CountyNews

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Phyllis J. Randall, who chairs the Board of Supervisors in Loudoun County, Virginia, discusses the impact that the opioid crisis is taking on her county, at a Nov. 13 briefing on Capitol Hill. See story, Page 3. Photo by Hugh Clarke

EPA, Corps propose 2-year WOTUS rule delay

By Julie Ufner
associate legislative director

The Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) have proposed extending the implementation date of the 2015 "Waters of the U.S." (WOTUS) rule until 2019.

On Nov. 5 EPA and the Corps sent their proposal to the Office of Management and Budget for review, after which it will be published as a proposed rule in the *Federal Register* and opened to public comment for roughly 30 days.

This would give the agencies more time to work through the rulemaking process to repeal and replace the 2015 WOTUS rule, which is currently under a nationwide stay pending a Supreme Court decision early next year.

WOTUS is a term that is used in the Clean Water Act (CWA) to define those waters (and conveyances) that require federal Clean Water Act permits. The term has been around since the 1970s and is most commonly associated with CWA Section 404 dredge and fill permits.

In 2015, the Obama administration finalized a new WOTUS rule that would have expanded federal jurisdiction over county-owned infrastructure, including county-owned ditches, channels, culverts and storm water systems.

Almost immediately after the rule was finalized, lawsuits were filed in both appeals and district courts arguing that EPA and the Corps had overreached in their authority to

See WOTUS page 2

House approves legislation to reauthorize flood insurance program

By Jacob Terrell
associate legislative director

Although the House and the Senate remain at odds over how to advance legislation that would reauthorize the National Flood Insurance Program (NFIP), the House on Nov. 14 approved its measure by a vote of 237–189 along party lines.

The legislation, the 21st Century Flood Reform Act (H.R. 2874), combines a series of bills that, in addition to reauthorizing the NFIP, would bring about considerable reforms to the program. Some of the proposed reforms could raise premium rates for flood insurance policyholders and make insurance less affordable for homeowners. As lawmakers respond to the aftereffects of this year's severe storms, some expressed hesitation to attach controversial reforms to a must-pass reauthorization bill, which the White House had urged Congress to consider earlier this year.

The NFIP is currently operating under a temporary extension that will expire on Dec. 8 if Congress does not act. Facing a busy congressional calendar, the House may have to pass an additional short-term funding extension through the end of December until a longer-term package is approved.

H.R. 2874 includes the following provisions:

- Reauthorize the NFIP for five years, from its Dec. 8, 2017 expiration through Sept. 30, 2022
- Lower the annual cap on premium increases from 18 percent to 15 percent
- Create a new flood insurance affordability program that allows states to subsidize premiums for low-income policyholders

See FLOOD page 4

More than 400 counties sign Stepping Up pledge

By Charlie Ban
senior staff writer

Bill Hall spent most of his tenure on the Lincoln County, Oregon Board of Commissioners focusing on human services issues. He saw the jail above capacity almost daily, with nearly 30 percent of inmates showing signs of mental illness.

The county had a drug court. It had a mental health court. It had post-release transitional housing. But it took a Stepping Up Summit in April 2016, coordinated by NACo, the American Psychiatric Association and the Council of State Governments Justice Center to give him a new perspective on the problem.

"It was a revelation for me. I knew a lot of these concepts were out there, but it was the thread that tied it all together," he said. "I started talking it up with all the usual stakeholders around the county and by Oc-

See STEPPING UP page 6

WOTUS delay proposed

From WOTUS page 1

regulate certain bodies of water. However, there was significant debate over which court — district or appeals — even had the authority to hear the case.

Ultimately, the 6th Circuit Court of Appeals ruled that they had jurisdiction — a ruling that has since been challenged to the Supreme Court, which heard oral arguments in the case last month.

It is expected that, when the Supreme Court rules on court jurisdiction, the stay may be lifted across much of the country (except for the U.S. District Court of North Dakota, which has issued its own stay that applies to 13 states), at which time the 2015 rule will be implemented.

Meanwhile, as a result of a Feb. 28 executive order, *Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule*, EPA and the Corps are withdrawing and replacing the 2015 rule, referred to as Phase 1 and Phase 2, respectively.

The proposal to extend the implementation date into 2019 is known as Phase Zero. Here is what we know about the timeline so far:

- **Phase ZERO** has been sent to the White House Office of Management and Budget for review. Once the review is finished, it will be published in the *Federal Register* and the public will be permitted to comment on it for roughly 30 days. EPA hopes to finalize a rule in early 2018.
- **Phase ONE** to repeal the 2015 rule and reinstate previous regulations, has begun. The public comment period for this closed on Sept. 27, and a final rule is expected by spring of 2018.
- **Phase TWO** would replace the 2015 WOTUS rule. The timing for this action is uncertain, although it is likely tied to the rule's withdrawal in spring of 2018.

As a result of NACo's efforts, EPA has agreed to hold a second follow-up Executive Order 13132 Federalism briefing to discuss the next steps to replace the WOTUS rule.

This consultation with the national associations of state and local governments will happen in early spring 2018. CN

SNAP/STATS

TOP 5 SWEET POTATO PRODUCING COUNTIES IN NORTH CAROLINA

Rank	County
1	Sampson
2	Johnston
3	Wilson
4	Nash
5	Edgecombe

*North Carolina has ranked as the No. 1 sweet potato producer in the U.S. since 1971.

Source: North Carolina Sweet Potato Commission

Ballot initiatives include opioids, victims' rights, property taxes

By Mary Ann Barton
senior staff writer

Voters around the country got the opportunity Nov. 7 to decide on several statewide and local ballot measures important to counties. In all, there were 22 statewide measures on the ballot, a record low number. Voters approved 16 of those, defeated three and voted to "advise repealing" three in Washington state.

In Ohio, voters in 12 counties said "yes" to raising their taxes to help better fund human service departments dealing with the rising number of children left behind when their parents are addicted to opioids.

"In Ohio, 52 percent of the funding for child protective services comes from the local level, 38 percent is federal and about 10 percent is state," said Suzanne Dulaney, executive director of the County Commissioners Association of Ohio.

"Thus, Ohio ranks 50th in the nation for state share of expenditures for children services," she noted. "This local pressure often requires counties to place property taxes on the ballot to alleviate pressure on the general fund. Exacerbating this problem is the opiate epidemic."

"Approximately 50 percent of the children in county custody in 2015 were there because of parental drug use," Dulaney said. "We saw a 10 percent increase in one year alone between 2016 and 2017. Not only do we have more children in custody, but they stay in custody longer and have lots of multi-system needs. Caseload projections for the future are shocking. By 2020, it is anticipated we will have 46 percent more children in county care than 2016."

Statewide in Ohio, a victim's right bill, Marsy's Law, also passed. The initiative is designed to repeal a section of the state constitution addressing the rights of crime victims and replace the section with Marsy's Law. In 2016, Marsy's Law amendments were approved in Montana, North Dakota and South Dakota. In Montana, the new law has led to increased workloads and financial burdens to counties, according to news reports. The state constitutional amendment was named after Marsy Nicholas, who was stalked and murdered by her ex-boyfriend in 1983. The initiatives are backed by her brother, a philanthropist.

Property tax amendment in Pennsylvania

In Pennsylvania, the Homestead Exclusion Amendment passed by a 6 percent margin; it will allow the state's General Assembly to increase the amount of assessed value that local taxing authorities may exclude for local homestead exemptions. Currently, only one-half of a homestead property's assessed value may be excluded from property taxes.

Medicaid expansion in Maine?

In Maine, voters became the first in the nation to use the ballot box to expand Medicaid under the Affordable Care Act, voting for the expansion by a nearly 9 percent margin. The measure would cover people with incomes equal to or below 138 percent of the federal poverty line. Maine Gov. Paul LePage has said he would not implement it unless the legislature funds the state's share of an expansion. Also in Maine, 72 percent of voters also said "yes" to a $105 million transportation bond issue and an amendment on public pension unfunded liabilities from experience losses.

Maine voters gave the thumbs down to locating a casino in York County voting 83 percent to 17 percent. York County itself did not take a public position on the question.

Property tax exemptions pass in Texas

In Texas, voters passed two measures affecting local governments:

- Authorizes tax exemption for property of partially disabled veterans received as donations
- Authorizes property tax exemption for surviving spouses of first responders killed in line of duty.

Washington state voters repeal taxes

Thanks to Initiative 960, approved in 2007, three advisory questions for tax-related bills passed during the 2017 legislative session were referred to the ballot in Washington state. A majority voted in favor of repealing increases in commercial fishing fees, changes to sales, use tax, business and occupation tax, and the state property tax. But a spokesman for the Washington State Association of Counties said it's "highly unlikely" the legislature will repeal. CN

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Laura Hanen of the National Association of City and County Health Officials talks about the opioid crisis to a packed room Nov. 13 on Capitol Hill. Photo by Hugh Clarke

County officials discuss toll opioids take on communities

By Mary Ann Barton
senior staff writer

The opioid crisis is taking a toll not only on residents but on county employees and budgets as well, county officials told a packed hearing room Nov. 13 on Capitol Hill.

Drug overdoses killed 64,000 people in the United States last year, according to the Centers for Disease Control and Prevention. It's an increase of more than 22 percent over the 52,404 drug deaths recorded the previous year. The crisis is overwhelming counties and their budgets.

