



WORKING TOGETHER FOR MONTANA'S MUNICIPALITIES.

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Workers' Compensation Program Wind-Down

Visit mmia.net/workers-compensation-wind-down for up-to-date MMIA resources related to the Workers' Compensation Program Wind-Down. The webpage includes resource handouts, helpful links to the National Council on Compensation Insurance (NCCI), the Montana Department of Labor, and more.



MMIA also hosted a Wind-Down Resources Q&A, and the full recording is available on this webpage for your reference. We will continue to update the page as the wind-down progresses.

Questions?

Contact Amanda Clark, Interim CEO, at **(406) 495-7028** or aclark@mmia.net

MEMBER-DRIVEN RISK MANAGEMENT

The purpose of MMIA's risk management is to provide assistance to member-owners through individual consultations to review operations and exposures by experienced risk management staff with unique insights into municipal operations, conducting on-site training and/or custom webinars, and collaborating with member-owners and key partners to mitigate risk, providing overall stability for the self-funded programs. The services we provide are driven by the needs of our member-owners. Our risk management team is always willing to take on new topics or help address new issues that you may be experiencing within municipal operations. Our risk management team attends training regularly to stay up to date with municipal risks and exposures and to identify any emerging areas on the horizon. This critical information helps our member-owners stay informed to better manage workplace issues before they arise. One of the main ways our team can help member-owners is through the various trainings we offer. MMIA has recently developed a Reasonable Suspicion Training for Supervisors which provides supervisors with the necessary tools to identify employees who may be under the influence of alcohol and/or drugs while at work. This training helps support the decision to have an employee tested for alcohol and/or drug impairment. This is an important training for any member-owner who has employees with a Commercial Driver's License.



We also realize that for many cities/towns, the human resource functions are placed with the clerks, so the Risk Management team offers an introductory training into human resource functions to include those areas where there are large liabilities. Similarly, we provide training for supervisors to help them understand their roles in discipline, complaint resolution, and performance management. The purpose of these trainings is to ensure HR staff and supervisors understand their roles, responsibilities, and the potential liabilities involved when procedures are not done correctly.

As part of the assistance for human resources, MMIA will review policy handbooks for compliance with state and federal laws and MMIA also has a human resource consultant who is available to help with questions or concerns regarding any employment issues that may come up.

And it doesn't stop there. MMIA's risk management team has subject matter experts in liability/property coverages and exposures, hazard identification, along with workplace safety topics such as trenching/excavating, confined space, and lockout tagout (LOTO). Think of us as your personal risk management team, serving you by helping you manage the various risks and exposures that occur within municipal operations. The offerings that we provide are driven by your needs.

Please reach out to our risk management team with any questions or needs that you may have, we are always happy to help!

**MMIA Risk Management – 800-635-3089 option 0, riskmgmt@mmia.net
www.mmia.net/risk-management/resources**



EMPLOYEE ASSISTANCE PROGRAM EAP RESOURCES FOR SUPERVISORS

Stressors and responsibilities for supervisors present unique challenges, and those in these positions often feel alone as they try to navigate. MMIA's EAP provider for participants of the Employee Benefits medical plans, Sapphire Resource Connection, provides some content on frequently asked questions that can help guide supervisors. Here are a couple of examples that could be helpful.

Q:

I am slow to correct an employee or give a verbal warning for performance or conduct issues because I am afraid that I will lose the rapport I have built. How do I maintain a strong relationship in these circumstances?

A:

Dispensing corrective action in a verbal interview is not pleasant because it means confronting an employee regarding problems they may not want to hear about. So, your desire to avoid this tension is understandable, but not addressing performance can also erode your relationship in a cascading series of consequences. First comes confusion about expectations. Then, accountability is lowered. This is followed by the employee thinking standards don't really matter. Ultimately, small issues grow larger, morale suffers, and your credibility weakens. If you show fairness and consistency with your employee, it's unlikely your relationship will suffer. You want your employees to understand that accountability can coexist with positive trusting relationships on the job. You will achieve this goal if you are timely with these sorts of difficult conversations. The EAP is available to help supervisors and can guide you in preparing for these conversations, offering strategies like role-plays and helping you examine more closely the resistance you experience so you can overcome it.

Q:

The topic of employees not wanting to work, lacking engagement, and feeling unexcited about their employer has been in management literature for a while. I think we're all aware of it. Has anything new emerged recently that can help employees become more engaged?

A:

Much research has been conducted on employee engagement. The Gallup Organization has invested heavily in it, with recent findings showing that when employees strongly agree that they trust organizational leadership, they are nearly four times more likely to be engaged. Whatever you do to build trust increases the likelihood of having engaged employees. Start with these goals: Stay visible and communicate your vision, work unit goals, what's changing, and why. Communication reduces uncertainty, which fuels rumors and negativity. Show employees you care by being empathetic and available. Praise their efforts. You may care deeply, but if they aren't feeling it, it's not happening. Never let employees wonder what they should be doing or how their job fits into the larger picture. Trust them to do the job they were hired to do; trust helps prevent micromanaging. Look for ways to elevate their skills and education so they don't feel stuck or unable to envision a future. And be engaged yourself. If you're struggling, turn to the EAP for support.

