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# CountyNews

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## U.S. Court of Appeals delays WOTUS rule nationwide

By JULIE UFNER  
ASSOCIATE LEGISLATIVE DIRECTOR

A federal appeals court has ordered the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) to temporarily delay the nationwide adoption of the “waters of the U.S.” (WOTUS) rule.

The order, from the U.S. 6th Circuit Court of Appeals, was in response to challenges brought by 18 states: Alabama, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Utah, West Virginia and Wisconsin.

While numerous WOTUS cases have been filed by 31 states and private parties in separate district courts, it was recently decided that all state challenges would be consolidated at the 6th Circuit Court of Appeals for review.

In their decision, two of the three appeals court judges held that the states bringing the challenges, “have demonstrated a substantial

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# WASHED OUT

Flood water laps at another roadway in Richland County, S.C. near downtown Columbia, the state capital. Photo courtesy of Richland County, S.C.

Mother Nature can sometimes play the nastiest practical jokes. Take for example South Carolina at the end of September. The National Drought Mitigation Center said three-quarters of the state was facing drought conditions.

Less than a week later, flood-bearing rain pelted parts of the state with 24-hour totals in the 15- to 19-inch range. If it had been snow, the 24-hour totals would have ranged from 12 feet to 15 feet.

Gov. Nikki Haley (R) called

it a “1,000 year event,” and it devastated parts of 16 counties: Berkeley, Charleston, Clarendon, Dorchester, Georgetown, Horry, Lexington, Orangeburg, Richland, Sumter and Williamsburg, Calhoun, Darlington, Florence, Kershaw and Lee — all declared federal disaster areas.

“I’ve been doing this for 33 years, and I’ve never seen any kind of incident like this in South Carolina ever before,” said Cathy Haynes, chief of operations for

the Charleston County Emergency Management Department. “Things evolved so quickly with this incident.” Coastal Charleston was hit early on before the rains moved inland.

In Richland County, home to the state capital of Columbia, nine people drowned. Richland County Coroner Gary Watts said that while he’s been in the business for a long time, he didn’t remember that many deaths from flash floods.

Indeed, Richland registered the bulk of the deaths from the storm,

reported by various media to stand at 19 throughout the state for the period of Oct. 2–6. Many deaths occurred on washed out roads. A South Carolina Department of Transportation spokesperson said 500 miles of state roads and bridges were washed away.

That included 35 bridges and more than 110 state roads in Richland County, according to County Council Chairman Torrey Rush.

Many roads remained closed two

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## Counties stress investment in child enrichment

By CHARLIE BAN  
SENIOR STAFF WRITER

King County’s budget says it all. “We spend most of our time dealing with bad outcomes in people’s lives,” said County Executive Dow Constantine. “Seventy-five percent of our general fund budget goes to the justice system: it’s all dealing with lives that have gone off track at some point.

“For want of paying for an ounce of prevention, we’re paying dearly for an ounce of cure.”

That’s close to the ratio Salt Lake County, Utah Mayor Ben McAdams sees in research data.

“We’ve calculated that for every \$1 in preschool, we would see



Ramsey County, Minn. Commissioner Toni Carter; King County, Wash. Executive Dow Constantine and Salt Lake County, Utah Mayor Ben McAdams participate in a panel discussion on county programs for children.

Photo by Charlie Ban

a lifetime savings to our county budget of \$14 over time,” he said. “It’s very much a positive return on investment.”

He stressed that data like that was necessary to justify further

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# The long road to recovery will demonstrate counties' stamina, resilience

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days after the sun reappeared Oct. 6, added Joyce Dickerson, his council colleague. Even though her district escaped serious damage and was "100 percent intact," she remained uneasy about travelling the roads in the county. "I'm scared to go on a road, afraid it might fall through because the roads are bad anyway." Rush said the state and county are working to get infrastructure back in place as soon as possible.

He had nothing but praise for the cooperation between state and county government, and "kudos" for county first responders—and others.

"The private community has definitely stepped up," he said. "You talk about neighbors helping neighbors, just seeing the way businesses and people from all over the country — just chipping in — it was just tremendous.... We're moving forward now and I think we're in a good place."

Bev Harris, Richland County public

information officer, said, "There was a lot of destruction, but we're doing really well." They had to, she explained. In addition to being home to the state capital, the county is also hosting the State Fair, which began Oct. 14.

Upbeat assessments of county resiliency were also on tap from another Midlands county official, Lexington County Administrator Joe Mergo. "Our heart really shined at this event," he said.

Volunteers poured into neighborhoods, some of which were completely underwater, to help in the clean-up. Already, the county has collected eight and a half tons of debris, Mergo said. Meanwhile, Department of Public Works crews have been working 14-hour shifts, seven days a week, to reopen county roads.

He strongly praised the collaboration that occurred between all jurisdictions in facing the storm's challenges. "I completely attribute our success to those relationships we made prior to the event."

State police deployed swift-water rescue teams to rescue residents in deluged subdivisions, he related. School systems shared their bus routes with the county, so the public works crew could prioritize road repair efforts and get "the kids back to school."

Heavy rains, totaling 23 inches, caused flash flooding throughout Horry County, a destination spot for persons vacationing in Myrtle Beach. Days later, the Waccamaw River flooded, giving the county's military surplus vehicle, dubbed Rescue 1, its debut in a disaster.

County spokeswoman Lisa Bourcier said the rescue of six people was made possible by Rescue 1, which is 10 feet high and 8 feet wide and capable of traveling through three feet of water.

Not all rescues, though, came via special equipment. Three off-duty Horry County corrections officers saved a drowning woman who had been pulled through a drainage pipe by fast-moving water. Two were on

their way to work and another saw and joined in the effort.

The woman, Amber Lloyd, and her boyfriend had been walking and taking pictures of the flooding, when the boyfriend slipped and fell in the ditch. Lloyd, attempted to help him, but was sucked underneath the roadway through the drainage pipe and was stuck underwater for up to three minutes.

The officers, who saw Lloyd fall in the water went over to the other side of the drainage pipe and found her submerged, facing down in the water, bluish-purple with no sign of life. Officers immediately began administering CPR and continued until she showed a slight sign of life.

They carried her to one of the officer's trucks and drove her to meet the ambulance, which couldn't reach the scene. Lloyd was treated at a hospital and released.

More than a week after the Waccamaw River peaked at 16.1 feet, waters were still at 11 feet. Bourcier said measures put in place by the

county's stormwater management department, formed in 1999, likely kept the river from cresting over the September 1999 mark set after Hurricane Floyd, which pushed the river to 17 feet.

Damage to both private and public property in neighboring Georgetown County is, for now, around \$48 million, though county spokeswoman Jackie Broach said there were western parts of the county that could not be reached and that estimate was sure to increase. State DOT workers cannot reach some bridges to assess their damage.

The county's secondary emergency operations center suffered severe damage, including mold issues resulting from a few feet of water that flooded the building. Rain caused a ceiling to collapse in an administrative office, and that same building had a flooded basement.

(Charlie Ban, Bev Schlotterbeck and Charles Taylor, County News staff, contributed to this report.)

## Counties try to head off social ills with youth programs

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investments in early childhood education because, as he noted, "My budget is aligned to pounds of cures and somebody else is responsible for the prevention — our education system doesn't fall under county government, other entities are responsible for the preventions, so there's a lack of alignment and accountability between those who are able to effectuate prevention and the data that we see, and the cures."

Those cost savings and improvement in quality of life for thousands of children, was heavy on participants' minds on the second day of the LUCC Leadership Symposium.

Ramsey County, Minn. Commissioner Toni Carter, chairwoman of NACo's Human Services and Education Steering Committee, said that prevention efforts aren't always easy to fund because of restrictions placed on money available to the county.

"We have concerns because of the structure of many of our organizations, which follow the funding

streams and prepare programs to do that very specific work, can keep us from doing the preventive, as opposed to the reactive, that our funding streams support," she said.

Therapist and author Robin Karr-Morse explained, prior to the panel discussion among the three county officials, that children process trauma much earlier than previously thought and manifest emotional illness physically. The first 1,000 days of their lives are crucial in their developing consciousness.

What counties can do varies.

McAdams pointed out that because counties often don't have control over school policy, when counties could traditionally get to work, it was often too late to be as effective.

"The cures are very expensive and often times not cures, but band-aids or patches that we provide at the county level because it's hard at the late stage of the game to be successful," he said.

Panelists each had programs in their counties to tout.

Salt Lake County was the first in the country to implement social impact bonds, which funded preschool for 600 low-income children in 2013, and is currently working on projects to improve maternal and child health, reduce recidivism at the county jail, and reduce and prevent chronic homelessness. The investments in these programs are made with the assumption that their effectiveness will lead to eventual cost savings.

The first social impact bonds for early education in 2013 "led to a change to our DNA in government and approaching some of the problems," McAdams said.

Carter described the Wakanheza Project that connects children and their communities in welcoming and healthy environments. A series of programs — Club Mom, Club Sad, Club Somali Mom and Club Somali Dad — focus on combating infant mortality and general health promotion for children 5 and younger.