Although some might say that the opioid problem bypasses well-off counties, Phyllis Randall, chair, Loudoun County, Virginia Board of Supervisors, said that her county, ranked No. 1 in median household income, is not immune to the crisis.

"We have the same opioid crisis as everyone else," she said at the briefing, held by the National Association of County and City Health Officials in partnership with NACo and the U.S. Conference of Mayors. Speakers highlighted the ways that opioid misuse and dependence is affecting their local communities.

"What is misunderstood is who is using opioids," she said, adding that most opioid abusers in her county are Caucasian, well-educated and under 40 years old.

'Let's talk about the disease, not the drug'

Although opioids make headlines, it's just replacing other drugs that have been in the headlines in the past — like crack cocaine, PCP and meth, Randall said. "We have to stop talking about the drugs and talk about the drug dependency issue," said Randall, a mental health therapist who works with substance-abusing offenders at a local adult detention center. "This is a clinical condition, it's not a character flaw."

Loudoun County is trying to combat the opioid crisis by training people on how to use Naloxone, which she credits for saving at least 15 lives in Loudoun County since 2015. The county is also holding "courageous conversations to talk about this disease, to take the stigma out of the equation," she noted.

Counties should "talk to your community service board" and "be ready to lead a community conversation and include people who are on drugs and their families," she said. "Don't judge them."

As far as federal dollars needed to help with the opioid crisis, Randall said that "it is illogical to think you can deal with this without funds. Sixty-thousand people a year are dying — it's going to take funds. We need a sustainable funding source. We need resources, funding and partnerships."

About six hours west of Loudoun County lies Cabell County, West Virginia, ground zero in the fight against opioid addiction.

Dr. Michael Kilkenny, health director, Cabell-Huntington Health Department, West Virginia, said that his county responds to more than 2,000 overdose calls a year. He also called for funds to help solve the problem. "We're paying the price anyway," he said. "It costs a whole lot more to incarcerate than spend money on prevention and education."

Because the county seat, Huntington, collects data on overdoses (location, time of day), it allowed Cabell County to be designated as a High Intensity Drug Trafficking Area, a classification that allows counties to access a federal grant program for additional resources. Also in their arsenal: naloxone training, recovery assistance and syringe-exchange programs to prevent the spread of disease.

The opioid crisis is also taking a toll on first responders, Kilkenny said. "They're not used to entering a home and seeing dead young people with children." He called the children of the addicted the "hidden victims" in the opioid epidemic. CN

OPIOID HEARING

In other opioid news, the Trump administration is taking steps to make it easier to prosecute traffickers of potent synthetic opioids that have led to an uptick in overdose deaths. The Drug Enforcement Administration (DEA) intends to temporarily schedule all fentanyl-related substances on an emergency basis, the Justice Department announced. That classification will let prosecutors charge people trafficking substances similar to fentanyl with the same charges as fentanyl, which is up to 50 times more potent than heroin.

Fentanyl — and its analogues — are a growing part of a growing problem in the United States," a DEA official said in a call with reporters, adding that the department is seeing "new fentanyl-related substances crop up at alarming rates."

At issue are overseas chemical manufacturers who try to alter the chemical structure of fentanyl sent to the United States to evade the Controlled Substances Act. This also makes it harder for prosecutors to convict drug traffickers. The temporary scheduling can last up to two years, with the possibility of a one-year extension. It goes into effect no sooner than 30 days after the DEA publishes a notice of intent in the *Federal Register.*

House bill creates community-based flood insurance pilot program

From FLOOD page 1

- Require property owners to disclose any known flood damage prior to selling or renting a property, and
- Direct the Federal Emergency Management Agency (FEMA) to provide a mitigation credit for homeowners who have made improvements to their property to reduce the impact of flood damage.

The bill would also enact new reporting requirements for FEMA, which would require the agency to disclose to policyholders the formula used to determine insurance rates and provide property owners with information on flood risk and previous claims. Important to note for counties, the bill would create a new voluntary Community-Based Flood Insurance Pilot Program, which would allow local governments to purchase flood insurance for a portion of properties within their jurisdiction or for all of them.

> Counties remain concerned with proposals that could make flood insurance less affordable.

The bill also contains several provisions of concerns to policyholders, including:

- An increase in the threshold of premium increases from 5 percent to 6.5 percent, meaning whenever rates increase for policyholders, they would do so at no less than 6.5 percent; this represents an increase from what is currently authorized under federal law;
- The cap on annual premiums is set at $10,000, which could limit affordability of the program to homeowners, and decrease the overall risk pool; and
- The implementation of a $25-$250 surcharge for policyholders who elect to make monthly installments on their annual premiums.

During a Nov. 13 hearing about the bill in the House Rules Committee, Rep. Garret Graves (R-La.) voiced concerns with the legislation, which he said did not adequately address the long-term solvency of the NFIP or the program's leftover debts from the costs incurred by superstorms such as Hurricanes Sandy and Katrina. Graves also argued that much of the NFIP's $24 billion in debt was a result of levee failures, and not due to a lack of coverage among property owners in New Orleans, who could face higher premiums that would go toward paying off the program's debts.

The measure must now be considered in the Senate, which remains divided on significant issues with the NFIP, such as the program's long-term solvency and premium increases for policyholders.

Although NACo applauds lawmakers' efforts to reauthorize the NFIP and implement reporting standards that are beneficial to homeowners, counties remain concerned with proposals that could make flood insurance less affordable, especially at a moment when communities across the country are still engaged in recovery efforts. CN

NACo Disaster Response and Recovery Social Media Day on tap Dec. 13

By Jenna Moran
program manager

As part of the Resilient Counties Initiative's effort to create a Disaster Toolkit for Counties, NACo will host a Disaster Response and Recovery Social Media Day, Wednesday, Dec. 13 to showcase how counties have responded to and recovered from disasters and have strengthened resilience within their communities. Throughout the day, NACo will share examples of county accomplishments and disaster resilience tools and resources for counties.

Join NACo by posting links to or short summaries of your county's disaster response and recovery projects, resources, lessons learned, tips and innovative efforts on NACo's Facebook page or on Twitter @NACoTweets using the hashtag #CountyDisasters.

The highlight of the day will be a #CountyDisasters Twitter chat at 2 p.m. EST through @NACoTweets.

What is a Twitter chat? A Twitter chat is where a group of Twitter users meet at a pre-determined time to discuss a certain topic, using a designated hashtag (#) for each tweet contributed. A host or moderator will pose questions — designated with Q1, Q2… — to prompt responses from participants using A1, A2… and encourage interaction among the group. Chats typically last an hour.

NACo's Disaster Response and Recovery Twitter chat will be focused on how counties support resilient communities through dedicated disaster response and recovery planning, partnerships and funding.

To participate in the conversation, please respond to the questions posted by @NACoTweets and tweet your county's stories and resources using the hashtag #CountyDisasters and the corresponding A1, A2, A3, for each answer.

If your tweet is longer than 280 characters, remember you can split it up into multiple tweets by adding a counter to the end of each tweet. For example, "2/5" to indicate this tweet is the second of five tweets that make up your response. If you plan to respond in this manner, please note that it is recommended you compose all tweets upfront and then publish them in quick succession one after the other, rather than composing one and tweeting, composing the next and tweeting. This better ensures the tweets will appear in order on the feed.

It is your stories and insights into the response and recovery process that will help us shape the Disaster Toolkit for Counties. By sharing your lessons learned and tips on strategies and innovative funding sources, you are adding depth and expertise to the final product. CN

WORD SEARCH

PICKENS COUNTY, S.C.

Created by: Mary Ann Barton

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APPALACHIAN The Appalachian Ale House is a top-ranked restaurant in Pickens by Yelpers.

BRITISH The Cherokee sided with the British during the American Revolutionary War (1775-1783), suffered defeat and surrendered their lands in South Carolina.

CALHOUN John C. Calhoun was from the area and served as the seventh vice president of the United States.

CHEROKEE The county was once Cherokee Indian territory, until the American Revolution.

CLEMSON Clemson is located in both Pickens and Anderson counties and is home to Clemson University.

DOODLE Doodle Trail links the cities of Pickens and Easley via a refurbished 7.5-mile railbed.

EASLEY The largest city in Pickens County, named for General W.K. Easley.

HAGOOD Hagood Mill Historic Site, featuring an 1845 gristmill and two restored log cabins, is a top "thing to do" in the county according to TripAdvisor.

MOUNTAIN Table Rock Mountain and Pinnacle Mountain are located in Table Rock State Park just north of Pickens, at the edge of the Blue Ridge Mountains.

NORTHWEST The county is located in the northwest corner of South Carolina.

PICKENS The county is named after Brigadier Gen. Andrew Pickens, who also served as a member of Congress.

RAILWAY The Atlanta and Charlotte Air Line Railway (later called Southern Railway) was established in the area after the Civil War.

SHOELESS "Shoeless" Joe Jackson, born in the county, played major league baseball in the early 20th century.

TEXTILE The textile industry was a major factor in the county's growth.

WATERFALLS Three lakes are fed by scenic waterfalls including Jocassee Gorges, featured in National Geographic.