MMIA's EAP with Sapphire Resource Connection is available for all participants on the Employee Benefits medical plans and those in their household. Please visit mmiae.net or sr-connection.com for more information.

Source: FrontLine Supervisor

SUPPORT YOUR LOCAL ORDINANCE

By Natalie Gallup, AC, CCLA
Sr Adjuster

It is nearly impossible for you to inspect and maintain the voluminous number of sidewalks located in your public right-of-way. The Montana legislature long ago recognized this problem. Montana code, as well as case law (*Nord v Butte Water*), allows municipalities to require by ordinance the abutting landowner to keep sidewalks in repair; in effect making the abutting landowner a joint agent in the municipality's duty to maintain the sidewalk.

Specifically, MCA 7-14-4122 states: **Construction and maintenance of sidewalks, curbs, and gutters.**
(1) The city or town council has power to regulate and provide for the construction or repair of sidewalks, foot pavements, curbs, gutters, or any combination thereof.

(2) If the owner of any lot fails to comply with the provisions of the ordinance within such time as may be prescribed thereby, the council may contract for the construction and repair of such sidewalks, pavements, curbs, gutters, or any combination thereof and the city or town may pay for the same. The amount so paid is a lien upon the lot and may be enforced or the amount may be recovered against the owner by a suit before any court of competent jurisdiction.



However, as one Montana municipality learned the hard way, not all sidewalk ordinances are sufficient to allow this joint agency. Particularly, the sidewalk ordinance in question read, in pertinent part:

REPAIR OF SIDEWALKS, CURBS AND GUTTERS:

*Whenever any sidewalk, curb and gutter which is now, or which may by reason of natural deterioration or decay, or by reason of unevenness, rapid slopes or from any cause whatever, becomes unfit or unsafe for public travel, or dangerous to the public safety, **the city engineer shall require** the owner of the premises abutting such sidewalk, curb and gutter, or his agent, to immediately repair the same, . . . [Emphasis added.]*





Recently, a litigated claim arose out of a trip and fall on a member owned sidewalk and the City subsequently third partied in the adjacent property owner based on the adjacent property owner duty to maintain the sidewalk created by Ordinance. The adjacent property owners moved for summary judgement arguing that the ordinance only applies if the property owner fails to repair the sidewalk AFTER notice is received from the City. The District Court agreed, dismissing the property owner from the suit. Essentially the Court decision opined that adjacent property owners, under the existing Ordinance language, is not responsible for maintenance, snow removal, etc. unless the city gives formal notice to the adjacent property owner to correct the condition.

The solution in this instance is to adopt Ordinance language that protects the interest of the city. Below is sample of a sidewalk repair ordinance that avoids this pitfall:

Sec. 34.04.020. - Repair of sidewalks by abutting owners; failure to repair.

All owners or agents of owners with property abutting and fronting upon any street or alley within the corporate limits of the city are required to keep the public sidewalks immediately abutting their property in good order and repair. Each such owner shall be liable to the city for all losses to the city or recoveries from the city for damages to person or property of others caused by such owner's failure or that of such owner's agents to repair and keep in good order and reasonably safe condition all such sidewalks abutting and fronting such owner's property within the corporate limits of the city. The city may, at its discretion, through the director of transportation and engineering, notify such owner that repairs are necessary to put such sidewalk in good order and such owner shall, within 30 days after such notification, under the supervision of the director of transportation and engineering, complete such repairs, as specified in such notice. If the person fails to make the required repairs, the city may repair same and pay for such repairs. The amount so paid by the city shall be lien upon the lot and may be enforced or the amount may be recovered against the owner by a suit before any court of competent jurisdiction.



Case law is clear that, although you are able to transfer maintenance responsibility of sidewalks onto the adjacent property owner, you are unable to transfer the non-delegable liability as the owner of sidewalks. For this reason, MMIA encourages members, as best practice, to periodically review Ordinance language to ensure that Ordinance is clear and concise without unintentionally creating additional risk exposures to your entity.

INTRODUCING LAND USE & PLANNING SERVICES AT THE LEAGUE

and Welcoming Jerry Grebenc to the League

Land use and planning are among the most complex, and consequential, responsibilities in local government. With new legislation, growing development pressures, and evolving community expectations, navigating Montana's land use landscape can be challenging for municipalities of every size.

To help our members meet these challenges with confidence, Montana League of Cities and Towns is excited to launch a new member program: **Land Use & Planning Services**.

And we're even more excited to introduce the person leading this work.

Please join us in welcoming **Jerry Grebenc** to the League team as our new **Land Use Services Director!**

Jerry brings more than **26 years of experience** supporting Montana communities through land use planning, community development, and public policy work. His background includes:

- County Community Development Director
- Program Manager for the Community Technical Assistance Program
- Planning Bureau Chief at the Montana Department of Commerce
- Several years in the nonprofit sector working on conservation and community planning
- More than a decade with Great West Engineering assisting local governments statewide

Jerry's deep knowledge of Montana's planning challenges, and his practical, on-the-ground experience, make him an exceptional resource for our member cities and towns.