A Nov. 3 ballot measure will ask King County voters to approve a property tax increase to fund a \$65

million program, Best Starts for Kids, which would put half of the money into programs for children age 5 and below, expanding parent and child health services offered through the county's public health centers, including home visits. Other portions would go toward suicide prevention in teenagers, and 10 percent to increase access to healthy food, affordable housing and expanding economic opportunities.

"We can't just help the one kid," Constantine said. "In the context of a dysfunctional society, we have to be able to have the kid and the family and the whole community be successful."

Portions of that funding will also pay for data collection and analysis to evaluate program effectiveness, something upon which Salt Lake County Mayor McAdams fixates.

He said the public will support more money for preventive programs once the county can link the spending to outcomes, but offered a caveat.

"Recognize that in some ways we're hoping to see cost savings in our criminal justice system, but it doesn't mean it's free. That's okay. Libraries aren't free, trails aren't free, parks aren't free. We do that because they add quality of life to our community.

"If we can help a father or mother get out of the criminal justice system and be home with their family, that can probably

save some money, but it's still going to cost us, though. We're doing it because we're improving the quality of life for people in our community."

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Beverly Schlotterbeck  
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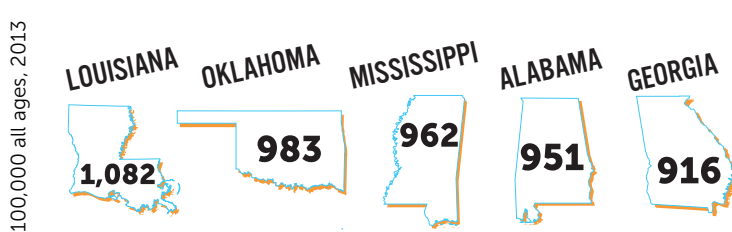
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## QUICK TAKES



Source: U.S. Department of Justice

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# OZONE STANDARDS TIGHTENED

By JULIE UFFNER  
ASSOCIATE LEGISLATIVE DIRECTOR

The Environmental Protection Agency (EPA) has announced tighter air quality standards for ozone, a primary component of smog. The final rule, released Oct. 1, strengthens the current standard of 75 parts per billion (ppb), last set in 2008, to 70 ppb.

Currently, 227 counties — primarily urban and in the East — are regulated under ozone air quality standards, and that number could increase to more than 300 under the new standards. Also, as part of the final rule, EPA now requires 32 states to expand their air-monitoring season starting in 2017.

The agency estimates the anticipated benefits for the proposal — estimated at \$2.9 billion to 5.9 billion annually in 2015 — outweigh the estimated \$1.4 billion cost of implementation. EPA modeling shows that most counties will meet the 70 ppb standard by 2025 due to other federal and state regulations scheduled to be implemented. These estimates and costs do not include California. The agency will work with the states to determine final designations by Oct. 1, 2017.

Tightening the ozone standard has been controversial due to its

costs, and efforts are afoot on Capitol Hill to overturn EPA's decision.

The Clean Air, Strong Economies Act (H.R. 1388/S. 751) was introduced earlier this year to prevent the EPA from moving forward with a tighter standard until at least 85 percent of the counties in nonattainment meet the current 75 ppb standard.

Similar language was inserted into the now-defunct FY16 EPA and Department of the Interior spending bills. The bill was derailed after a fight over the Confederate flag.

The agency previously proposed to tighten the ozone standard in 2010 to a range of 60–70 ppb. However, in 2011, the Obama Administration withdrew the proposal to reduce regulatory burdens and uncertainty — at the time, it was estimated the proposed rule would cost between \$19 billion and \$90 billion to implement. The standard was last modified in 2008. Implementation started this year.

NACo opposes EPA's efforts to tighten the ozone standard, including efforts to implement the new ozone standard before the 2008 National Ambient Air Quality Standards (NAAQS) for ozone have been fully implemented.

## What is Ozone?

Ozone is one of the six air pollutants regulated by the Clean Air Act's (CAA) NAAQS program. Under it, EPA is required to reassess air quality standards every five years. The standards apply to outdoor (ambient) air quality and are intended to protect public health, the environment and prevent damages to crops, plants, property and wildlife.

Primarily known as a summer-time pollutant, ozone forms when sunlight reacts with pollutants such as volatile organic compounds emitted from chemical plants, gasoline pumps, oil-based paints, and auto body and print shops. Sources of nitrogen oxides (NOx) include power plants, industrial facilities and motor vehicles.

However, in the past decade, high ozone levels have also been observed in winter months near oil and gas operations in Colorado, Utah and Wyoming.

Ground-level ozone, also known as smog, is considered "bad" ozone. According to the American Lung Association, ozone is the most widespread air pollutant and causes coughing, wheezing, asthma attacks, heart problems and increases the risk of hospital admissions and emergency room visits, as well as the risk of premature death.

## WHY OZONE DESIGNATIONS MATTER TO COUNTIES

Under the Clean Air Act (CAA), states and counties serve as both the regulator and regulated entity of clean air, and they are responsible for ensuring that the Clean Air Act's goals are achieved and constituents are protected. But a more stringent ozone standard could have a significant effect on counties nationwide. Ozone designations — attainment, nonattainment and unclassified — may impact the nation's transportation programs and the economic vitality of local governments.

Once a county is designated as being in nonattainment, the county must work with its state to craft specific strategies to reduce ozone pollution in its jurisdictions. These are called State Implementation Plans (SIP) and must be approved by the EPA. SIPs can include requirements such as timelines and deadlines for emission reductions, specific emission limits for power plants, oil and gas drilling, strategies to reduce idling time, expansion of local transit options such as carpools, bus and train systems, clean fleet and retrofit programs and local restrictions on commercial products and services.

If a county (or state) doesn't meet the ozone standards, it can be subject to sanctions, which include the potential loss of highway funds. All ar-

reas designated as "in nonattainment" or "in maintenance" for transportation-related activities must undertake transportation conformity plans for projects that receive federal funding dollars. This can be time-consuming and expensive.

Additionally, a more stringent ozone standard challenges local governments' ability to increase economic development within their regions. Areas designated as in nonattainment can have a more difficult time attracting industry to their counties, due to concerns that permits and other approvals will be too expensive or even impossible to obtain. Counties claim to have lost businesses to other areas due to nonattainment designations.

### Moving from Nonattainment to Attainment

Even if a nonattainment county meets the standards in a couple of years, it is not taken off of the designation list. Instead, it is put into a "maintenance plan" for 10 years. "Maintenance," while not as stringent as other non-attainment designations, still includes requirements such as emissions budgets, commitments to implement contingency measures and transportation conformity requirements.

It's very likely that within those 10 years, the ozone standard will again be tightened, thus putting the county back into non-attainment.

## HARRIS COUNTY, TEXAS SUES VW OVER POLLUTING DIESEL VEHICLES

It didn't take Harris County, Texas very long to go after Volkswagen for adding more ozone into its already polluted air. Houston's home county filed suit against the German automaker late last month for \$100 million, only weeks after VW admitted it had tampered with its diesel cars' emissions controls, according to

the *Houston Chronicle*.

Its timing couldn't have been better. Two days after the county filed its suit, EPA released yet another and stricter ozone rule. Harris County is considered by EPA to be a "non-attainment" area because of its ozone emissions.

In a news release, Harris Coun-

ty Attorney Vince Ryan, said the county "with its massive traffic and petrochemical industry, has had difficulty in meeting federal clean air requirements." VW's "deceitful acts," Ryan continued, "have damaged the county's ability to improve air quality and reach clean air attainment status."

Approximately 6,000 VW diesel

cars were sold in Harris County between 2009 and August of this year, county officials said.

The county may be the first local jurisdiction to take legal action against the company.

"We believe that we are the first governmental agency to file a major suit against Volkswagen and look forward to working

with state and local governments that have similar claims," Ryan explained.

(If you are considering your own lawsuit or would like more information about Harris County's case, contact Jacqueline Terrell at the Harris County Attorney's office, 713.274.5102; or email [Terence.orourke@cao.hctx.net](mailto:Terence.orourke@cao.hctx.net))



A separate ruling adds complexity

WOTUS from page 1

possibility of success on the merits of their claims” and ordered the rule to be, “STAYED, nationwide, pending further order of the court.” However, in the coming weeks, the court must determine whether it has the authority to hear the case.

The Oct. 9 ruling comes after a separate decision, Aug. 27, by the U.S. District Court of North Dakota to delay the rule in 13 states: Alaska, Arizona, Arkansas, Colorado, Idaho, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota and Wyoming.

Prior to this latest court ruling, however, EPA and the Corps were still legally allowed to implement the final rule in the remaining 37 states.

In a related but separate development, on Oct. 13, the U.S. Judicial Panel on Multidistrict Litigation denied the federal government’s request to consolidate the various non-state generated lawsuits filed against the EPA and Army Corps of Engineers on the rule. This development only increases the complexity, and likely lengthens the time frame, of the judicial consideration of this rule.

State of Play in Congress

On May 12, the House passed the Regulatory Integrity Protection Act of 2015 (H.R. 1732) by a vote of 261–155. It would withdraw the final rule and require the agencies to restart the rule-making process, inclusive of state and local governments.