Garrett County, Md. wins RWJF's Culture of Health Prize

Residents pick fresh produce at one of the many farmers markets located in Garrett County. Residents may also have fresh produce delivered to their door through the "Veggie Box" program. The program offers sponsored subscriptions for low-income families and individuals living with chronic disease in the county. Photo by ©Tracie Van Auken

By Blaire Bryant
health program manager

Garrett County, Maryland, a rural Appalachian community that borders Pennsylvania and West Virginia, is gaining national recognition as one of eight winners of the 2017 Robert Wood Johnson Foundation's Culture of Health Prize. The award, which is given annually and comes with a $25,000 prize, recognizes communities for their sustained efforts to ensure all residents have the opportunity to live healthier, happier lives. Garrett County is the first community in Maryland to receive this award.

Poverty at its root

At the heart of Garrett County is Deep Creek Lake, a vacation destination that has for years brought both a hefty tourism economy and notoriety to the region. But beyond the multimillion dollar homes and rapidly expanding condo developments surrounding Deep Creek Lake, is a community of residents who are grappling with poverty. The most recent *County Health Rankings* snapshot puts the unemployment rate in Garrett County at 6.5 percent, nearly double that of other top performing counties in the United States and indicates that 19 percent of children in this county are currently living in poverty.

Aiming for total wellness

Nonetheless, the residents and leaders of Garrett County are dedicated and determined to tackle poverty through solutions aimed at improving education, housing, jobs and health. When Jim Hinebaugh, now one of three county commissioners, returned to Garrett County after his military service in 1995 to become the director of economic development, it seemed as if the county's economic status had hit rock bottom. At that time, the county's largest employer, Bausch & Lomb Inc., the producer of Ray Ban sunglasses, announced it was closing its manufacturing plant, taking over 600 jobs with it. By early 1997, the unemployment rate had spiked to nearly 13 percent.

Hinebaugh began working with local elected officials, state officials, state and federal agencies, and business and community leaders to develop the county's first Strategic Plan for Economic Development. While examining the county's unemployment issues and analyzing its economic challenges, he realized the importance of educational attainment as an indicator of lifelong earning. The county's economic well-being was inextricably tied to developing a skilled and educated workforce, and the driving force was postsecondary education.

After his proposal to provide four scholarships to Garrett College was abruptly rebuffed, he went back and did the math. He calculated that the county could give every high school graduate a two-year scholarship at Garrett College, and it would only cost 1 penny on the tax rate. The scholarship program was adopted and implemented by Garrett College in 2006, and was widely received by both county officials and residents alike. It currently gives Garrett County residents who have obtained a high school degree or GED a free two-year scholarship provided that they are enrolled full-time and maintain a 2.0 grade-point average. In 2009, the program was expanded to "trade training" in which students could obtain certificates for specialty skills such as welding and nursing, or earn their commercial driver's license.

However, this community cares about more than just its economy. When Garrett Regional Medical Center, a 55-bed nonprofit acute care facility and affiliate of West Virginia University, evaluated the rates of patient re-admission to the emergency department, they discovered a core group of individuals that were being readmitted at consistently high rates.

"People with chronic diseases tend to be people you see in your emergency department on a somewhat regular basis," said Kimi-Scott McGreevy, public relations director at Garrett Regional Medical Center. Individuals would be sent home, and because they lack the tools to properly do so, would not change their approach to their disease. "The information just wasn't sticking."

The Well Patient Program was borne out of an effort to better serve this population and ensure that treatment and care did not end at the emergency department doors. Through the well patient program, patients are given a stake in their own health outcomes by serving as "equal members of their own healthcare team,"

See HEALTH page 11

Lincoln County, Ore. sheriff: 'Jail's no place for someone with mental illness'

From STEPPING UP page 1

tober, we'd signed a resolution."

Lincoln County had joined the growing list of Stepping Up counties — now topping more than 400 — that pledge to take steps to change the way they do business to try to get help to people with mental illness, instead of putting them in jail. In the year since the county signed on to Stepping Up, Hall and County Sheriff Curtis Landers have set out in a new direction.

"We knew what we were doing wasn't working," Landers said. "A deputy could take someone to the hospital after an incident, but they'd be waiting up to nine hours and the deputy would have to be there with them. Sooner or later, they realized it was a lot faster to find a little charge they could book them on, take them to jail and get back out there."

In exchange for that expedience, the inmate who needed help wasn't getting it. "If they really needed help, they'd deteriorate more," Landers said. "Jail's no place for someone with mental illness."

Changing that has meant a comprehensive examination of what the county does. The county's Stepping Up consultant called together representatives from every branch of the county government or social service organization who interacts with an inmate to see how they could all improve their processes and results.

It's an exercise known as Sequential Intercept Mapping, and it's a Stepping Up cornerstone. What was once as messy and tangled as a plate of pasta was now a flow chart, guiding people through the system, including before, during and after incarceration.

In October, a year after the Board signed the resolution, the county was focused on hospital, crisis, respite care, peer and community services, and law enforcement and emergency services. The sheriff's office spans two intercept points. Right now, Landers is trying to schedule crisis intervention training for all 100 of his personnel, which is a challenge, given the 40-hour time frame for that training.

"It's a crucial step, because after that training, the deputies will have the tools to address people's needs and be able to de-escalate a situation that could be more dangerous if mental illness is involved," he said.

Though the shift has involved a cultural change for his department, Landers said his deputies were buying in and saw the value.

"It's not a soft-on-crime approach, it's a smart-on-crime approach," he said. "It's going to pay off for everyone because if we can correct these things, deputies can spend their time doing better things. Things they want to do."

Hall and Landers both said that communicating the process and the benefits to everyone involved helps promote buy-in.

"It's a leadership thing," Landers said. "If you have the passion and vision, discuss it."

The next step for Lincoln County will be developing pre-trial diversion programs and hiring a full-time Stepping Up coordinator, then planning annual updates for crisis intervention training to accompany CPR trainings.

"We really want to have pre-trial diversion services, that's the point where I'll feel like we've made a big step," Hall said. "There's enough momentum now that we should be able to do it."

The staff position would focus on planning, community building and fundraising for Stepping Up-related operations.

The county's community building is already paying off, with a local motel interested in offering a few rooms for transitional housing for participants who have been stabilized, are sober, have no outstanding restraining orders, have no convictions of domestic violence and are able to care for themselves. It will not be used for midnight drop-offs. The county has also added transitional probation officers to help inmates prepare for and navigate post-release life.

"We're increasing what we have to offer all along the spectrum," Hall said. "More people are getting on board all the time. We definitely have momentum here." CN

LINCOLN COUNTY TAPS NEW STAFF RESOURCES

Lincoln County, Oregon expanded its post-release transition programming by starting earlier and staying with an inmate longer than before, thanks to the addition of several staff members to support the larger scope. That focus on the steps outside of jail, through the Transition and Programming Services (TAPS) program, has helped the county target recidivism in its post-release population and offer attention to help ex-offenders adjust to life after jail.

After watching one probation officer try to keep pace with the rate of jail discharges and post-release follow-up, the county added a full-time transition probation officer and two part-time probation officer technicians. That allows the new full-timer to start working with inmates well before their release to create individual plans and arrange for wraparound social services. The single probation officer did not have time to do this in-depth planning with individual inmates beforehand.

The transition officer keeps tabs on each offender for at least six months to a year, handing them off to the traditional probation officer after offenders reach program benchmarks. Once transitional living arrangements are made, the part-time probation officer technicians take over.

TAPS is funded by a $514,208 grant through the state's 2015-2017 Justice Reinvestment Grant Program.

BEHIND THE SEAL

PICKENS COUNTY, S.C.

Introduced in: 1990s

Designed by: Bryan Langston

In the 1990s, the Pickens County, South Carolina Council wanted to adopt a seal, and they saw a design commissioned in 1968 for the county's centennial in the Pickens Sentinel. They made a lithograph of the design, but it was still missing something, and Council Member Norman Langston felt it needed a little color. He knew just the person — his son, Bryan — and the right price — free — to spruce it up.

"I guess I got shoehorned into it," said the younger Langston, who now works in the County Sheriff's Office in forensics, where his artistic skills are employed sometimes to sketch crime scenes.

The seal features Table Rock and Lake Oolenoy, the natural prime attractions in the county.

The seal includes 1868, the date of the county's founding.

Four stars represent the four Medal of Honor recipients from Pickens County.

Would you like to see your county's seal featured? Contact Charlie Ban at cban@naco.org.

CN SPOTLIGHT

TURKEY TROT

Marchers escort the holiday's best known symbol in Montgomery County, Maryland's annual Thanksgiving Day parade, held this year Nov. 18.

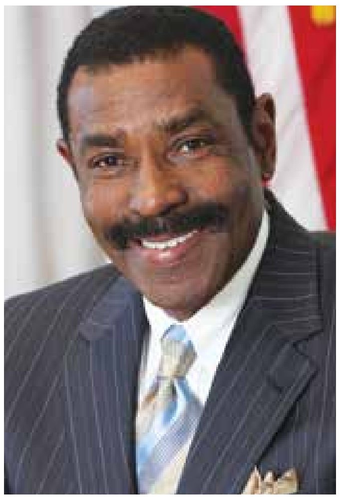
photo courtesy of Montgomery County, Md.

