Stevensville | 100% |
| Sunburst | 100% |
| Superior | 100% |
| Terry | 80% |
| Thompson Falls | 45% |
| Three Forks | 100% |
| Townsend | 100% |
| Twin Bridges | 100% |
| Virginia City | 0% |
| West Yellowstone | 86% |
| White Sulphur Springs | 20% |
| Whitefish | 86% |
| Whitehall | 0% |
| Wibaux | 100% |
| Wolf Point | 50% |

***First time meeting ≥ 80%!**

Snowbirds Take Flight - Protect Your City from Expensive Water Service Claims

By Mark Gauthier, *Liability/Property Claims Adjuster*

Soon your snowbirds will be flying south. Sometimes snowbirds turn off their nests' heat, take flight, and assume that the water service termination falls on the municipality. Snowbirds figure that if the City/Town terminates the water service as requested, there will be no problem. Should a problem arise, however, usually, you are the first to be blamed for that problem.

Frequently, these assumptions result in frozen pipes and flooded property once pipes begin to thaw. Usually, the result turns into a significant water damage claim against the municipality, which typically includes mold issues due to discovering the problem several months down the road. The restoration costs of the water damage usually are tens of thousands of dollars to the property owner and sometimes the municipality, should the property owner prevail on a claim.

Your best plan of executing a water service request is to document the request and transfer the responsibility of verifying its completion back onto the property owner. Now might be a good time to review your policy and procedures as to how you manage snowbirds and water service termination and reactivation requests. The following are some suggestions to take into consideration.

All water service termination or activation should be made in writing; this way, there is no confusion as to what is requested. We recommend you create a Service Request Form template, which must include the current date and service location, and the day when the turn on/off is to take place. The form should also include the property owner's forwarding information to contact the property owner should a problem be discovered in their absence. A work order should be initiated in response to the request, and the written request should remain on file.

As you are aware, termination or reactivation of water service takes place at the curb stop, which is usually located within the City/Town right-of-way. The only control that you have is turning the curb stop valve. It is very difficult to determine a successful shutoff or reactivation at the curb stop without actually entering the property.

Now, what do you do?

You should require in writing that a property representative be present at the time of the turn on/off to verify its completion. Document the name of the property owner/



representative who is on-site at the time of executing the service on the work order. The employee who completed the work order should note the date and time when the request is completed on the work order, and file the work order so that it can be easily retrieved for reference should a problem occur.

If a property representative cannot be present when the service is being activated or terminated, execute the work order, and then provide prompt written notice to the property owner verifying the date in which water service was terminated or activated. The notice should instruct the property owner to confirm that the executed request was successful; this in turn places notice back onto the property owner that it is the property owner's responsibility to verify that the water service has been successfully completed.

City water departments are encouraged by the MMIA to remind homeowners to shut off water internally at the supply valve and drain pipes accordingly to prepare for the winter months.

Once water is reintroduced to the property at the homeowner's request, the water valve can be turned back on.

These suggestions might seem to impose more responsibilities onto your public works department and its employees, but the intent is to transfer the risk back onto the property owner. Your customers' water service terminations or reactivations requests are for the sole benefit of the property owner. A benefit in which the property owner should take responsibility and verify the activity is complete is in the their property's best interest. Thorough, accurate, and complete documentation upfront benefits both you and your customer. and will drastically reduce the amount of time that you spend diffusing a potentially volatile situation should a problem arise. ■



Montana Municipal
Interlocal Authority

PO Box 6669
Helena, MT 59604-6669

Calendar of Events

2019

- Nov 5** Election Day
- Nov 11** Veteran's Day, Holiday
MMIA Offices Closed
- Nov 28** Thanksgiving, Holiday
MMIA Offices Closed
- Nov 29** MMIA Offices Closed
- Dec 25** Christmas Day, Holiday
MMIA Offices Closed

2020

- Jan 1** New Year's Day, Holiday
MMIA Offices Closed
- Jan 20** Martin Luther King, Jr. Day
MMIA Offices Closed
- Jan 23** Employee Benefits Committee Meeting
700 W. Custer, Helena
- Jan 24** TSPC, Inc. Annual Business Meeting
700 W. Custer, Helena
- Jan 24** MMIA Board of Directors Meeting
700 W. Custer, Helena
- Feb 17** President's Day, Holiday
MMIA Offices Closed

Member Owned. Member Driven.
We Are you.