The U.S. Senate has a similar bill, the Federal Water Quality Protection Act (S. 1140). The measure would also require the agencies to redo the “waters of the U.S.” rule-making process. It also includes a set of principles the agencies should consider when rewriting the rule, including the types of ditches that should be exempt. The proposal passed out of committee and is currently waiting for floor consideration.

The Senate could also take up S.J. Res. 22, a joint resolution expressing congressional disapproval for the rule. The resolution currently has 49 cosponsors.

Although it remains unclear how Congress will proceed with finalizing its FY16 appropriations process, both the House and the Senate FY16 Interior, Environment, and Related Agencies appropriations bills contains language to stop the final “waters of the U.S.” rule from being implemented.

Speakers bring experiences to LUCC attendees

By CHARLIE BAN  
SENIOR STAFF WRITER

Large Urban County Caucus Leadership Symposium attendees heard from several speakers native to King County, Wash. with different expertise to offer.

Microsoft engineer James Whitaker explored the frontier of technological innovation and charted the path for where humanity is headed and its new role during his address at the annual LUCC Leadership Symposium held this year in King County.

Noting a roughly 10-year trend cycle, he explained how the hardware advances of the 1980s gave way to a software boom in the ‘90s, search dominated the 2000s before specialization, as seen in app development for smartphones, is the state of the art. App development paves the way for more diagnostic technology that can take care of itself, such as reordering supplies for maintenance and repair. A case in point — his hot tub.

“I remember the first time the [delivery] man came to my door with a box of hot tub chemicals,” he said. “I opened it up and showed the hot tub and said, ‘look what you did!’”

Those processes will streamline when three-dimensional printers are integrated into items and are able to manufacture replacement parts on site. What we’re looking at now, he said, is technology that will have so much information that it will be able to anticipate our needs and act on that. That can frighten a lot of people, economically — because they can displace workers — and philosophically.

But “as powerful as machines seem, they remain limited in comparison to human ingenuity and consciousness, which we cannot yet engineer. They can perform technical functions, like transportation and basic medical diagnoses, and allow humans to use their intellect to reach higher.”

Whittaker pointed to the Human Brain Project research effort as an example of how our technological skill in indexing and using data will help humanity create a comprehensive model of the brain, and what that could mean.

“We’re going to cure anxiety and depression,” he said. “We’re going to cure bipolar and schizophrenia. We’re going to be super learners, we’re going to figure out how we can use these machines that we’re so scared of to map our human brain.

“The machines aren’t going to take over, the machines are going to supercharge us.”

But before salvation by technol-



(l-r) Ted Sullivan, King County, Wash., talks about the county’s farmland preservation efforts as dairyman Steve Keller; Will County, Ill. Board Speaker Jim Moustis; NACo President Sallie Clark; and Ramsey County, Minn. Commissioner Toni Carter look on. The stop at Keller’s dairy farm occurred during one of the mobile tours at the LUCC leadership symposium in King County, Wash. Photo by Charlie Ban

ogy arrives, local government leaders need to grapple with an expanding conflict between police and the citizens they serve.

U.S. Rep. William Reichert (R-Wash.) voiced his concerns about the friction between law enforcement and the public in cities across the country at another LUCC Symposium event.

“Every community has to wrestle with this, and every community has a different solution to it,” he said. “The federal government can’t be the one that comes in and sets the standards and says this is what you’re going to do and this is how you’re going to do it. I really believe we’ve gone about this in totally the wrong way.

He drew on his experience as a deputy in the King County Sheriff’s Office, before serving as sheriff, to offer a general solution.

“We were able to build a relationship between police and the community,” he said. “It wasn’t through texting or Skyping, it was because the neighborhood that I worked in was the neighborhood that I worked in. I was there every day. I knew what cars should be in driveways, who should be walking around the street, who should do this job, who should do that job. You walked around and shook hands and you greeted people and you talked to them.

“So, you know when you-know-what hit the fan and Deputy Dave showed up, they trusted me.”

He also had a few words to say about architectural determinism in law enforcement.

“You know what we’re going to do if we build more jails?” he asked. “We’re going to fill them up.”

Field Trips

A bustour of eastern King County gave officials from urban counties the Rural Action Caucus experience. The county’s agricultural production

market for their goods.

A stop at a fourth-generation family dairy farm gave an up-close view of the challenges the farming business faces, including a probably familiar long wait for a permit to clean a ditch.

Other attendees toured facilities involved in Washington state’s newest industry—legal cannabis. Though a state referendum legalized marijuana sale, it also allowed counties to legislate its legality in their borders and prohibited vertical integration, so growth, production and retail are all separated.

Tim Moxey, who owns a production facility, said he chose that part of the supply chain because his business was not limited the way growers are, and described the regulatory environment in which he operates.

Counties receive only a small portion of the excise taxes collected from marijuana sales.

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I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).



# Western North Dakota counties play catchup during oil boom slowdown

By CHARLES TAYLOR  
SENIOR STAFF WRITER

Things may be a little down right now in North Dakota's oil patch counties, but they're far from out. While falling oil prices have led to a sharp drop in drilling activity — and declining tax receipts — some county officials say it's given them an opportunity to catch their breath.

At the height of the boom, oil was fetching \$100-plus a barrel; today it goes for half as much.

"Falling oil works both ways," said Dan Kalil, a Williams County commissioner. "This is a great opportunity to take a time-out to recognize that — as Alan Greenspan would say — the irrational exuberance is over. We went from an oil exploration business to an oil exploitation

business overnight."

When you factor in revenue versus costs for North Dakota's western oil counties, the financial impact of the shale oil boom in the Bakken formation has been a "small-to-medium net negative," according to a report issued last month by the National Bureau of Economic Research.

It's based on data gathered between 2007 and 2013, according to Daniel Raimi, a coauthor of *Shale Public Finance: Local Government Revenues and Costs Associated with Oil and Gas Development*. Ongoing data collection to update the report is painting a slightly rosier picture. "Preliminary findings suggest that things have gotten better from a fiscal perspective for local governments in western North Dakota over the last

percent between 2010 and 2013, bringing with it a 60 percent spike in crime. Four hundred-fifty of the county's 1,240 road miles were damaged by Bakken traffic, causing the construction and maintenance budget to grow from \$1.5 million in 2005 to more than \$25 million in 2013, according to the report. Dunn had to double its county workforce to keep up with growth.

The other counties faced similar demands. In Williams County, housing was in such short supply — and prices bid up so high by newcomers — that the county purchased one building and built another to provide affordable housing for county employees and additional office space.

McKenzie County EMTs responded to five or six traffic crashes

them here," Anderson said.

"This downturn has not been a bad thing for us. We don't have the money coming in that we'd like to be investing in infrastructure," he added, "but the slowdown has helped us catch our breath."

Kalil, on the other hand, believes that a lot of what made the area special has been lost. He steered a reporter to the writings of a former *Bismarck Tribune* newspaper columnist — Clay Jenkinson, the noted Thomas Jefferson scholar and North Dakota native.

Recently he wrote, "In the past 10 years, in my opinion, North Dakota has become a much better and also a significantly worse place to live.... The oil boom has solved some of our most serious problems, but it also has scarred our sacred landscape. It

## Profiles in Service

**Gordon L. Cruickshank**  
Western Interstate Region (WIR) president  
Commissioner  
Valley County, Idaho



**Number of years active in NACo:** 6

**Years in public service:** 24, 16 with the road department, 10 of those as the road superintendent, and eight as a commissioner

**Occupation:** county commissioner and part-time farmer

**Education:** high school

**The hardest thing I've ever done:** attend my 13-year-old grandson's funeral

**Three people (living or dead) I'd invite to dinner:** my father, Abraham Lincoln, Morgan Freeman

**A dream I have is to:** do my level best

**You'd be surprised to learn that I:** have six great-grandchildren

**The most adventurous thing I've ever done is:** run class-five rapids on the Snake River in Hells Canyon with my jet boat.