IN MY OPINION

Amplify Your County's Voice on Global Climate Action

"In My Opinion" space is offered to officials in NACo-member counties to air their opinions, concerns or suggestions related to county government. Publication does not indicate support and *County News* reserves the right to reject submissions. Please submit your opinions to bschlott@naco.org. Be sure to include your contact information.

By Supervisor Keith Carson
Alameda County, California



CARSON

Alameda County; Arlington County; Baltimore County; Contra Costa County; Cook County; Dallas County.

Dane County; Douglas County; Eagle County; Erie County; Johnson County; King County; Linn County. Lucas County; Monroe County; Montgomery County; Multnomah County; Pima County.

Prince George's County; Santa Barbara County; Santa Fe County; Sonoma County; Tompkins County; Union County; Ventura County.

From red and blue states across the nation, these counties — and more — have joined We Are Still In, the bottom-up network organized in response to President Trump's decision to withdraw the United States from the Paris Climate Agreement. Signatories to We Are Still In have declared their continued support for the Paris Climate Agreement and now represent more than 127 million Americans and $6.2 trillion of the U.S. economy.

Stand up and be counted by joining the thousands of local governments, states, universities and businesses in the United States that have come forward to demonstrate their commitment to combating climate disruption.

Climate change is here. This year in Alameda County, California, multiple weather events exacerbated by global climate change have had a major impact on our residents and employees.

While no one event can directly be attributed to climate change, we are seeing a pattern.

Our staff worked around the clock to address roadway collapses and rock slides from this winter's heavy storms.

Six people died in an unprecedented heat wave over Labor Day weekend in the San Francisco Bay Area, where many residents have not historically needed air-conditioning.

When our firefighters went to Houston to support hurricane recovery efforts, some of them had started heading back through New Mexico when they were asked to turn around and head to Florida to join the emergency response there.

We provided mutual aid to combat the deadly wildfires in the San Francisco North Bay, while our residents faced unprecedented levels of air pollution.

It is going to get worse unless we act. Counties are on the front lines of response to fires, floods, public health issues and impacts on vulnerable communities. We have a duty to our residents to do our part to prevent climate change and to ensure our communities and operations are prepared for its effects. Yet county representation, while growing, accounts for only a fraction of the We Are Still In coalition.

Many counties have already committed to reducing greenhouse gas emissions and becoming more resilient. Your county can take a clear stance on climate leadership and gain recognition for your efforts by signing on to We Are Still In.

Sign on by Dec. 3 to ensure the residents of your county will be counted toward the total U.S. population represented by local and state governments supporting the Paris Climate Agreement.

This total will be announced to the international community at the international climate summit convening policy-makers in Paris on Dec. 12, the two-year anniversary of the Paris Climate Agreement. Contributions from counties in states that have not yet signed on to We Are Still In or the U.S. Climate Alliance are vital, though all counties are welcome to stand up and be counted.

Now, more than ever, it is imperative for counties to bring our ideas, our commitments and our interests to the forefront of this global conversation. If your county is new to climate action, join to amplify your voice and make an international statement.

Joining We Are Still In is one way to get counties a seat at the table and encourage the federal government to assist willing counties to "partner with federal and international entities to benefit from the global transition to a low carbon economy" as we have agreed is important in our NACo American County Platform and Resolutions 2017-18. Even if your county has taken strong climate action, if you don't sign on, you won't be counted.

Alameda County, California staff have put together a toolkit of resources to streamline the process of signing on. You can find the toolkit online at *http://bit.ly/2zdDgD8*.

Join us in committing to safe, resilient communities. Together, we can create a clean energy economy that supports our residents' security, prosperity, and health. We Are Still In. CN

Revenue from gas, oil severance taxes temperamental

By Charlie Ban
senior staff writer

Natural gas has elbowed coal out of the way to serve domestic energy needs, but it remains a temperamental revenue source for counties that derive funding from severance taxes. But demand for gas, too, has waned, and with it, payments to counties from which it is extracted. The same goes for oil.

Pennsylvania is the only state without a statewide severance tax, though counties benefit from individual impact fees, which target gas-producing counties but also pay into economic development funding for all counties. The Legislature's attempt to pass a severance tax that would benefit the state coffers only failed in late October, but Brinda Penyak, legislative director at the County Commissioners Association of Pennsylvania, said it was the first serious attempt to include a severance tax since drilling began in the Marcellus Shale formation, and that's encouraging, with the right conditions.

> Pennsylvania is the only state without a statewide severance tax, though counties benefit from individual impact fees.

"As there's discussion about a severance tax, our goal is to protect the impact fee," she said. "It's been tremendous for counties."

The state has passed two years of revenue bills without the severance tax.

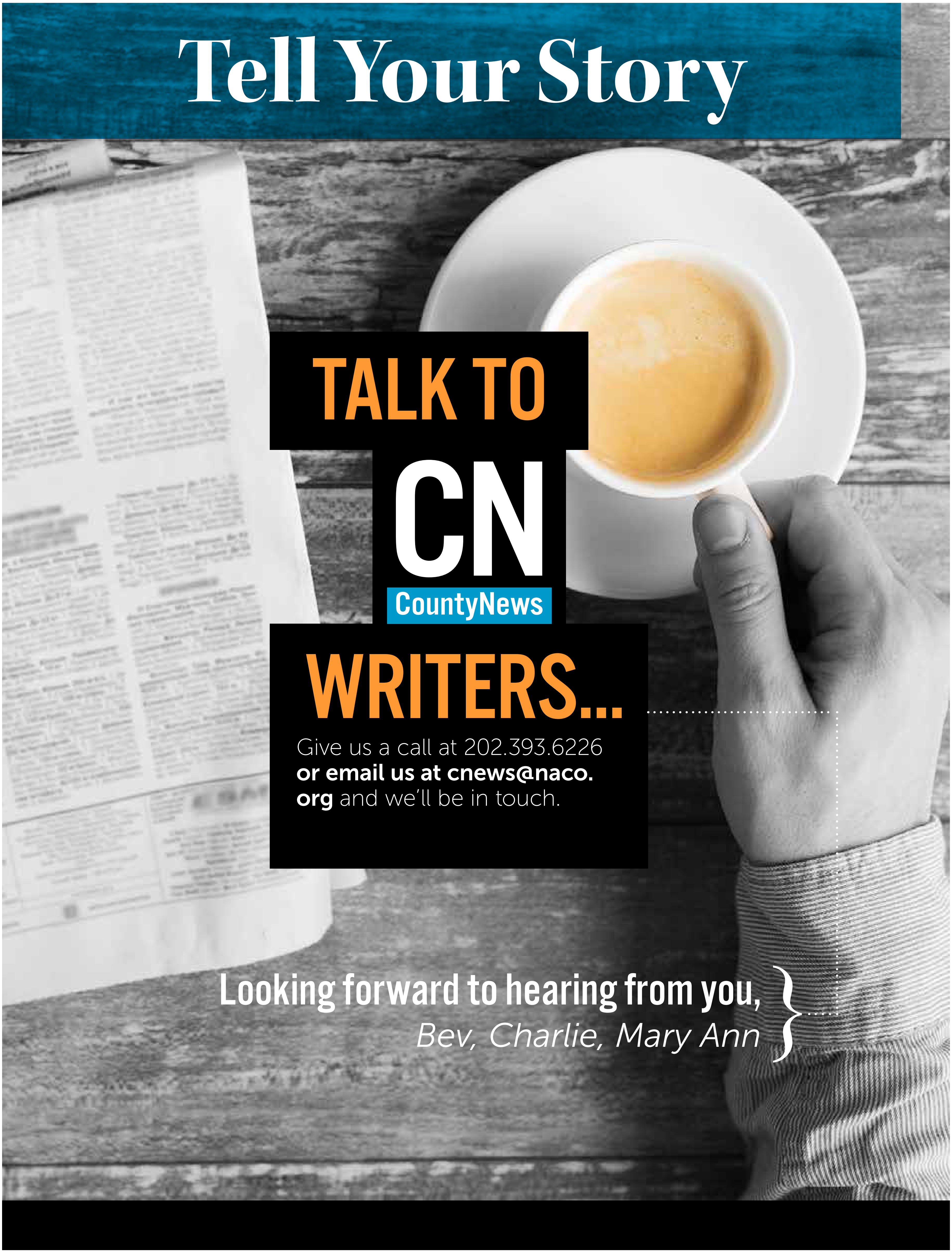
"We're not immediately in danger, but I can't say we're safe. We could still get a spending cut," she said.

Heading west, not far from the shuttered coal mines of Delta County, Colorado, Garfield County has done well for itself with natural gas, but it was the lessons of an oil boom and bust 20 years ago that put it in such a position.

John Martin started on the Garfield County Commission in 1997 at the end of the shale oil boom, when much of the county's budget depended on oil revenue, and cuts to that revenue were felt more broadly across the county budget. Now, after a natural gas boom, he said a $17 million drop in revenue from severance taxes over two years hasn't hurt the county too much, because county officials planned ahead and saw it as a supplement to the county's revenues, not the meat on which they should rely to balance the budget.