What This New Service Offers Members

Through our new **Land Use & Planning Services** program, Jerry will support municipalities with:

- Technical assistance on land use and planning questions
- Guidance on statutes, case law, and recent legislative changes
- Review of local land use plans, ordinances, and regulations
- Customized onsite and virtual training for staff, councils, and boards

Whether you're updating a growth policy, navigating new legislation, revising zoning regulations, or needing planning board training, Jerry is here to help your community plan confidently, compliantly, and effectively.



About Jerry

Jerry Grebenc, CFM
Land Use Services Director

Jerry has spent more than 26 years working in land use planning and community development in Montana. He has served in leadership roles at the local, state, nonprofit, and consulting levels, always with a focus on strengthening communities and supporting public servants.

In his role with the League, Jerry will provide hands-on support to members by responding to planning questions, helping interpret statutes and case law, reviewing local regulations, and delivering tailored training to meet each community's needs.

You can reach him at:

Email: jerry.grebenc@mtleague.org
Phone: (406) 594-9505

Don't hesitate to reach out. Jerry is ready to help your city or town navigate Montana's evolving land use landscape with confidence.

WELCOME TOM FROWNFIELDER, THE LEAGUE'S NEW EXECUTIVE ASSISTANT

We're delighted to welcome Tom Frownfelder to Montana League of Cities and Towns as our new Executive Assistant!

Tom joined the League in August 2025 and brings valuable municipal experience and a strong commitment to public service. Before joining our team, Tom served the City of Choteau as City Clerk for five years and Finance Officer for two years, during which time he earned his Certified Municipal Clerk certification.

Tom also plays an important statewide role in supporting municipal professionals. He currently serves as the Secretary of the Montana Municipal Clerks, Treasurers & Finance Officers Association, a position he was re-elected to for a second two-year term.

Having spent nearly half his life in Montana, including nine years in Big Sky and eleven in Choteau, Tom brings both local knowledge and deep community roots to his work.

HOW TOM WILL SUPPORT THE LEAGUE AND OUR MEMBERS

In his role as Executive Assistant, Tom will be helping strengthen the League's internal operations and member services. His work will include:

- Coordinating logistics for trainings, conferences, and events
- Supporting legislative tracking and member communications
- Assisting League staff with day-to-day operations and project management
- Helping members find information, connect with resources, and navigate services
- Enhancing internal systems to ensure timely, responsive support to cities and towns



Tom's municipal background makes him a tremendous asset as we continue to expand the League's capacity and better serve our members across the state.

HOW TO CONTACT TOM

Tom is looking forward to getting to know our members and supporting your work.

Email: tom.frownfelder@mtleague.org

Phone: [\(406\) 594-5915](tel:(406)594-5915)

THOROUGH AUDIT MEANS STABLE RATES PROPERTY RENEWAL FY2026-2027

Property Renewal began **January 2, 2026**, and runs through **March 31, 2026**. This annual process is your opportunity to inform the MMIA of changes, additions, and removals to your municipality's property schedules which will be used to **calculate the annual assessment** for the FY 2026-2027 period.

Although member-owners of the property program are encouraged to make updates to their property schedules throughout the year as changes occur, MMIA requires member-owners to complete a review of their property schedules for real and personal property, vehicles, and mobile equipment on an annual basis. The review ensures the schedules contain accurate lists of all properties and their values, which helps provide rate accuracy and stability for the self-funded Property Program. If scheduled values are not accurate, and are systemically lower than their true value, loss amounts may exceed the amount of assessment that is collected and result in significant rate increases for the future. Accurate reporting of properties and their values is key in maintaining stable coverage rates.

The property schedules are also utilized for coverage determinations should your municipality experience a claim. So not only does the accuracy of the schedules impact the program as a whole, but also your individual municipality as well. MMIA recommends member-owners conduct a thorough audit of their property schedules before completing the renewal.

As in years past, the renewal process will be done through the Origami platform. You should have received an email from notifications@origamirisk.com to access property renewal for your city/town. For more information on how to audit the property schedule visit our [website](#). For questions, please contact the Risk Management team at riskmgmt@mmia.net.



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FOR MONTANA'S MUNICIPALITIES.

PO Box 6669
Helena, MT 59604-6669

REGISTER NOW

**EXECUTIVE
FORUM**

2026

LIVINGSTON, MT

March 4th - 6th

MAYORS, CITY MANAGERS, CHIEF EXECUTIVES, & CHIEF ADMINISTRATIVE OFFICERS:

REGISTER FOR THIS SPECIALIZED TRAINING TODAY!

» mmia.net/events/executive-forum-2026



JIM TILLOTSON

SERVICE PROGRAM

REGISTER NOW

May 6th - 8th
Billings, MT

CITY ATTORNEYS:

REGISTER FOR THIS INFORMATIVE AND RELATIONSHIP-BUILDING EVENT

» bit.ly/JTSP26