**I'm most proud of:** being able to tackle anything I put my mind to.

**Every morning I read:** my emails.

**My favorite meal is:** meat, potatoes and gravy.

**My pet peeve is:** those who say, "I can't."

**My motto is:** Be at the table or you might be the menu.

**The last book I read was:** *Bound for the Backcountry* by Richard Holm, a history of Central Idaho airstrips.

**My favorite movie is:** *The Hunt for Red October*.

**My favorite music is:** Celtic, as performed by Enya.

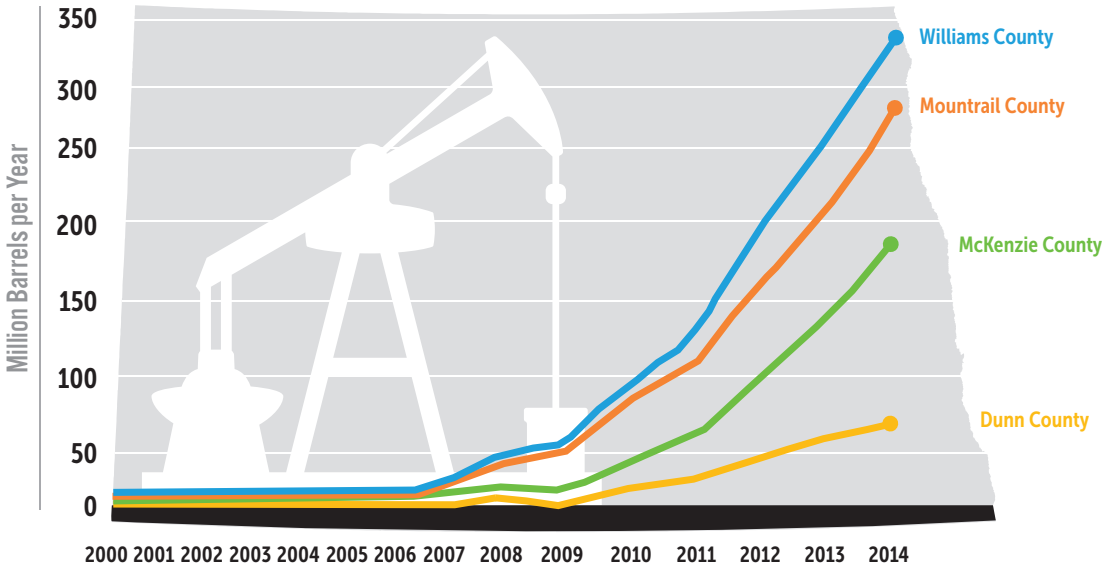
**My favorite president is:** Ronald Reagan.

**My county is a NACo member because:** NACo understands the county perspective and is a great value to a small county with limited resources.

**My favorite way to relax is:** driving my farm tractor or jet boat.



Oil production in Dunn, McKenzie, Mountrail and Williams counties, N.D.



18 months or so," he said.

"You're seeing what some local officials describe as an ability to catch up a little bit," Raimi added.

In the other states that he has studied — Arkansas, Colorado, Louisiana, Pennsylvania, Texas and Wyoming — the fiscal effects from oil and gas activity ranged from neutral to a large net positive.

Why did North Dakota buck that trend? It was a combination of the region's sparsely populated western counties, Raimi explained, and the massive scale of drilling that the oil boom spawned. "The rurality of the region meant that they were going to have a substantial impact on services because the cities and counties were built to serve a smaller population," he said.

Dunn County has the lowest population density of the three counties, including Williams and McKenzie, which were studied. Its population swelled by about 30

per month before the Bakken boom. By 2013, the rate had grown to five per day and the incidents were more serious with more fatalities. Even with the slowdown, said McKenzie Commissioner Ronald Anderson, the need for policing remains high.

"With the downturn, it'll probably be even more important because more bad characters come out of the woodwork if they're out of work," he said. Referring to a rise in property crimes, Kalil added, "Everybody that's leaving (because of the slowdown) seems to have liked the place so much, they're going to take a piece of it with them."

Even with a decrease in drilling, some counties are faring better than others, while sharing some of the same problems to differing degrees.

McKenzie County hasn't seen as much of a falloff in activity as its neighbors. "The sweet spot of the Bakken is here, so if there are going to be wells drilled they're going to drill

came too hard, too fast, and we did nothing to chasten it with a pace that would serve our higher, deeper values," Kalil agrees.

One positive consequence of the boom, Kalil has observed is that it's creating job opportunities for locals in a region where well-paying jobs were scarce and that had been losing population. "It's created a lot of opportunity for young people," Kalil said, recalling a recent conversation with a local attorney who said his children who had moved away have returned to the area.

"There've been a number of people from every kind of background that you can imagine who have come and think highly of the community and are excited to be here," Kalil said. "There's little kids everywhere at church now, occasionally we have a Spanish mass."

Yes, the region has been enriched, Kalil admits. But he can't help wondering, at what cost?



## COUNTY INNOVATIONS AND SOLUTIONS | CAMDEN COUNTY, N.J.

# County funds heroin treatment program for rescued addicts

By CHARLIE BAN  
SENIOR STAFF WRITER

• Rehab from heroin addiction is expensive and arduous  
• Camden County, N.J. is handing off overdose survivors to detox facilities and paying for rehab

After Narcan gives heroin users a new lease on life, Camden County, N.J. is helping them pay rent.

The anti-overdose drug is boosting users' chances at survival, to the tune of 330 lives in the first nine-and-a-half months of 2015, but after they're released from the hospital, they face a difficult road to sobriety. That's where Operation SAL — both an acronym for "save a life" and after overdose victim Sal Marchese — will come into play.

The county will fund the outpatient detox and additional outpatient intensive addiction treatment at Delaware Valley Medical Center. There they will be treated on an outpatient basis until a bed opens at a facility or they can be managed at the level of care determined by their case manager.

"We found \$150,000 in grant money we can use to fund this, but we're not going to stop there if there's demand," said Freeholder Director Louis Capelli, Jr. "We'll fundraise if we have to, but we want to make sure anyone who needs this can get it. The insurance companies don't get it, that this is a serious medical need, so we're doing it."

The idea came out of the Camden County Addiction Awareness Task Force, which was formed last year to address rising opiate addiction in the county. It's a collection of freeholders, law enforcement, parents of addicts (including the

Marchese family), students, clergy members and health care professionals.

"We're trying to raise awareness of addiction problems and find ways to link addicts with service providers who can help them," Capelli said.

As for linking addicts with the help they need, that will be the job of emergency room emergency room personnel at four local hospitals. They're being trained to emphasize to the addicts that help is available at no cost.

"Dealing with someone who just survived an overdose isn't easy, but if the ER personnel are up to the task, we can make a 'warm handoff' to a detox program and get them on their way," Capelli said. "That jump, getting them to accept the help, is the hard part."

The addicts themselves will not be prosecuted for their drug abuse.

"We're hoping by avoiding prosecution, it might encourage them to seek help," Capelli said.

Kennedy Health President and CEO Joseph W. Devine lauded the program.

"Operation SAL is a great example of working together for a common goal, to ensure that the right help is there when these patients are ready to leave the hospital setting," he said in a news release announcing the program. "Ultimately, we believe it will save lives and help people get back on track with the support they need to do so."

Among other outreach projects, the task force has succeeded in getting prescription medicine drop boxes installed in local police stations.

*County Innovations and Solutions features noteworthy and award-winning county programs.*



Camden County Freeholder Director Louis Capelli, Jr. sits on the Camden County Addiction Awareness Task Force. Photo courtesy of Camden County, N.J.

# Suburban poverty takes center stage



King County, Wash. Councilman Dave Upthegrove (l) and Seattle Foundation's Michael Brown discuss suburban poverty in King County. Photo by Charlie Ban

By CHARLIE BAN  
SENIOR STAFF WRITER

King County's population growth has landed on the economic margins, and the poorer demographic of that growth was the focus of the first day of the Large Urban County Caucus Leadership Symposium.

Councilman Dave Upthegrove said 96 percent of the county's growth has been in the highest and lowest income brackets, leading to an increasing population in need of services in places that are difficult to serve.

"It's a tale of two regions: We have some of the wealthiest (communities) in the world and at the same time, we have communities where the level of disparity of inequity is similar to what you'd see in a third-world country," said Michael Brown, vice president for community leadership at the Seattle Foundation.

That is hardly unique to King County, according to Brookings Institution researcher Alan Berube, who pointed out that although the poverty rate, as a percentage, is higher in urban areas, suburban areas have more people living below the poverty line, with suburban poverty becoming the norm today, as 9.5 million live in poverty outside of urban areas versus 8.9 million in urban areas.

"We think this outdated mental map of poverty — where it happens and who it afflicts — a) it frustrates our efforts to address it effectively, but b) I think also it makes it harder for us to muster the political will to fight it effectively," he said. "We think, 'It happens in communities over there, not communities like mine.'"

He pointed out that poverty rates started growing faster in the 1980s and accelerated in the 2000s with the Great Recession.

A number of factors contribute

to the trend. Housing prices are lower outside of cities, and because work moves with population, 43 percent of jobs are located 10 miles or more from downtown areas, more so for lower-paying sectors like manufacturing. At the same time, those sectors are recovering slower from the recession.

Transit options are less convenient in suburban areas because of the population distribution over larger areas. That also complicates

social service placements and philanthropic involvement.

"Philanthropies don't want to invest in capacity in these communities because there's none there to begin with," Berube said. "Small suburban communities, generally speaking, can't really navigate the thicket of programs to meet the multiple challenges that families face, and moreover, many of these

See **POVERTY** page 9

## NACo on the Move

### ► NACo Officers, County Officials

• **Mike Belarmino**, associate legislative director, represented NACo at the Nebraska Association of Counties Legislative Conference in Buffalo County Oct. 15. Next Belarmino, along with NACo President **Salie Clark**, travelled to San Diego County for the National Congress of American Indians Annual Convention. They participated in a meeting on Tribal, State and County Relations: Coordinating Jurisdictions for Safer Shared Communities, Oct. 18.

• **Cecilia Mills**, research associate, promoted NACo research products at the Tennessee County Services Association Fall Conference in Rutherford County, Oct. 7-9.