"We've maximized what we have as an asset," he said. "The (gas) industry came to us for land use, and we're fair

See TAX REVENUES page 13


Tell Your Story
TALK TO
CN
CountyNews
WRITERS...
Give us a call at 202.393.6226 or email us at cnews@naco.org and we'll be in touch.
Looking forward to hearing from you,
Bev, Charlie, Mary Ann

New Mexico, Delaware counties explore right-to-work ordinances

By Mary Ann Barton
senior staff writer

Illinois recently missed an opportunity to land a $1.6 billion car manufacturing plant and the 4,000 jobs that went along with it. Some say one of the reasons was because it is not a "right-to-work" state. Illinois finds itself surrounded by right-to-work states, including Missouri, which passed its law earlier this year.

Attempts to pass right-to-work laws by state lawmakers in Illinois have gone up in flames in recent years. Gov. Bruce Rauner (R) on Sept. 29 vetoed a bill that would have prevented counties from setting up their own "right to work" zones. It remains to be seen whether any counties there might enact their own right-to-work ordinances.

Counties are increasingly getting into the act when right-to-work measures fail in statehouses. In all, 28 states have passed right-to-work laws. Supporters of right-to-work laws say the measures help grow the economy, but opponents say such laws are passed to break up organized labor, hurt blue-collar workers and limit revenues from union members.

When Kentucky didn't pass a right-to-work law a few years back, Hardin County and other counties there passed their own right-to-work laws; Hardin County was then sued by United Auto Workers Local 3047. After a U.S. District Court ruled against the county, the county appealed to the Sixth U.S. Circuit Court and won. According to Law360, a legal news and analysis service, the fact that the Sixth U.S. Circuit Court declined in March to revisit its earlier ruling "leaves the door open for local governments to enact such measures where no statewide law exists." On Oct. 2, the Supreme Court declined to hear a petition that sought to overturn the 6th U.S. Circuit Court of Appeals ruling.

"Conservative counties in states outside the Sixth Circuit that don't have the right-to-work laws may very well follow the lead of this Kentucky county," said Lisa Soronen, executive director of the State Local Legal Center. "If they are sued, the best-case scenario for them is that their federal appellate court follows the lead of the Sixth Circuit. The worst-case scenario is their appellate court does not, creating a circuit split and increasing chances of Supreme Court review."

A statewide right-to-work measure ultimately prevailed in Kentucky earlier this year, after Republicans gained control of the legislature for the first time since 1921.

Meanwhile right-to-work measures are popping up in other counties around the country including in two states that do not have statewide right-to-work laws — Delaware and New Mexico.

In Sandoval County, New Mexico, county commissioners voted 4 to 1, Nov. 2, to publish a proposed right-to-work ordinance. Commissioners Jay Block and David Heil, sponsors of the proposal, say that the legislation would help the county lure more businesses to the area and improve the economy.

If the right-to-work legislation moves forward, it would make Sandoval County the first county in New Mexico to have a right-to-work law. Bernalillo County is considering a similar measure.

A similar situation is playing out in Sussex County, Delaware, where a right-to-work measure was introduced Oct. 31. "Without a right to work ordinance, it is a fact that companies will not even look at you," Sussex County Councilman Rob Arlett, who introduced the measure, said at the standing-room-only meeting.

"The next step is to hold a public hearing," Arlett said; he expects that hearing to take place later this month. "I want to hear from my boss — the people who elected me." Arlett said he hopes the commissioners will vote on the measure before the end of the year.

"I am being an advocate for this because it would give us an advantage," he said, noting that the county lost a manufacturing plant because of its current status. "To me, this is a tool in the toolbox and in the end, could help our county." CN

Project aims to improve resilience through integrated planning

For the past two years, NACo has been working with AECOM — a company that designs, builds, finances and operates infrastructure assets — and the American Planning Association and the Association of State Floodplain Managers to explore ways to reduce the long-term impacts of flooding by better integrating mitigation planning into the larger community planning processes.

With support from the Department of Housing and Urban Development and the National Oceanic and Atmospheric Administration, the project team developed a model for integrating resilient hazard-mitigation planning, tools and methods into local comprehensive plans. In 2017, the team piloted this model in two coastal and riverine communities: San Luis Obispo County, California and Brevard County, Florida.

The integration strategy focused on identifying potential intersections between upcoming local plan updates, and then suggests how communities can work to align these processes to better integrate plans. For example, if a community has a local comprehensive plan update and a hazard mitigation plan update both scheduled for the coming year, it could identify the overlapping steps in each planning process where the two plans might be integrated.

The strategy outlines who should be at the table and provides a searchable database of technical models, tools and methods that help assess risk, including: flood risk, climate change and social vulnerability. The database also pinpoints key areas where the models, tools, and methods can be integrated into county planning processes. In addition to assisting local leaders in understanding the range of weather-related risks facing their county or region, the strategy also stresses the importance of being able to communicate those risks to different stakeholder groups. For comprehensive plans to be implemented successfully, it is critical for local elected officials and the community members they serve to be engaged throughout the planning process and onboard with the final approved plans.

One of the main strengths of the pilot workshops in San Luis Obispo and Brevard counties was the opportunity for networking across departments and between stakeholder groups. Megan Martin, supervising planner, San Luis Obispo, said "The biggest lesson on building resilience we pulled from the workshop here in San Luis Obispo County is the importance of networking, partnerships and cross-team and cross-sector communication. Since the workshop this spring, we have actively worked to establish deeper relationships with other county departments, local nonprofits and state and federal government agencies."

As a result of their participation in this comprehensive planning effort, county staff members from the pilot communities have been trained on and provided with the tools to identify areas within their existing plans and processes where they can better coordinate to ensure consistency and integration of like goals across plans. Additionally, the workshop participants gained a better understanding of what critical decision-making tools and techniques are being utilized across their counties — and across the country.

As NACo and its partners move forward refining the integration strategy and pilot workshop model, NACo — as part of its Resilient Counties Initiative — plans to offer additional resources, training and technical assistance to counties on how to increase their resilience to environmental, social, economic and physical challenges. This effort is bolstered by the new Strengthening Coastal County Resilience program, which includes the development of a web-based coastal management training guide and an in-person training program for coastal counties.

The guide will be piloted with counties in the Gulf of Mexico region to help them develop strategies and policies that will support a more resilient regional economy and better stewardship of natural assets. The first phase of the program started in October and will continue for the next year, with a competitive training workshop planned for fall 2018. CN

HELP US OUT

On Nov. 30, NACo will release a survey to examine county coastal management practices, including what coastal management strategies counties are employing; how county professional staff with coastal management responsibilities communicate with their local elected officials; and how local elected officials prefer to receive information.

You will be able to access the survey at *www.naco.org/CoastalCommunitiesSurvey.* If you are from a coastal county, NACo invites your participation.

Garrett County tackles health, economic issues

A young boy looks at a picture book during a Learning Beyond the Classroom session. Photo by ©Tracie Van Auken

From HEALTH page 5

McGreevy said.

At discharge after an emergency room visit, patients are provided with a team, comprising a social worker, primary care physician and a community health worker — a peer navigator working to bridge the gap between the patient and their care needs. The idea behind the creation of community health workers was to help guide individuals living with a chronic condition through some of the social factors that serve as barriers to their care or exacerbated their condition.

"Health crises were being triggered by other things going on in the person's life … like a utility being shut off, not being able to make the rent this month," she said.

Community health workers, who are volunteers at the hospital who are also living with chronic conditions, are an empowering resource for patients, or as Kimi-Scott said, "They're like a living example of 'you can do this.'"

It doesn't stop there. The county has a plan for total wellness from childhood to adulthood, made evident through programs such as its 2-Generation (2-G) initiative, which seeks to address intergenerational poverty by advocating for family success. or the "Learning Beyond the Classroom" mobile classroom, which is aimed at increasing school readiness for children ages 0–5 by providing them with lessons, nutrition and cooking activities, literature and art experiences, as well as valuable play experiences — all at their doorsteps.

Deep-rooted strength

The shared vision of Garrett County residents, government and local organizations was the foundation for their success. The deep-rooted spirit of collaboration has long been established in this county, dating back to the creation of the Health Planning Council in 1999. The council, composed of community members and partners from all community sectors including health care, government and public health, was formed to ensure that residents were receiving high quality, integrated care.

Community members have themselves served as the catalyst for change and are often the drivers of these initiatives. Not only are they actively participating in initiatives by volunteering and attending council meetings, but they are tracking the progress of county efforts through the online planning tool, *MyGarrettCounty.com*.

Other key players include the Garrett County Health Department, that among other things, implemented the nurse home visiting program for new moms and Garrett County Community Action Committee, Inc., a poverty reduction nonprofit that provides a number of different services for the county.

When it comes to creating a culture of health, the role of county government is not lost on this community. Commissioner Hinebaugh underscores the importance of county commissioners and elected officials supporting the type of work that cultivates healthier lifestyles for residents. "It's our job to set the tone and to provide the leadership and the vision," Hinebaugh said.

Looking ahead

Post win, planners and leaders in Garrett County are looking to take on other large community issues such as transportation. The Garrett Regional Medical Center received a grant from the state of Maryland to buy a car for the community health workers who participate in the Well Patient Program. They wanted to make it easier for the volunteers to provide transportation for patients without racking up miles on their own vehicles. "We are going to build on this program and the community health workers," McGreevy said. "We just want it to grow."