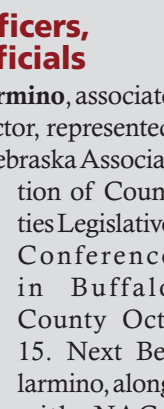
• **Maeghan Gilmore**, program director, participated at a MacArthur Foundation meeting on the Safety and Justice Challenge in Cook County, Ill. Oct. 6-8.

• **Daria Daniel**, associate legislative director, represented NACo at the National Association for County Community and Economic Development (NACCED) Annual Conference in Salt Lake County, Utah, Oct. 4-7.

• **Kaye Braaten**, former NACo president, will be exhibiting on behalf of NACo at the New Hampshire Association of Counties 2015 Annual Conference in Merrimack County on Nov. 1-4.



Belarmino



Mills



Gilmore

### ► Coming Up

• **Alex Koroknay-Palicz**, membership coordinator, will be exhibiting on behalf of NACo and the Live Healthy U.S. Counties discount program at the Texas Indigent Healthcare Association Annual Conference in Travis County on Oct. 28-30.

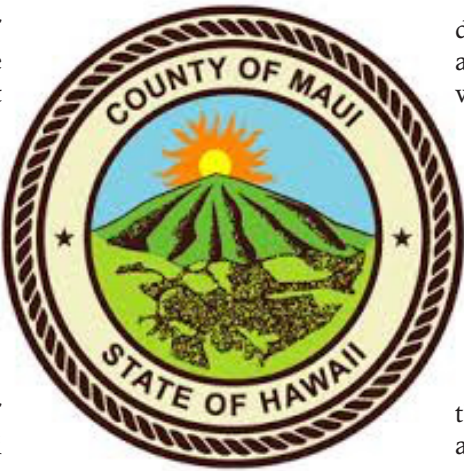


# SOLUTIONS SPOTLIGHT

## Protecting Paradise: How the County of Maui Is Strengthening Its Cyber Defenses

The tranquil islands of Maui County are among the world’s most coveted tourist destinations. But nowhere on the planet is immune to the threat of cyber attack. Even the remotest corners of Maui County’s three populated islands have potential exposure to the full onslaught of Web-sourced malware and malicious payloads.

Recognizing the realities of today’s connected world, Maui County appointed Karen Sherman, a highly experienced IT veteran, to the newly created position of Information Security and Privacy Officer. “The County Council really understood the need for a dedicated



resource to properly address the challenge of cybersecurity,” remarked Sherman.

She continued, “My sphere of responsibility is very broad; from emergency services, in-

dustrial control systems, parks and recreations, etc. We’re working hard to secure the entire landscape. Timed to coincide with the upcoming ‘National Cyber Awareness Month’ we’re also kicking off a campaign and a series of programs to educate employees and community members.”

Despite the popularity of the islands, human resources are always a constraint. “It can be challenging to find appropriately skilled resources, so the county relies on technology to help us bridge the gap,” Sherman commented.

“We look for world-class security solutions that constantly

monitor our environment and only alert us when we actually need to do something, she added. “Unless a tool allows us to optimize how we deploy our staff, it doesn’t even warrant consideration.”

To enhance its existing cyber defense measures, Maui County deployed solutions from best-in-class vendors, including FireEye, a leading provider of dynamic malware protection platforms. Sherman said, “Since the county is so dispersed, it’s invaluable knowing exactly where an alert was generated; this enables us to make informed decisions about the most appropriate mitigation strategy and how

best to utilize our people.”

Relationships are another critical element for Sherman: “Because we all have the same objective of protecting our constituents from cyber threats, I’ve found great value in the strong partnerships I’ve formed within our IT team, the County Council and the state.”

She concluded, “With cybersecurity there is no silver bullet: It all comes down to forging the right partnerships and collaborations, raising awareness and staying constantly vigilant. This approach is the cornerstone of ensuring that Maui remains the paradise that our residents and visitors deserve.”

### WORD SEARCH

#### DeSoto County, Miss. Facts

Learn more about this featured county in ‘What’s in a Seal?’

H M L G M L D E N U W S F A W K V U M A  
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- ARKANSAS** (State bordering county)
- CHICKASAW** (Native American original inhabitants of region)
- CIRCLE G RANCH** (Elvis Presley's former ranch in town of Horn Lake)
- COLDWATER** (River forming county's southwest border)
- DELTA** (Geographic area between Mississippi and Yazoo rivers)
- HERNANDO** (County seat, like county, named for Spanish explorer Hernando de Soto)
- LAKE CORMORANT** (Unincorporated community)
- LYNCHBURG** (Census-designated place)
- MARSHALL** (neighboring county to the east)
- MEMPHIS SUBURB** (County is part of Memphis, Tenn. metro area)
- OLIVE BRANCH** (City, pop. 33,500, in northeast part of county)
- SPAIN** (Nation of de Soto's birth)
- SUPERVISORS** (County's governing body)
- TENNESSEE** (Forms county's northern border)
- TUNICA COUNTY** (Adjacent county in the Delta Region, home to casinos)

### Financial Services News

## NACo and eConnectDirect Celebrate Anniversary of Exclusive Partnership

Two-hundred sixty-nine government entities, including 85 counties, are using the services of eConnectDirect, a NACo Financial Services Center-endorsed program that provides a no-cost online investment information tool to help counties manage excess funds.

Initiated one year ago after an extensive, county-driven due diligence process, the tool was developed by Michigan-based Multi-Bank Securities, Inc. (MBS), a broker-dealer with which NACo FSC has developed a long-term partnership. MBS currently serves 719 local government accounts, of which 187 are counties.

David Thompson, NACo FSC president and managing director, has focused this first year on bringing state associations on board as co-sponsors of the program.

“We now have 11 states helping to promote the program and are expecting to add several more before year’s end,” Thompson said. “In each case, the associations have sought and received feedback from in-state professionals who have reviewed the system and recognized its value for them and their colleagues.” In addition, the National Association of County Collectors, Treasurers and Financial Officers

STATES THAT ENDORSE  
eCONNECTDIRECT

Florida  
Georgia  
Arizona  
Oregon  
Maryland  
Virginia

North Carolina  
Washington  
Montana  
Illinois  
Colorado

voted to support NACo’s endorsement of eConnectDirect. David T. Maccagnone, CEO of MBS, has been on the road all year promoting eConnectDirect, including visiting potential clients in the courthouse and attending state association meetings.

“Multi-Bank Securities, Inc. has rebuilt its business around eConnectDirect, without changing our personal service model. We call it high-tech, high-touch,” Maccagnone said. “In this day and age, you don’t gain new customers on the telephone. Clients are busy. They appreciate meeting you in person, and they find comfort that their association, or an association they know has credibility, has looked at and endorsed your service.”

The next phase of the program roll-out will build on its base of new customers. MBS offers a combina-

tion of personalized, group and skills-specific webinar opportunities to an expanding audience of financial officers.

“Our professionals have access to live webinars and a growing library of product and skills information to help treasurers,” Maccagnone said. “We can spend as much time as they need to better understand the risks and opportunities this market will present.”

In the present, uncertain investment environment, MBS is a resource for both general and specific investment information.

Year two of the program promises to be challenging but rewarding. According to Thompson, the NACo endorsement will lead the charge.

“This program represents the mission of the Financial Services Center,” Thompson said. “Above all, it is good for government. It is innovative, economical and in the end, helps stretch scarce county resources a little further.”

*For more information, please call David Thompson, president and managing director of NACo Financial Services, at 202.942.4240.*

Multi-Bank Securities, Inc. Member of FINRA & SIPC; MSRB Registered.



## Suburban poor outnumber urban

POVERTY from page 7

initiatives were not fit for suburbs.”

That said, some counties have been able to meet those challenges.

“They’re acting in scale,” he said, “developing capacities, the partnerships and the relationships to increase the quality and reach.”

He cited Montgomery County, Md.’s primary care coalition to administer health care, Cook County, Ill.’s Cook County economic development on South and West sides, King County’s Orca Lift reduced-fare transit program, and Salt Lake County, Utah’s Metro Townships metropolitan service districts.

Upthegrove said for a county as diverse as King, it’s hard to balance areas of need versus equitable distribution.

“There’s an expectation that what you pay into the county, you get out,” he said. “I know people in rural parts of the county wouldn’t want their resources being spent on the southern part of the county.”

And even in areas of need, there’s often not much support, and many vocal opponents.

“Some of the racism and classism is making it difficult to find support for these types of services,” he said.

He said there is pushback against anti-poverty initiatives, both in coded speech by candidates and in elections, where councilmembers who voted to increase the minimum wage started losing elections. A not-in-my-backyard mindset has blocked placement of social service providers.

Brown explained where his organization, the second-largest philanthropy in the area behind the Gates Foundation, has helped King County, but also where the county has to wean itself off and fund its own initiatives.

“I do think the paradigm has to shift between the public sector and the philanthropic sector because far too often the public sector looks at the philanthropic sector like one big piggy bank and collectively, we cannot do what the public sector can do, so this is where the partnership has to come into place,” he said.