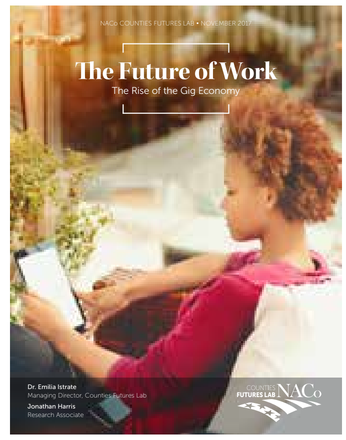
Hinebaugh hopes the community will continue to generate programs that promote economic growth and bring people back to Garrett County such as the county's partnership with the state of Maryland's "Pathway to Home Ownership Program," which provides an additional $7,500 in down payment assistance to individuals purchasing a home in Garrett County, in the form of a forgivable grant. Recognizing that affordable housing is a challenge in this community, Hinebaugh lauds this initiative: "It's just another creative and innovative thing we've done to try to make the county a better place to live." CN

For more information about Garrett County's work, as well as this year's other prize winners featured in a collection of videos and photos, go to www.rwjf.org/Prize.

The Robert Wood Johnson Foundation has worked for more than 40 years with the mission to improve health and health care. The foundation works with others to build a national culture of health enabling all Americas to live longer, healthier lives.

NACo publishes 'Rise of Gig Economy'

By Andrew Hartsig
research manager



NACo's Counties Futures Lab recently released *The Future of Work: The Rise of the Gig Economy,* highlighting trends and recommended practices from a workshop held at NACo's 2017 Annual Conference and Exposition in Franklin County, Ohio. The report features as moderator, Rich Fitzgerald, county executive, Allegheny County, Pennsylvania, and presenters Trevor Brown, dean, John Glenn College of Public Affairs at The Ohio State University; and Molly Turner, lecturer at the Hass School of Business at the University of California Berkeley.

The Future of Work: The Rise of the Gig Economy describes how today's workforce is seeing a growth in the number of those who work as a part of the so-called "gig" economy, which consists of independent workers being paid for a gig by consumers needing a specific service. Turner details that while the gig economy is not new, its growth over the past decade is driven by new technologies that connect providers and consumers, as well as the difficulty of finding stable jobs.

Brown explains that his students have expressed interest in the gig economy because of the control and autonomy it allows over their career paths. Finally, Fitzgerald discusses how his county has seen a large increase in those working in the gig economy and ways in which the county government is moving to accommodate these workers.

The included stories and examples highlight just a few trends that are affecting county government. The report lists the key takeaways from the workshop: 1) recognize that the gig economy is there and is growing: 2) record and measure what is happening in counties with this economy in order to shape policy; and 3) adapt to changes that come with the growing sector. CN

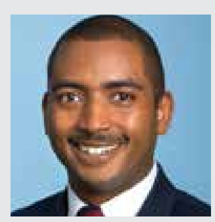
For an in-depth look at this report, please visit us online at www.naco.org/gig; and for other management and operational issues, please visit counties-futures-lab.

ON THE MOVE

NACo OFFICERS, COUNTY OFFICIALS

- NACo First Vice President **Greg Cox** and Brian Namey, public affairs director, were featured speakers at the Washington State Association of Counties Annual Conference in King County, Nov. 13-17.

NACo STAFF



Terrell

Jacob Terrell, associate legislative director, participated in a panel discussion on ways NACo and the International Association of Emergency Managers could partner to better protect local communities at IAEM's conference, Nov. 12–16.

MONEYMATTERS

Jumping Price Gains for Entry-Level Homes Are Reducing Affordability

Housing market outlook remains positive due to strong demand, but rapid price appreciation and slower household growth lowers Nationwide index.

A recent Nationwide Health of Housing Markets Report (HoHM Report) found that entry-level homebuyers could be the most affected by growing affordability concerns as unsustainable price gains are more severe for homes in the lowest price tier.

According to analysis from Nationwide, the average price of a lowest-tier home nationally has increased by 56 percent over the last five years. By comparison, the value of a home in the highest tier has increased by 33 percent over the same period.

"The U.S. housing market is, overall, healthy and maintains a positive outlook," said David Berson, Nationwide senior vice president and chief economist. "However, we can't ignore that price gains are weighing on affordability, and it's worth keeping an eye on how the price environment will impact those looking to purchase a home for the first time."

The market experienced similar price gaps between the lowest- and highest-tiers in both 1987 and 2005. House price growth slowed significantly in subsequent years in each case.

Berson, however, does not see the same warning signs in 2017.

"The lending environment today is very different than in both those times. Lenders are more cautious today, likely because they have changed lending practices since the housing market crash. Consumers are in more solid financial standing today, too, as they are less levered overall."

> "The U.S. housing market is, overall, healthy and maintains a positive outlook."
>
> — David Berson, Nationwide senior vice president and chief economist

Reno, Nevada at 73.7 percent has the highest price-gain spread in the U.S. over the past five years between a lowest- and highest-tier home.

Notable price-gain spreads between the lowest- and highest-tier homes in the largest MSAs in the U.S. are: Riverside-San Bernardino, California (48.2 percent); Phoenix-Mesa-Scottsdale, Arizona (47.9 percent); Denver (46.9 percent); Atlanta (42.5 percent); Tampa-St. Petersburg, Florida (39.0 percent); Los Angeles (28.4 percent); Minneapolis (28.2 percent); San Diego (26.5 percent); Dallas (25.8 percent); and Chicago (24.7 percent).

Despite concerns about housing affordability and an unexpected slowdown in household formation, Nationwide's forward-looking barometer of the U.S. housing market health found that the outlook remains positive due to homebuyer demand.

"Demand continues to be the primary driver of today's market expansion," said Berson. "While affordability is a growing concern, we don't see a demand slowdown as inventory turnover continues apace and new home building lags household growth."

Three of the top-performing metro areas are in Oklahoma. The 10 top metro areas in the index are, in order: Lawton, Oklahoma; Philadelphia, Pennsylvania; Springfield, Illinois.; Tulsa, Oklahoma.; Morgantown, West Virginia.; Sumter, South Carolina.; Akron, Ohio; Oklahoma City, Oklahoma.; Waterloo-Cedar Falls, Iowa; and Gadsden, Alabama.

Half of the bottom 10 MSAs are in Texas. In order, the bottom 10 are: Anchorage, Alaska; Victoria, Texas; Waco, Texas; Rapid City, South Dakota.; Dallas-Plano-Irving, Texas; Bismarck, North Dakota.; San Angelo, Texas; Houma-Thibodaux, Louisiana.; New Orleans-Metairie, Louisiana.; and Fort Worth-Arlington, Texas. CN

More information about the HoHM Report, including the methodology used, can be found at *blog.nationwide.com/housing.*

The HoHM Report is released on a quarterly basis online and in print.

CAPITAL LOOP

House passes tax reform bill; Senate adds health care provisions to the mix

As both chambers of Congress work to complete tax reform before 2017 ends, the pace of action on Capitol Hill is accelerating. The House approved its version — the Tax Cuts and Jobs Act — Nov. 16 on a 227 to 205 vote. The Senate Finance Committee also concluded a markup of its version of the bill on Nov. 16. The full Senate, if it remains on schedule, could approve the legislation as early as the week of Nov. 27.

EPA extends public comment period for rollback of the Clean Power Plan

The Environmental Protection Agency has extended its public comment period concerning repeal of the Obama administration's Clean Power Plan until Jan. 16, 2018.

EPA and Army Corps of Engineers seek to extend implementation date of 2015 WOTUS rule

The EPA and Army Corps of Engineers have proposed extending the implementation date of the 2015 "Waters of the U.S." (WOTUS) rule until 2019 to give agencies more time to work through the repeal and replace process for the rule. EPA will consult with state and local governments in early Spring 2018 regarding the next steps in the process.

White House nominates Alex Azar to lead Department of Health and Human Services

ALEX AZAR

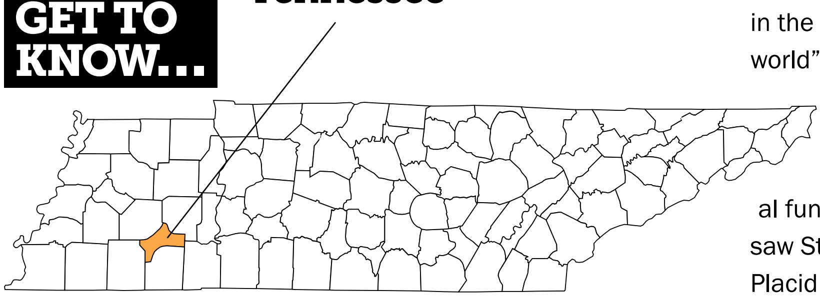
President Trump has nominated Alex Azar to be the next secretary of health and human services. He served as the department's general counsel and deputy secretary under President George W. Bush and worked as a lobbyist for and president of Eli Lilly, a major pharmaceutical company.

Check out NACo's analysis of the House and Senate tax plans

As both chambers of Congress work to complete tax reform prior to the end of 2017, the pace of action on Capitol Hill is accelerating. NACo prepared a chart comparing the recently passed House measure — the Tax Cuts and Jobs Act —and the Senate Finance Committee revised tax bill with their impact on county governments: *http://bit.ly/2mT3dpK.*

GET TO KNOW...

Chester County, Tennessee



Welcome, Chester County, Tenn.

Chester County is named for Col. Robert Chester, a quartermaster in the War of 1812. The self-proclaimed "barbeque capital of the world" has been holding community whole-hog barbeques since as far back as the early 1800s. The Chester County Barbeque Festival is now held every September and is the Henderson/Chester County Chamber of Commerce's largest annual fundraising event. Chester County is also home to the Chickasaw State Park, a 14,400-acre park and forest surrounding Lake Placid that includes some of Tennessee's highest terrain.

Oil, gas tax revenues drop

From TAX REVENUES page 7

and honest with them, we find innovative ways for them to succeed. We don't fight anyone, we don't roll over either. We make them live up to what they say they're going to do, and we encourage them to hire local when they do their excavation."

Martin is optimistic the county can see an uptick in gas severance tax revenue, particularly if it can be sold to Hawaii or exported to Japan but he's realistic.

"The gas will come back, but not in the great quantity that it did from 2008–2012 ," he said. "We had to pull in our belts, a little, after that boom."

In North Dakota, even in the four Bakken Shale counties that were the center of the recent oil boom, fluctuating production has taken a toll on budgets. The last two years have seen Dunn County's budget drop to $42 million from its $60 million peak. Dunn County is the southernmost Bakken shale county.

"We challenged department heads to make cuts wherever they could, and we had to do more cutting for road department budgets," said Commissioner Daryl Dukart.

That 30 percent drop over two years has not been devastating, however, because like Garfield County, it was not supporting itself on severance tax revenue.

"We were doing big highway projects; they've just stopped," Dukart said. "We're not adding new road projects. We have about 45 more miles we'd like to get paved, but we'll only do that when we have the money."

The cuts started with a downturn in price of oil in 2015. Dukart sees a lot to like in stability that has seen prices hover around $45 a barrel.

"We're sitting pretty good on a budget that will be able to withstand it and not let it affect personnel or taxpayers at all," he said. CN

BRIGHT IDEAS | DUTCHESS COUNTY, New York

Dutchess County Aims for Savings with Smaller, Smarter, Shared Government Services

PROBLEM:
Like many counties, Dutchess County was suffering from an economic downturn several years ago.

SOLUTION:
Find ways the county could consolidate and share services with nearby cities, towns and villages.

By Mary Ann Barton
senior staff writer

Dutchess County, N.Y. Executive Marc Molinaro discusses savings at a Shared Services Summit.

Earlier this month, Marc Molinaro, county executive for Dutchess County, New York traveled the county to hold town hall forums on the county budget.

He had some good news to deliver: Thanks to the county's fourth year of sharing services and eliminating duplicated programs with its 30 cities, towns and villages, as well as five participating school districts, the county will lower property taxes and save more than $27 million in the next two years.

"The county was in an economic downturn, for everybody really, and we had to think outside the box not only for us but for the municipalities as well," said Jessica White, the county's budget director.

Before Gov. Andrew Cuomo's (D) Shared Services Initiative became embedded in the state's FY2018 budget, the county had been sharing services for decades, White said, but began formalizing the program a few years ago.

The largest savings for 2018 will come from:

- Workers' Compensation Pool: $3.7 million
- Drug Task Force: $3.5 million
- Public Transit Services Consolidation: $1.9 million
- Another $1.1 million will be saved as the county sheriff's office assumes the role served by the Village of Wappingers Falls police.

Four years ago, the county created the Municipal Consolidation and Shared Services Grant Program, now called the Municipal Innovation Grant Program, to incentivize municipal projects that seek to consolidate services, produce shared services, eliminate an entire government entity, evaluate municipal consolidation opportunities and implementation possibilities, establish regional delivery of services or offer other efficiency improvements.

Other ideas come from within the county departments. County Executive Molinaro asks department heads to go out, "like a county government on the road," and meet with supervisors and mayors regularly, White said.

At the meetings, they present everything the county does and let the municipalities know what's available to them. "Any bids they're entitled to be a part of and we have to get the word out and let them know." Any time there are newly elected officials, the county goes out to educate them so they know how the shared services work.

Dutchess County sees the largest savings with its workers' comp pool. New York passed a law in the 1950s to allow counties to self-insure and Dutchess County passed a law to create its own pool in 1980. Fifteen other entities participate in the plan in addition to Dutchess County, said George Salem, director of Risk Management.

"It's a very, very lean and efficient way to provide workers' comp services. Unlike everybody else, we contract out services."

Some of the other ways the county shares services (and projected savings for 2018) include:

- **Salt purchasing cooperative:** Dutchess County completed a bid for its salt purchasing needs and has allowed municipalities to jointly purchase through the county vendor and take advantage of a $75 per ton rate that the county was able to secure. That led to projected savings of $608,132 for FY2018. Other projected savings for 2018 include:
- **Shared paving via the county:** $200,121
- **Highway equipment rental**: $27,685
- **Shared electronic communication and outreach:** $229,071
- **Website development and maintenance:** $83,465
- **Workers' compensation pool:** $3.7 million.

One of the largest savings Dutchess County implemented was a cost-savings initiative that extended participation in its self-insured Workers' Compensation Plan to local municipalities. This initiative provides savings for the county and local municipalities by pooling risk and providing plan premiums for members that are lower than rates found on the open market.

For more information, read the Dutchess Together Shared Services Tax Savings Plan here: *http://bit.ly/2mIYZB3.* CN

If you have more questions, email Budget Director Jessica White at: countybudget@dutchessny.gov.

NEWS FROM ACROSS THE NATION

CALIFORNIA

• **LOS ANGELES COUNTY** District Attorney Jackie Lacey has created a special task force to deal with the growing number of **sexual misconduct accusations** in the entertainment industry and elsewhere, in the wake of the Harvey Weinstein scandal. Prosecutors will "ensure a uniformed approach to the legal review and possible prosecution of any case that meets both the legal and factual standards for criminal prosecution," Lacey said in a statement.

• **STANISLAUS COUNTY** is sifting through its first **marijuana business** applications, according to the *Modesto Bee*. Applicants are hoping to operate indoor cultivation, nurseries, greenhouses, distribution, manufacturing facilities and testing labs as well as storefront retail outlets. Staff members will screen, vet and review applications before making recommendations to the Board of Supervisors. Officials believe fees — 8 percent of gross sales, 2.5 percent for testing labs and $5 to $10 per square foot for indoor cultivation — could generate an annual $4 million to $7 million for the county. The county will use some of the funds to take action against illegal operators and deal with any social ills of marijuana use.

COLORADO

JEFFERSON COUNTY is housing inmates together who are **veterans** to help them try to break the incarceration cycle, the *Denver Post* reports. The arrangement is designed to give veterans quick access to training and classes provided by the Department of Veterans Affairs and make it easier to get information about housing, health care and other services when they get out.

The **EL PASO COUNTY** Criminal Justice Center began a similar program in 2013. Those living in the unit have their military service in common and become a "self-regulating body," with vets providing information and help to one another, said Nathan Viton, veterans' justice outreach coordinator for the VA in Denver.

FLORIDA

MIAMI-DADE COUNTY recently passed a new **short-term rental** ordinance introduced by Commissioner Sally Heyman. Among the new stipulations: Hosts must sign up for a certificate of use, register for a business tax receipt, screen for sexual offenders and enforce a number of "vacation rental standards" on their guests. The certificate of use must be renewed annually and can be revoked if the property has three or more violations in 12 months. Miami-Dade is among Airbnb's top five regions in the country, and the county has collected more than $2 million in taxes from renters since reaching a taxing agreement back in May.

MINNESOTA

Six people out of 17 with **tuberculosis** have died in the past two years in **RAMSEY COUNTY**, according to a report by *Twin Cities Pioneer Press*. Of the 17 cases, 14 were in the Hmong community and 10 are associated with individuals who participate in activities at a senior center, said Kris Ehresmann, director of infectious disease at the state department of health. Though it's the largest outbreak in the country, Ehresmann said it does not pose a concern to the general public. Because the organism has developed resistance to at least two drugs, multi-drug resistant tuberculosis treatments cost on average $134,000, the newspaper reported.

MISSISSIPPI

ADAMS COUNTY Supervisor Ricky Gray **took a knee** during the Pledge of Allegiance at a recent Board of Supervisors meeting. "It's just something I felt led to do at the time," he told the *Clarion-Ledger*. "We are a divided community here, and I felt it was necessary to do something to bring attention to it." Gray said he received messages from residents thanking him for doing it and agreeing that "the message needed to be sent." When asked what the reaction was in the room after he knelt, he laughed.

"There was no reaction," he said. "I don't think they were surprised because I've talked about this issue so much." Gray told the newspaper he was "not sure" if he would kneel again. "If the Lord tells me to kneel, then I'll kneel."

NEVADA

Feeding feral pigeons in **CLARK COUNTY** is now a public nuisance violation punishable by a fine of up to $1,000 and up to six months in jail, after commissioners voted to outlaw the practice in unincorporated parts of the county.

The ban extends to public property, private businesses and residents' homes.

OHIO

• **CUYAHOGA COUNTY** will help fund a new **emergency family homeless shelter** in Cleveland. The Haven Home, which can accommodate 36 people, will be coordinated with a social services caseworker who can help direct families to permanent, stable housing, *Cleveland Scene* reported.