“We understand the demands that the public sector has, but frankly, they’re no different than what the philanthropic sector has.”

The Seattle Foundation launched Communities of Opportunity last year with King County to increase social, health and economic equity, mostly in southern portions of the county.

# PESKY PENALTIES

## Maryland county bans pesticide use on private property

By CHARLES TAYLOR  
SENIOR STAFF WRITER

Montgomery County, Md.’s new ban on pesticide use on private lawns — claimed to be the first by a county in the country — may pose as many questions as it answers.

Will it have an impact? Can it be enforced? Will it withstand legal scrutiny?

When the County Council approved the ban 6-3 earlier this month, it became the largest jurisdiction to ban residential use of “cosmetic” pesticides, that is, those used primarily to improve appearance.

Council President George Leventhal was the measure’s chief sponsor, and he said when public health is at stake, distinctions should be made between needs and wants.

“There’s a very large number of my constituents who feel imposed upon by neighbors who insist on applying toxic chemicals even though it poses health risks to other people,” he said. “The current law says you have the right to apply substances to your lawn that may be harmful to others, and what the new law says is that you don’t.” Enforcement of the ordinance will depend on a “complaint-driven” process of citizens reporting violations.

The ordinance takes effect Jan. 1, 2018 and does not apply to gardens. Penalties will be \$50 for a first violation and \$75 per subsequent ones, and stores will still be able to sell the banned weed and pest killers.

Critics say the ordinance relies on ill-defined risks that point to “possible” and “probable” links between pesticides and cancer and other diseases — as opposed to proof positive. They argue that such sweeping action is premature and that federal and state regulations are adequate to protect the public.

The ban would apply to some pesticides that the EPA has approved for home use, when properly applied.

Golf courses, including county-owned ones, are exempt from the ban. “There were certain fights that I did not feel were worth taking on,” Leventhal said. Councilmember Roger Berliner, who voted against the ordinance, is okay with that. “I think that’s a different conversation,” he said, “using pesticides for cosmetic purposes on your own lawn



Illustration by Leon Lawrence III

versus banning their use where the nature of the grass is fundamental, if you will, to the purpose of the grass.” He is a staunch environmentalist and chairs the council environment committee.

County parks and playing fields also don’t fall under the ban, but they will be required to begin pilot programs next year to test “safer, organic pesticides on county athletic fields and parks,” he added.

Berliner said he “hated” voting against the bill. But he favored an incremental approach, and had offered a compromise — which was rejected — that banned pesticide use on county-owned property. It also would have set a goal to reduce non-agricultural uses of pesticides in the county by 50 percent by 2018 through consumer education.

“I thought a ban was a bridge

expensive and uphill legal fight, and millions in additional costs to maintain our playing fields—if they can be maintained at all.”

The ordinance also restricts the use of certain pesticides on public and private playgrounds, mulched recreation areas and child care centers. However, it does not prevent the use of pesticides to control of noxious weeds or invasive species, for human health or agricultural purposes, or to prevent significant economic damage.

County Executive Ike Leggett could veto the measure. However his veto can be overridden by six of the council’s nine members, and that’s the number of councilmembers who voted for the ban.

While the bill doesn’t apply to agriculture, farming interests worry that only means “not yet.” The ban is set to expire in 2019, and in literature circulated earlier this year, Maryland Farm Bureau officials expressed fear that a future County Council could remove the “ag” exemption. “This is an emotion-based bill,” the Farm Bureau wrote.

Karen Reardon speaks for RISE (Responsible Industry for a Sound Environment), a Washington, D.C.-based trade association for pesticide and fertilizer producers.

“The council is going against federal and state regulatory guidance on what is safe and necessary for pest control,” she said, “and also goes against the opinion of the National Cancer Institute, which says the scientific evidence to support such a ban is not conclusive.”

Berliner said the law will be “difficult, if not impossible to enforce.”

Montgomery County (pop. 1 million) is by far the largest local government to have enacted such a ban, and it will affect vastly more people. Ogunquit, Maine, with about 900 permanent residents, passed a ban about a year ago. Takoma Park, Md. (pop. 17,000), a city in Montgomery County enacted its restrictions in 2013.

The ban’s detractors have also criticized its potential to hurt lawn care businesses. But Leventhal believes it also creates new opportunities.

“I would hope that Montgomery County would be home to a sustainable industry,” he said, “a place where environmental approaches can be brought onto the market and that we would foster that kind of industry: businesses that are consistent with our values as a community.”

### SpeedRead » » »

- » Penalties begin at **\$50** for a first offense
- » Enforcement is via citizen complaint
- » Golf courses, including county-owned ones, are exempt

too far, too fast,” he said. “I felt that given how little our county had done in this realm for decades, and how little public awareness there is around this issue generally, that using a ban as the first tool out of our toolbox was not good governance.”

In a Sept. 9 memo to his council colleagues, Berliner warned that passing so stringent a bill risked “a significant citizen rebellion, an





# News From the Nation's Counties

## ► ALABAMA

• Under threat of legal action, **HOUSTON COUNTY** officials have removed **decals with the bible verse** “blessed are the peace-makers” (Matthew 5:9) from the sheriff’s patrol vehicles, the *Dothan Eagle* reported.

Americans United for Separation of Church and State threatened legal action if the decals weren’t removed.

The commission didn’t want to make the change, Dempsey said. “However, ... our liability insurance carrier and their attorneys said, if we take this to court, they said we’re going to lose. The county would be looking at hundreds of thousands of dollars in legal expenses.”

Meanwhile in Texas, five counties — **TERRY, YOAKUM, GARZA, GAINES** and **DAWSON** — are adding “In God We Trust” decals to official county vehicles, according to KBLK TV news.

• The Alabama Department of Revenue is working with several counties to defend them against **lawsuits filed by Lowe’s home improvement stores**. If the chain were to prevail, it could deprive the counties of property tax revenue.

Lowe’s has filed lawsuits in at least 15 Alabama counties; all of them are appeals made to the counties’ boards of equalization, according to *The Anniston Star*.

The retailer argues that its buildings are inexpensive, unique and rarely sold. Therefore, it contends, they should be assessed at a lower value. Lowe’s is also seeking refunds on the property taxes it says were wrongfully assessed.

## ► FLORIDA

Residents of **BROWARD** and **PALM BEACH** counties will soon have their say about proposals to **decriminalize marijuana possession**. Public hearings have been set for Oct. 20 in Palm Beach County and Nov. 10 in Broward County.

Broward commissioners will receive public input on ordinances that would lessen penalties for anyone found with 20 grams or less of pot, nbc-miami.com reported.

Offenders would face civil citations rather than criminal charges. A first offense would bring a \$100 fine — \$250 for subsequent violations. Fines could be waived if the person attends a county-approved community service program.



## ► ARKANSAS

**JOHNSON COUNTY** Judge Herman Houston holds his resolution declaring October as GoPink for a Cure for Breast Cancer Awareness Month. Houston, along with courthouse employees, wear their colors on Oct. 5, which was Wear Pink day in the county. Photo courtesy of Johnson County, Ark.

## ► GEORGIA

A **telemedicine** pilot in **HANCOCK COUNTY** could mean more and better access to medical care for residents of the rural county. Hancock has no full-time primary care physician, and residents must travel 25 or more miles to visit the area’s hospital emergency rooms.

Add to that, about 68 percent of 911 calls in the county are for non-emergencies — limiting the effectiveness of the county’s lone ambulance service.

The Hancock County Healthcare Access Initiative is a partnership involving the county, Mercer University, local hospitals and other medical providers. For the pilot, ambulances will be equipped basic lab equipment, a high-resolution camera, an EKG machine and a tablet computer, among other diagnostic tools. EMTs will use the devices to allow doctors at remote sites to examine and treat patients, and

decide if further care is needed.

After the pilot, operations will be turned over to Hancock County management, Jean Sumner, M.D., associate dean for rural health at Mercer’s medical school, told *The Telegraph*.

## ► ILLINOIS

**ST. CLAIR** and **MADISON** counties have formed a new council to promote **international trade and foreign investment**: the Southwestern Illinois Trade and Investment Council, the *Belleville News-Democrat* reported.

Among its goals are to raise awareness of global exporting in southwestern Illinois, and to encourage global exporters in the region to support the council’s programs. Of the council’s 25 members, 15 are private sector exporters.

## ► MARYLAND

It’s been a decade since **food trucks** were allowed in **PRINCE**

**GEORGE’S COUNTY**. Now they’re coming back thanks to a bill passed by County Council.

The trucks will have to operate at “hub” sites, located within a quarter-mile of certain Metro transit stations, and county parks. Licensing fees will range between \$500 for a two-months and \$3,500 for longer periods. And operators will have to comply with stringent rules on garbage disposal, *The Washington Post* reported.

“We’re cracking the door open to start to enable our entrepreneurs to come into our community and provide amenities where we just don’t have them,” Councilmember Dannielle Glaros said.

## ► MICHIGAN

The **WASHTENAW COUNTY** Board of Commissioners has approved a plan to combine the region’s two **convention and visitors bureaus** (CVB) and create a new Washtenaw County CVB. Tourism agencies in Ann Arbor

and Ypsilanti would merge.

Executive committees of the bureaus must meet to select the new organization’s board of directors. Twenty-five percent of its members must live or work in the Ypsilanti area, 25 percent in Ann Arbor and 25 percent in areas of the county not covered by those two communities, mlive.com reported.

## ► MONTANA

A County Government Study Commission recommends that the **RAVALLI COUNTY** Commission shrink back to three members from its current five.

Montana’s constitution allows local governments to examine their structure every 10 years. A previous study commission favored five commissioners — and voters agreed. Since then, however, there’s been discussion that the **number of commissioners** should return to three, according to the *Missoulian*.

The current study also recommends extending the length of commissioners’ terms, that commissioners be elected at-large and that candidates continue to declare a party affiliation.

## ► NEW YORK

Twenty heroin addicts in the **ALBANY COUNTY** jail will participate in the sheriff’s **heroin addiction recovery program**, dubbed SHARP. Sheriff Craig Apple said availability of the opioid blocker naltrexone put the finishing touches on a program stressing education, prevention and treatment, and enforcement.

Inmates will be screened and classified and housed in the SHARP unit, where they will receive intense peer-to-peer counseling. As they’re being released from jail, they will be given a naltrexone shot, assessed and be taken to a rehab facility.

Steven Giordano, Albany County mental health director, told *The Times Union* his department will see to it that graduates of the program get linked to treatment in their communities.

## ► NORTH CAROLINA

Vocal residents have prompted **PERQUIMANS COUNTY** commissioners to put a four-month **moratorium on wind farms**. A Virginia energy company wants to erect 100 to 150 turbines on 15,000 acres straddling Perquimans and **CHOWAN** counties, a project



## The H.R. Doctor Is In

# Creating the 'HR ER'

The Human Resources profession, as we now know it — or think we know it — evolved as part of the “scientific management” movement of about a century ago. This was a time of believing that the way to improve public and private sector success was to apply the principles of the increasingly popular approaches of science and technology. These were mixed with the organizational definitions of “bureaucracy,” which were brought to us by professor Max Weber in Prussia.

He defined bureaucracy as an organized hierarchy having impersonal rules and regulations. In other words, one-size-fits-all, irrespective of circumstances. The sense was that while this may be unfair in some individual cases, on the whole and for the agency at large, it is the most efficient and most “modern” approach. The “science” part came out of concepts such as writing things down, doing time and motion studies, hiring “experts,” searching for universal approaches and amending ideas only when evidence is overwhelming.

Fast-forwarding 100 years: We still find that in many jurisdictions the role of HR is that of a giant impersonal filing cabinet.

Its reason for existence is to create documents, with multiple copies of course, and to see that things are filed in proper alphabetical order.

For those unfortunate persons struggling to innovate or breathe the fresh air of imagination, if not experiment with better approaches, this kind of HR model is a place that is not comfortable to work in and not in the best interests of a modern agency.

This ancient concept of HR also came out of the mass production model of the Industrial Revolution. As Henry Ford might say, mass production and interchangeable parts (or interchangeable humans) also make mass profits. Rigid assembly line management approach, however, will fail to deliver its promises and, in fact, create liabilities if carried out in the 21st century.

Modern HR exists in a world of lawyers, auditors, a watchful (if

not carnivorous) press and a great many laws that were simply not present in Mr. Ford's day. These include laws covering overtime, minimum wage, workers compensation, non-discrimination, sexual harassment, labor relations, workplace safety and a great deal more.

Personal, family and social pressures affecting work no doubt existed a 100 years ago but were not spoken about much or addressed in the workplace. There are also the behavioral difficulties between people, which can manifest in poor if not dangerous behavior. Certainly, these complexities do not generally

erupt into workplace shootings or other atrocities. However, there are enough serious malfunctions that the potential for significant trouble expands for organizations with only a traditional HR model.

Many years ago The HR Doctor created the concept of “the HR emergency room” to address these kinds of anomalies. Every public agency needs people who are very adept at recognizing and managing serious anomalies in the workplace. These must be professionals who communicate well and respectfully with a great variety of people. They must be trained and supported by others in the agency and have full authority to manage highly unusual situations — especially those in-

volving compelling, urgent needs to act. They are people who have established a highly cooperative network with other persons who can bring expert skills to bear when things don't go well at work.

Most managers have never had to stare down a bully, deal with a workplace violence incident or conduct a death notification when a colleague dies by accident, illness or violence at work. Most have never had to deal with risks of disease outbreak, natural disaster impacts or major organization disruptions, such as widespread layoffs. Most have simply never had to hold the hand of a colleague who has just received a terminal illness diagnosis. Supervisors who are overwhelmingly great at their assigned tasks need help and guidance, as well as a sense of confidence, in these

needs to be established in advance, and good relations likewise, with the network members. A security expert, forensic psychologist, employee assistance and critical incident stress-debriefing professional are certainly persons who should be in this network. An HR expert is an appropriate addition, especially if the HR director is relatively new or promoted from within.

None necessarily have to be employees of the agency. In fact, hardly any agencies can afford to retain, for example, a forensic psychologist as a full-time employee. None really need to. However, the time to go searching for one is not in the middle of an incident. It is well beforehand.

Strong relationships with law enforcement and fire-rescue are essential ingredients in making an

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**EVERY PUBLIC AGENCY NEEDS PEOPLE WHO ARE VERY ADEPT AT RECOGNIZING AND MANAGING SERIOUS ANOMALIES IN THE WORKPLACE.**

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worst of times.

The normal day-to-day routinized actions in a bureaucracy don't fit well with assessing, treating and resolving these cases of special needs.

Any agency can and should create an “HR ER” of its own. It can be done quickly and will add little or no additional budget or staff.

The human resources department is a spectacular place to house this function. Certainly, it deals with many issues of workplace behavior, possible commission of a crime, or serious medical or psychological issues. However, housing the HR ER in a police department or the health department does not provide the generalist outlook and experience necessary for best results.

The leaders assigned to the HR ER work (among their other duties) will be on-call 24/7/365. They need to be trained and recognized for their contribution. They need to practice in the same way that emergency management exercises happen during hurricane season.

A network of on-call specialists in various valuable professions

HR ER function well. The same is true of physicians or a psychiatrist or psychologist who may have occupational health experience. Relationships should be sufficiently close that the HR director can call a colleague at two in the morning on a holiday and get immediate advice and help.

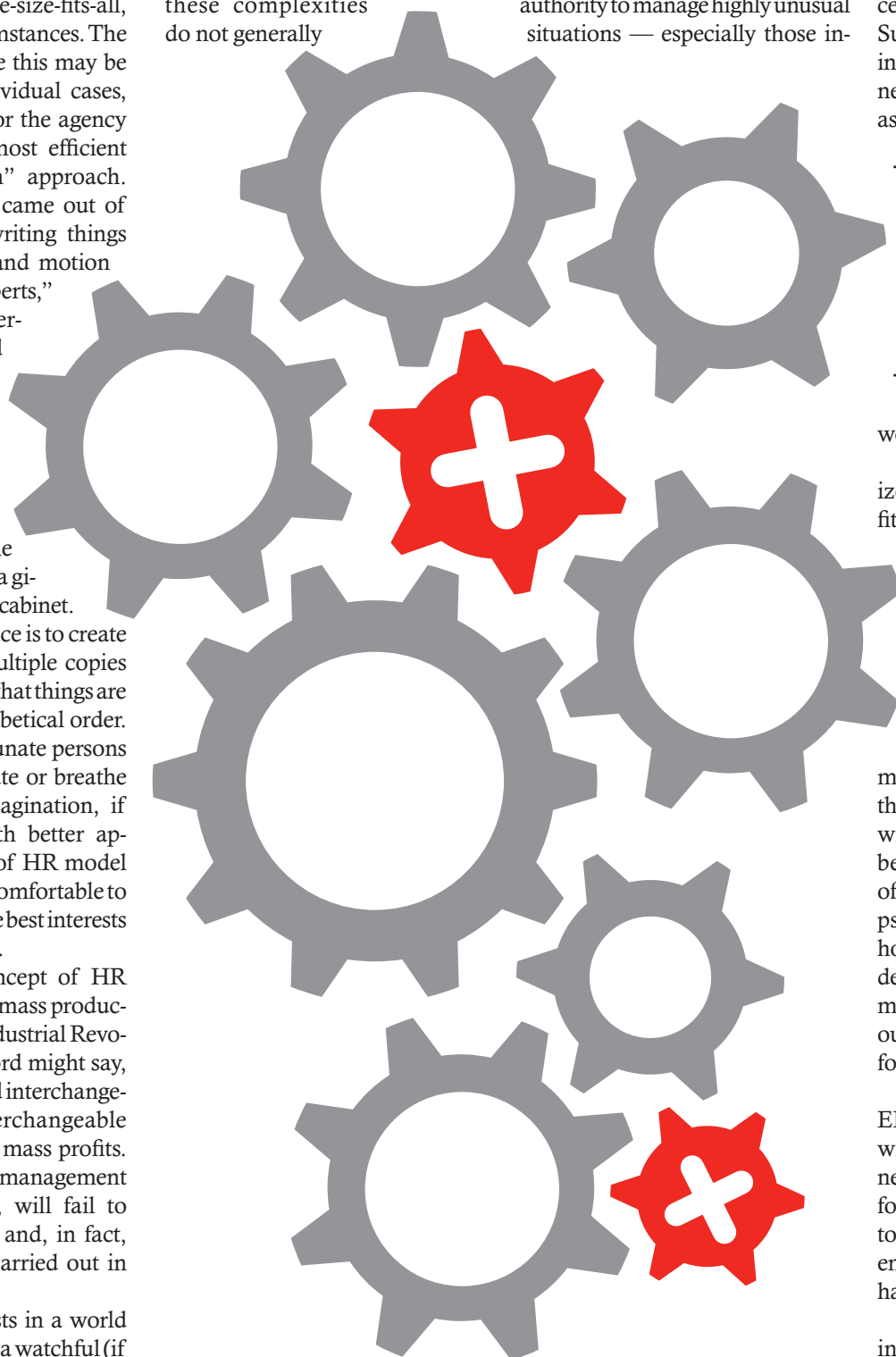
The chance to be part of an HR ER is an absolutely wonderful career development tool to create the next generation of HR leaders. Leadership involves far more than having expertise in the routine. It involves an understanding of human behavior as well as risks and recognition. It involves the ability to communicate very well and inspire in others the kind of confidence that helps them be at their best when things are at their worst.