HAMILTON COUNTY will not use hotel tax money to **help soccer team** FC Cincinnati pay for roads, pipes and a parking garage to support a soccer-only stadium. Commissioners encouraged the team to use county-funded Paul Brown Stadium, instead, the *Cincinnati Enquirer* reported.

MARYLAND

A **minimum wage** of $15 per hour will become the norm in **MONTGOMERY COUNTY** beginning in 2021 for businesses with at least 51 employees. Businesses with 11 to 50 employees must pay at least $15 an hour by 2023. Those with 10 or fewer must pay the new wage by 2024. The county is the only jurisdiction to mandate the wage in a state that has not enacted similar legislation statewide, *The Washington Post* reports. There was some pushback from the business community on the wage hike.

"In most debates there are gives and takes," said Montgomery County Executive Isiah Leggett, who signed the wage hike into law. "Montgomery County has done what is right, what is appropriate and what is reasonable under the circumstances and conditions."

Supporters of a hike in the minimum wage crowd a room Nov. 13 in Montgomery County, Maryland, where county officials met to sign the bill into law.
Photo courtesy of Montgomery County, Md.

OREGON

Starting in 2018, retailers that sell **tobacco-related products** in **KLAMATH COUNTY**'s seat or unincorporated areas will have to pay for special licensing, a measure county officials say could help prevent sales to minors. A business that sells tobacco without a license could lose its tobacco-selling privileges

PENNSYLVANIA

A new filing fee for deeds and mortgage filings will fund the demolition of blighted properties in **WESTMORELAND COUNTY**.

The Recorder of Deeds' office told the *Tribune-Review* that at least 22,000 deeds and mortgages would likely be filed in 2018, raising about $330,000 for the demolition fund. The county's land bank includes about 900 blighted properties.

VIRGINIA

- **FAIRFAX COUNTY** is seeing a boom in **craft breweries** after adding the industry into its zoning code. Since the change in March, five breweries have opened.

- With development rapidly transforming **LOUDOUN COUNTY**, the Board of Supervisors is considering taking control of **traffic studies**, which are currently performed by developers. The county uses those privately conducted studies to determine what roads need to be built or altered before the county grants approval for a land-use application, but some supervisors question the independence of those studies, WTOP News reported.

- **RICHMOND COUNTY** has become the second county in Virginia, after **AUGUSTA**, to ban **hydraulic fracturing**. *The Free-Lance Star* reported that the Board chairman cited the protection of county's water quality as the impetus for the ban.

WASHINGTON

The **KING COUNTY** Council has approved more than $600,000 to target accused domestic abusers who **refuse to turn over their firearms** to police.

That money will fund more police and prosecutors to enforce orders to surrender guns, as federal law requires of people served with domestic violence protection orders. Nearly 400 domestic violence victims have been shot to death in Washington state in the last 10 years, and King 5 News reports that each year more than 2,000 criminal and civil protection orders are filed in courts in King County.

News from Across the Nation is compiled by Charlie Ban and Mary Ann Barton, senior staff writers. If you have an item for News From, please email cban@naco.org or mbarton@naco.org.

PROFILES IN SERVICE

NANCY SHARPE

Chair
Human Services and Education Committee
Commissioner
Arapahoe County, N.M.


SHARPE

Number of years active in NACo: 6

Years in public service: 24 – city planning commission, city council, mayor and county commissioner.

Occupation: Chair, Board of Commissioners

Education: B.S., psychology with a minor in math from Louisiana State University.

The hardest thing I've ever done: Running for office!

Three people (living or dead) I'd invite to dinner: Elon Musk, Margaret Thatcher and the Wright brothers.

A dream I have is to: Go with a medical team to a third world country to help children with debilitating medical conditions.

My favorite way to relax is to: Sit under an umbrella on the beach.

I'm most proud of: My family.

My favorite music is: Jazz.

My favorite meal is: Crab cakes, and fresh corn and tomatoes bought from a roadside stand in North Carolina.

Every morning I read: *The Wall Street Journal*

My pet peeve is: People who talk about themselves and what they've done too much.

The last book I read was: *All the Light We Cannot See.*

My favorite movie is: I like to see a lot of different movies so I don't have a favorite but I do like ones that are based on history.

My favorite U.S. president is: Abraham Lincoln and Ronald Reagan.

My county is a NACo member because: We see the significant value to our citizens when we can effect change in national policies that make a positive change in their everyday lives.

You'd be surprised to learn that I: When young, won barrel racing competitions on my horse Sugar.

the HR DOCTOR
with Philpot & Winkeler

Speak Up, Listen up: Sexual Harassment in the Workplace

Over the last several weeks, it feels like each time you turn on the television or radio, read a newspaper or visit a website, there is a new sexual harassment claim. While the stories coming out of Hollywood and Washington D.C. make headlines, these cases cross industries, professions and salary levels. Until this recent wave, many victims did not feel they could come forward and share their stories until now, with the support of others sharing similar stories.

It is often difficult for victims of harassment to confront their harassers. At times, this can be a very effective way to end the sexual harassment. If a victim can tell the harasser the joke is offensive, the behavior is uncomfortable, the discussion is inappropriate, the harasser may be embarrassed or simply become aware that the actions are not appreciated and stop.

Other times, however, the victim tolerates the behavior fearing repercussions for reporting it, expecting apathy from their supervisor or HR Department, or hoping it will go away on its own, only to see the behavior escalate and continue. Sometimes, the victim will share the information with a friend or family member, who will encourage the victim to speak up and insist the behavior stop. The victim should speak up, in writing or in person. For that to happen, employees must have confidence that their Human Resources Departments provide safe, welcoming, and unbiased environments.

Federal and state laws prohibit sexual harassment, including Title VII of the Civil Rights Act of 1964. The U.S. Equal Employment Opportunity Commission (EEOC) defines sexual harassment as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature," which can include "offensive remarks about a person's sex." A harasser can be any person encountered in the workplace of either sex. Additionally, the EEOC states that "the victim does not have to be the person harassed, but can be anyone affected by the offensive conduct."

Sexual harassment may be such that the victim's enduring offensive behavior becomes a condition of her continued employment. This form of harassment is often called "quid pro quo" harassment.

EEOC states "petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality." This is why it is critical that joking, teasing or sexual innuendo must be quickly and unequivocally addressed. There is no reason for that type of conversation in the workplace and its continued use may become sufficiently pervasive as to become harassment by having created a hostile work environment.

We have all heard the term "hostile work environment," but what does it mean? Incidents that rise to the level of illegality include frequent, pervasive or patterned harassment that a reasonable person would find intimidating or offensive. While harassment may include a termination, demotion or other adverse employment decision, it does not have to have such negative consequences to be harassment. Additionally, the more egregious the harassing behavior, the fewer incidents have to occur for it to constitute unlawful harassment.

As a supervisor, what can you do? First, employers should create and maintain a work environment in which employees and non-employees are treated with dignity, civility and respect, where harassment of any kind will not be tolerated. Supervisors should model and promote positive and respectful communication where everyone feels heard and able to honestly express themselves, even if they need to tell someone that the conversation is unprofessional.

There are some comments that may be considered a red flag that conversation is not ideal in your work environment:

"Can't you take a joke?"

"Everyone else thinks it is funny."

"Don't be so sensitive."

"We have always talked like that."

"Everyone knows we are just kidding."

"You are going to ruin it for everyone."

"We are just blowing off steam."

If a supervisor hears any of these comments, they need to follow up on the conversation, step in and model the correct communication.

Second, it is important that supervisors take sexual harassment complaints and concerns seriously, involve Human Resources right away, and take good notes about the conversations. Clear documentation is very important for investigations.

Victims may need employee assistance program or counseling services if offered through the organization or the medical benefits. Victims may also request to go home or work from home. Some employees may feel most comfortable going straight to Human Resources to discuss an issue or formally file a complaint. It is important for employees to have a range of options for presenting allegations and for supervisors not to insist upon a formal chain of command.

Third, involve Human Resources. Your county policy manual likely includes language that any supervisor whobecomes aware of a situation of harassment shall notify Human Resources as soon as possible.

Additionally, it likely includes a section on retaliation — preventing retaliation against any employee who brings forward a good faith allegation of harassment. Supervisors must be vigilant of interactions that may be perceived as retaliatory. Transferring the reporting employee away from the situation or demoting them could be considered retaliation. Additionally, your retaliation provisions must protect witnesses to a complaint of harassment. No hardship may be imposed on an employee appearing as a witness in the investigation of the complaint.

Fourth, ensure employees participate in sexual harassment training, let employees know how to report claims, be familiar with county policies and be familiar with state and federal law.

Whether the harassment is quid pro quo or hostile work environment, whether the harassment is a supervisor or a co-worker, whether the harassment is a suggestive joke, inappropriate touching, an offensive calendar hanging in an office or sharing of a phone number, supervisors must be committed to stopping such behavior.

Supervisors can create a positive working environment and culture where open communication and strong internal customer service prevent harassment in the workplace.

All employees are entitled to work in an environment free from intimidation and humiliation, where they can do their best work and contribute to the success of a team that serves citizens. Harassment must be recognized in all its forms and must not be tolerated. CN