Questions for The HR Doctor? I would be honored to discuss the concepts in this article in detail with individual agency representatives.

Phil Rosenberg  
The HR Doctor



Contact Phil Rosenberg at  
[philrosenberg@earthlink.net](mailto:philrosenberg@earthlink.net).





## Eight teams make final round of Innovation Challenge

Two West Virginia counties are among the eight winners of the final round of NACo's Innovation Challenge for Coal-Reliant Communities. They will join teams from Michigan, New Mexico, Pennsylvania and Virginia for a three-day training workshop in Charleston, W.Va. in mid-November.

NACo and the NADO Research Foundation (National Association of Development Organizations), with support from the U.S. Economic Development Administration, sponsor the Innovation Challenge for Coal-Reliant Communities program, which assists county and regional leaders with retooling local economies to be more resilient to changing conditions.

The winning teams are led by the Southeast Michigan Council of Governments, representing Monroe County and Wayne County; West Michigan Shoreline Regional Development Commission, representing Muskegon County; Northwest New Mexico Council of Governments, representing Cibola, McKinley and San Juan counties; Armstrong County, Pa.; New River Valley Regional Commission, representing Giles County, Va.; New River Gorge Regional Development Authority, representing Fayette, Nicholas, Raleigh and Summers counties,

W.Va.; Kanawha County, W.Va.; and Mason County, W.Va.

At the training workshop, the eight interdisciplinary teams will receive tailored technical assistance before and after the event to help them implement a variety of strategies and projects related to economic diversification, asset-based development, cluster development, workforce training, broadband, recreation and tourism, and entrepreneurship.

This is the third group of teams to be selected for this program. Previous rounds included a group of seven teams that attended a training workshop in Pikeville, Ky. in April and a group of eight teams that participated in a similar event in Grand Junction, Colo. in September.

More information and materials related to those rounds are available at <http://www.naco.org/innovation-challenge>. Additional resources for counties and regions seeking support with economic diversification, job creation, workforce training and related topics can be found at <http://diversifyeconomies.org/>.

For more information on this program and future opportunities, contact Kathy Nothstine, NACo program director, at [knothstine@naco.org](mailto:knothstine@naco.org).

### NEWS FROM *from page 10*

that could power 65,000 homes annually.

Another company is building a similar project, on 22,000 acres about 10 miles away, this one straddling Perquimans and PASQUOTANK counties. It will be the largest wind farm in the southeastern United States and power servers for the Internet giant, Amazon.

The residents want a buffer of at least a mile, rather than the current quarter-mile, and want money paid by the company set aside in case the project fails and the wind turbines must be removed. The county planning department will consider changes to the wind energy ordinance until the moratorium ends Feb. 2, 2016, *The Virginian-Pilot* reported.

### ► OHIO

At a time when heroin overdose deaths are declining in CUYAHOGA COUNTY, fentanyl overdose deaths have jumped by more than 300 percent, according to the medical examiner's office.

In the first eight months of 2015, 59 deaths were attributed to the synthetic opiate, which is legal and prescribed for a variety of purposes, but is often cut with heroin, or mistaken by users as a stronger version of the drug. Many users unwittingly use the same amount of fentanyl as they would heroin causing them to overdose.

Fourteen people died from fentanyl overdoses in the first eight months of 2014 and five fentanyl overdose deaths were recorded in 2013. Based on those figures, the medical examiner's office estimates the county will see 85 to 95 total fentanyl-related deaths in 2015, *The Plain Dealer* reported.

### ► PENNSYLVANIA

A \$5 increase in vehicle registration fees in ALLEGHENY COUNTY could raise \$4.7 million for transportation projects for 2016. County Executive Rich Fitzgerald proposed the increase, which the County Council passed, and it will be tacked on to the state's \$36 fee per car.

The 2013 state transportation funding law allows counties to enact the fee, and so far CUMBERLAND, FULTON and BLAIR counties have done so.

There are approximately 940,000 registered vehicles in the county, which is responsible for maintaining 400 miles of road



### ► OREGON

Fish Martinez performs a hand drum song in honor of MULTNOMAH COUNTY's recognition of Indigenous People's Day, the second Monday in October, at a Board of County Commissioners meeting. It will replace Columbus Day on the calendar, a federal holiday not recognized by the state of Oregon.

"Reclaiming the second Monday in October as Indigenous People's Day makes a powerful statement," Chair Deborah Kafoury said. "It says, 'we are no longer going to celebrate a time of genocide, but instead we will honor the land we live on and the people who have been here since the beginning.'"

The county is home to more than 40,000 Native Americans and Alaskan Natives.

Photo courtesy of Multnomah County, Ore. Office of Communications

and 523 bridges. The county budgeted \$42.5 million this year to repair roads and bridges, *The Tribune Review* reported.

• The Republican-controlled Legislature's impasse over Gov. Tom Wolf's (D) request for increases of \$1.4 billion in FY16 and \$2.4 billion in FY17 has kept the state on **partial shutdown status** since July 1. The Associated Press reports the Republicans are now working to expand gambling for the third time in six years in hopes of making up the deficit.

### ► TEXAS

Undocumented immigrants who commit minor offenses in DALLAS COUNTY will no longer be automatically detained for 48 additional hours for U.S. Immigration and Customs Enforcement agents.

In FY14, the federal government placed 1,930 ICE "holds" on county inmates, which jumped to 2,048 in FY15. Sheriff Lupe Valdez said decisions on hold requests would now be handled on a case-by-case basis, the *Dallas Morning News* reported.

### ► UTAH

The SALT LAKE COUNTY Council voted to require pet stores in unincorporated areas to sell only **pets from shelters**.

"No one's business is at stake by us passing this, but it does send a message that as a community we value our dogs, cats and rabbits, and that we want to ensure that they're not viewed solely as a product for profit," said Councilmember Arlyn Bradshaw, who is also executive director of the Best Friends Animal Society of Utah.

The county passed an anti-puppy-mill ordinance in 2010 requiring unincorporated county breeders to obtain a license. Under the ordinance, if a breeder is convicted of animal cruelty within five years of seeking a license, they will be denied. Nearly 90 municipalities around the U.S. have passed similar ordinances, including Los Angeles, San Diego, and Austin, Texas, *The Deseret News* reported.

(News From the Nation's Counties is compiled by Charles Taylor and Charlie Ban, senior staff writers. If you have an item for News From, please email [ctaylor@naco.org](mailto:ctaylor@naco.org) or [cban@naco.org](mailto:cban@naco.org).)

## What's in a Seal?

■ DeSoto County, Miss.



At its organization on Feb. 9, 1836, DeSoto County was carved as the most northwestern of Mississippi's 82 counties, in a corner that borders Tennessee and Arkansas. The county is named for Spanish explorer Hernando de Soto, who explored North Mississippi and is thought to have discovered the Mississippi River near present-day Lake Cormorant. The county seat, Hernando, is also named in his honor.

Major interstates including I-55, I-69, and I-22 make DeSoto County easily accessible from all directions. The county's greenways, blue ways and history make it a popular tourist destination and a great place to live, work and play.

In 2012, DeSoto County unveiled a new branding design. The logo depicts the courthouse cupola and a large scale, inverted leaf. The two images, which represent the county's history and growth, are separated by the Mississippi River, which runs along the western border of the county. This modern look distinguishes DeSoto County, Miss. from other counties and cities, and promotes the county on all fronts.

Information for this feature was provided by Patricia Waites, the Mississippi Association of Supervisors. If you would like your county seal featured, please contact Charlie Ban, senior staff writer at [cban@naco.org](mailto:cban@naco.org) or 202.942.4210.